NATIONAL SURVIVOR LAW COLLECTIVE

TOOLKIT FOR LAW FIRMS HOSTING

PRO BONO DEBT BONDAGE REPAIR ACT CLINICS

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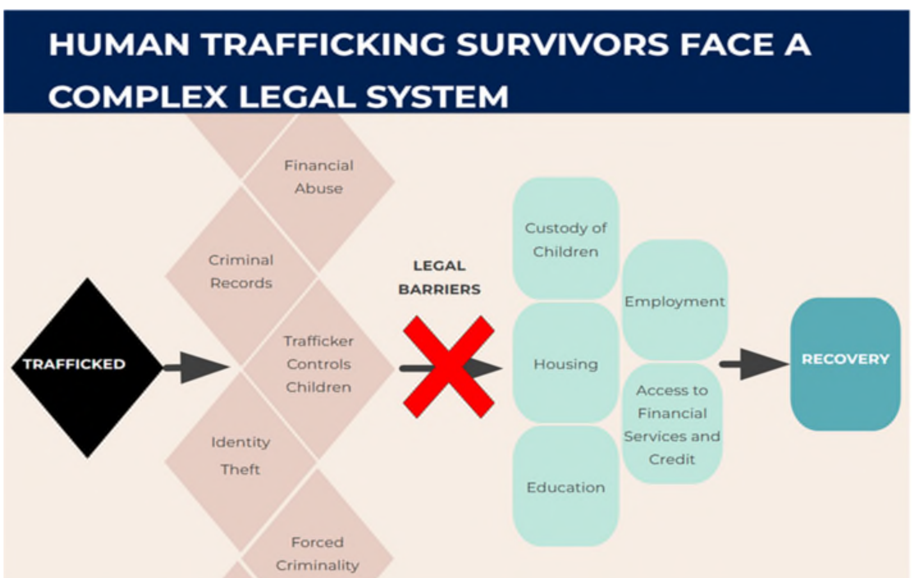
THE LEGAL DESERT FACT SHEET

The Legal Desert

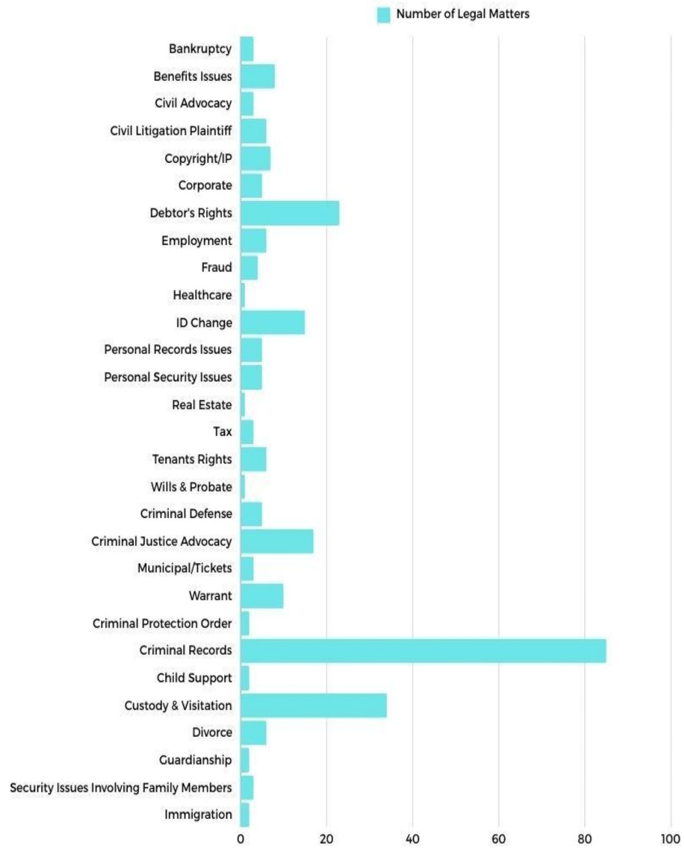
The National Survivor Law Collective (NSL Collective) describes survivors of human trafficking as walking through a legal desert. Devoid of resources, constantly being deceived by mirages of what may look like legal services, survivors face one barrier after another to recovery. *See* The Avery Center & Nat'l Survivor Law Collective, *Legal Deserts Report: A Portrait of Legal Services for Survivors of Sex Trafficking* (July 2021); The Avery Center & Nat'l Survivor Law Collective, *Legal Deserts Report 2.0: Closing Gaps for Human Trafficking Survivors' Access to Justice* (Mar. 2023). Further, legal services providers often lack trafficking-specific expertise or criminal, family or consumer law practices. *Id.* Without trauma-informed legal representation, even well-intentioned providers risk re-traumatizing survivors or discouraging them from seeking help at all. Upon exit from trafficking, survivors are often left with debilitating criminal records, very low credit scores, and other barriers to safety and independence.

Survivors' Legal Needs

Anyone working with trafficking survivors quickly learns that survivors often face a myriad of legal issue arising out of or connected to their trafficking experience. And yet, they face a complex legal system that all too often leaves them unable to access the legal remedies available to them.



For example, Alliance to Lead Impact in Global Human Trafficking, one of the members of the NSL Collective, identified 29 different legal issues across 273 cases:



Source: ALIGHT 2023 Impact Report

Access to trauma-informed pro bono representation, through law firm engagement, could create an oasis in this legal desert.

