

Road to Restoration: A Dynamic Systems-Based Approach to Improve Mobility and Economic Opportunity

Speaker:

Rubina S. Mustafa, Senior Staff Attorney, Detroit Justice Center
(she/her/hers)

Detroit Justice Center, 4731 Grand River, Ste 200, Detroit, MI 48208

Email: rmustafa@detroitjustice.org

Website: www.detroitjustice.org

Devastating Court Debt for Working People is a National Problem

- More than seven million Americans have lost their driver's licenses for nonpayment of a ticket or fine. American Constitution Society, Issue Brief, March 2019, p 1.
- Most of these individuals are low income and the working poor, and they simply cannot afford to pay courts the fines and costs.
- One in three Americans have been directly impacted by fines or fees related to traffic, criminal, juvenile, or municipal court in the past ten years. "Debt Sentence, How Fines and Fees Hurt Working Families." Fines and Fees Justice Center and the Wilson Center for Science and Justice at Duke Law, May 2023.

CLEAN SLATE TO DRIVE - 2021

A New Beginning

- A. Michigan's 2021 "Clean Slate to Drive" laws became effective Oct. 1, 2021.
- B. More than 100 moving vehicle infractions would no longer suspend a person's license.
- C. The retroactive removal of suspensions for the "failure to comply" sanction impacted over 150,000 Michiganders. Note: The total number of driving records that benefited from the reform may be around 350,000, but 150,000 was probably a more accurate number of people who were cleared to reinstate their license.

Bring Government to the People

- A. **Vision: “Bring Government to the People”**
- B. Pilot in November 2021 and full launch in March 2022 and went through November 2022 the first year.
- C. **Unique:** First of its kind program in Michigan and in the country.
- D. **GOAL:** Ensure that eligible residents could avail themselves of the beneficial change in the laws:
 - a. Provide residents accurate and helpful information on how to restore or obtain legal driving privileges.
 - b. Mobile branches at the clinics allow residents to do any business needed to transact at the clinic.
 - c. Pro bono attorneys provide critical guidance and understanding of what to expect with instructions on next steps in license restoration.

Strategic Public-Private Partnerships

HEROES STEPPED UP TO BRING THE VISION TO LIFE

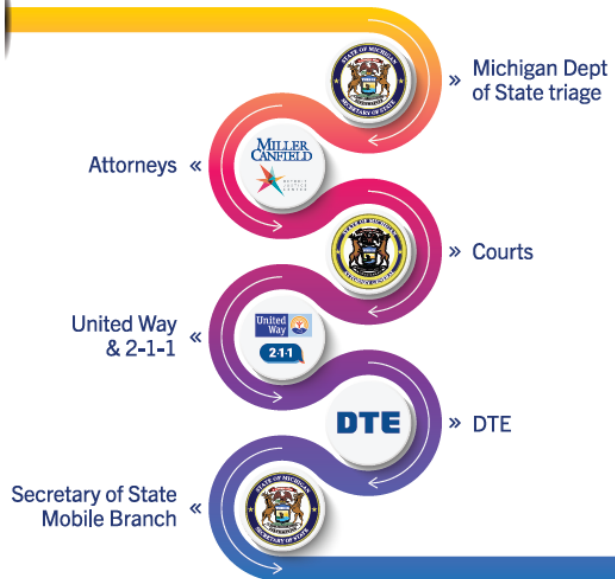
- ★ DTE Energy Foundation- Jennifer Lawson- Found venues and gave PPE supplies.
- ★ Department of State Staff all over the State - Staffed the clinics
- ★ Stellar Media and Communications Professionals - Promoted to the Public
 - DTE Energy (Elizabeth Durham-Adragna)
 - The Department of State (Michael Doyle and Walter Marshall)
- ★ Attorney General's Office - Sent Staff and Donated Driving Records
- ★ 211 Michigan - Promoted the Clinics and Registered People
- ★ Michigan Association of United Ways - Donated and Staffed the Clinic
- ★ Michigan Works! - Donated and Staffed the Clinic
- ★ Miller Canfield, Wendy Richards- Donated and Recruited Pro Bono Attorneys
- ★ Detroit Justice Center, Rubina Mustafa - Recruited and Trained Pro Bono Attorneys
- ★ Legal Aid Associations & Public Defenders - Volunteered Attorneys at the Clinics

Training and Recruiting Volunteer Attorneys

- A. Miller Canfield's Pro Bono Counsel and the Detroit Justice Center helped recruit Pro Bono Attorneys, Train Volunteer Attorneys, and develop handouts for residents with support from Lakeshore Legal Aid and DTE Energy Legal.
- B. Recruitment- Ensure enough volunteers would be available to serve the need in the community.
- C. Training- Prepare the volunteers to provide accurate, quality advice.
- D. Outreach to both profit and non-profit legal professionals, who are allies for social justice.
- E. Malpractice Insurance provided for free through the State Bar for Pro Bono work helped ease attorneys new to this area of law.
- F. Amazing volunteer attorneys stepped up and delivered quality legal advice with tailored deliverables for each resident.

What Happens at a Clinic?

CLINIC JOURNEY



Awareness

Michigander sees social media ad or flyer from their local community rep/center

- Ask about the clinic...perhaps consulting family, friends or clinic host site
- See they can pre-register OR can walk-in... folks do both!

IF they pre-register, attendee goes to Road to Restoration website OR calls 211 to learn more and register for an upcoming clinic

= Attendee has a confirmed slot at the clinic, receive their confirmation email with time, date, location, instructions

OR they choose to walk-in day

OR Michigander COULD see:

- Local newspaper/TV/radio reporting as another way to learn about the clinics
- Signage day-of at clinic host site as it's in their neighborhood

Day Of

Attendee arrives at known "safe space" in their community either at their pre-registered slot OR as a walk-in

Greeted by clinic volunteers from DTE, MDOS, UW or host site

Pre-registered folks take one route; walk-ins another

Pre-registered Attendees

- See a volunteer attorney to review their driving record and map their way to restoring their license
- Different paths open from there:

- Pay fines or fees
- Testing to establish they're up to date on current driving safety
- Attend a hearing — for more complex cases, yet begins that process for them
- Leave with:
 - Their license
 - Their driving permit
 - A "To Do" list that clearly maps their path to license restoration

Walk-in Attendees

- Go to Triage to gather their specific needs, be that an attorney, fee/fine amount, etc
- Depending on that outcome, see list above

Clinics Soon Offered More Resources

- ✓ Summer of 2022 - Courts joined the clinics
- ✓ District Court Representatives from Detroit joined and:
 - o Reduced fees
 - o Scheduled court hearings for open cases.
 - o Arranged payment plans - Other courts joined later- Muskegon, Saginaw, Dearborn, and Lansing
- ✓ United Way, Michigan Works! and other community organizations offered financial assistance and supportive services for residents
- ✓ SUCCESS: Lansing's Mayor Andy Schor designated a large grant of American Rescue Funds to pay civil infractions that helped clear license suspensions for Lansing residents.
- ✓ SUCCESS: Unions volunteered to host smaller events and fund raise for members who were struggling with fines and fees.

Listening to Our Residents

- ❖ The Clinics offered a safe space for residents, who learned that they could bring their questions to the government and find answers.
- ❖ The State, Attorney Volunteers, and Community Organizations deeply listened to residents and showed compassion about many issues:
 - Who do I talk to about the administrative hearing process?
 - Why can't I apply for a license or appeal my revocation or suspension?
 - Why are there additional sanctions on my driving record?
 - What can I do if I can't afford to pay fines and fees?
- ❖ SUCCESS -From July through November 2022, with residents' permissions, 1700 people were tracked to discover if their attendance at the clinic benefitted them. The Department learned that 120 now had valid licenses since attending the clinic.

Clinics Help Advance More Reform

- A. Sixty-two Road to Restoration Clinics have been held since their inception.
- B. Over 10000 citizens have been helped at the clinics or through outreach before and after the clinics.
- C. The clinics also serve as “deep listening/safe space” sessions. Michiganders’ stories raised awareness of the remaining legal barriers to full license restoration.
- D. Road to Restoration team members advocated for further reforms remain desperately needed.
- E. SUCCESS: Legislative - The “Application Denial” has finally been repealed and will become effective on April 1, 2025.
- F. SUCCESS: The Road to Restoration team has partnered with two correctional facilities to arrange for in-person services for residents, who will be paroled soon, and have restored almost 100 licenses with this project.

ROAD TO RESTORATION

Road to Restoration driver's license clinics were held across Michigan through a partnership between the Michigan Department of State, Office of the Attorney General, the Department of Corrections, the Detroit Justice Center, DTE Energy, Miller-Canfield law firm and nonprofit organizations



Elevating Real World Problems Lead to Systemic Change

- ❑ COMMUNICATION TEAMS tell the stories of impact and reform
 - ❑ Huge Article in the Detroit Free Press Neal Rubin
- ❑ STORIES -Broaden the impact of systemic advocacy for reforming both internal practices at the State and Court level.
 - ❑ The burden of unaffordable fines and fees from courts still disproportionately falls on poorer citizens as barriers to a legal license.
 - ❑ WE need to fight for a fair system to overcome poverty and not deepen the woes of those striving to do better for themselves or their family.
- ❑ Economic Justice Benefits Everyone -
 - ❑ Employers want to hire people and are struggling to find people with valid driver licenses to fill job openings.
 - ❑ Government revenue increases when people are empowered rather than punished.



DTE



**MICHIGAN
WORKS!**



**MILLER
CANFIELD**



THANK YOU!