FINANCIAL EXPLOITATION AND THE DEBT BONDAGE REPAIR ACT

The Financial Impact of Trafficking

The financial fallout of trafficking is severe and long-lasting. Survivors are frequently victims of identity theft, coerced into debt, or forced into signing fraudulent leases, loans, or other financial instruments. Further, traffickers often file false tax returns under survivors' names, or misstate dependencies, while survivors themselves may be unable to file legitimate returns during their exploitation.

Financial and Consumer Law Needs

> So he started focusing on girls not only for the profit margin because of their age, but because he could work with their credit. That would be a recruitment question before they come: 'How's your credit'" Because he started realizing credit was important for things like getting a house or things like that in the future. He knew he couldn't do that with just cash."[7]

Even after leaving their traffickers, survivors face debt collectors and ruined credit as a result of their trafficking experience and financial exploitation. In addition, survivors commonly do not have the economic means to support themselves after leaving their traffickers and often lack basic financial literacy skills, which can lead to missed payments and even defaults on student loans, credit cards, and other debts, high credit card balances, collection activity, and even bankruptcy, all of which further negatively impact their credit score.

All of the above make it difficult, and often prevent survivors from securing housing, employment, and stability. While physical freedom may be achieved, financial bondage can persist for years and even decades. This is where the Debt Bondage Repair Act comes in.

What is the Debt Bondage Repair Act?

The Debt Bondage Repair Act (DBRA), enacted in July 2022, gives trafficking survivors a tool to repair their credit by prohibiting credit reporting agencies from including adverse information that resulted from trafficking on survivors' credit and consumer reports. Survivors may request the removal of harmful credit entries by submitting proof of identification, a written request to the credit bureau identifying the adverse information, and a victim determination document issued by a court, government entity, or an authorized nongovernmental entity. While the DBRA does not erase debt or automatically restore financial wellness, it acknowledges the unique harms faced by trafficking survivors and provides them with a water source amidst a legal desert and reduces the impact a negative credit score can have on survivor's road to stability.

Accessing the DBRA and the Power of Pro Bono Representation

NSL Collective, working alongside law firms, law school, clinics and advocacy organizations, helps survivors access pro bono legal representation by guiding them through the required documentation, correspondence with credit reporting agencies, and trauma-informed advocacy. By bridging the gap between legislation and practical access, NSL Collective and its partners ensure that the protections promised by the DBRA reach those who need them most.

The passage of the DBRA presents a fountain of hope in what has too often been a legal desert for trafficking survivors. Repairing credit is not only about removing negative information from a report and improving credit scores, but also about unlocking opportunities. Clearing records of debts, defaults, late payments, bankruptcies, and fraudulent accounts tied to their financial exploitation can restore access to safe housing, stable employment, financial independence, and most importantly, dignity. When paired with broader reforms and better access to trauma-informed legal advocacy, the DBRA represents a step toward transforming deserts into real support and justice.

This is a true pro bono win-win. Because the DBRA is a federal program, there is no unauthorized practice of law concerns across jurisdictions, making participation accessible to a broad range of volunteers. It also creates an excellent opportunity for law firms to partner with in-house legal departments and corporate clients, many of whom want to support survivors but may lack malpractice coverage or local licensing. As noted in a Law360 article, this is a particularly ripe area for pro bono collaboration, offering business clients a structured way to contribute meaningful value despite their primarily commercial expertise. *See* Sarah Dohoney Byrne & Renata Parras, *Meeting the Legal Aid Needs of Human Trafficking Survivors*, LAW360, April 21, 2023, 5:55 PM.

Through its experience since the passage of the DBRA, NSL Collective has observed that survivors who seek relief under the DBRA on their own often run into denials or get stuck responding to cure requests. With pro bono support, those challenges drop dramatically, success rates climb, and survivors are spared from the frustration of endless back-and-forth with credit reporting agencies. And there's a bonus. DBRA work often opens the door to more. What begins as a single representation can create a lasting commitment to survivor advocacy, inspiring attorneys to explore other areas like criminal record relief, family law, and victim-witness rights.

DEBT BONDAGE REPAIR ACT CLINICS

Since 2022, NSL Collective has developed a remote legal clinic model to connect volunteers with survivors seeking assistance under the DBRA. These survivor-centered clinics are structured to provide direct legal assistance in completing the documentation and submission process. Previous clinics have served between 20 and 40 survivors, with additional survivors requesting ongoing or follow-up support. Given the high demand, this toolkit is intended to facilitate the expansion and broader outreach of the clinics to ensure increased access to credit repair remedies for survivors.

Process Under the Debt Bondage Repair Act:

1. Victim Determination: A court, a federal, state, or tribal governmental entity, or an authorized service provider must issue a written determination that the consumer is a victim of human trafficking (as defined by federal law). This document is called victim determination documentation (VDD).

2. Submission of Documentation: The survivor, with or without the assistance of an authorized service provider, must submit the following to the nationwide consumer reporting agencies (CRAs):

    a. Proof of identity (usually through a government-issued identification document.)
    b. An authorized victim determination documentation (VDD).
    c. A written identification of specific adverse items of information on the consumer's file that resulted from the trafficking.

3. Obligation of Consumer Reporting Agencies: Within 25 days of receipt of the required documentation, CRAs are required to block the adverse information requested, meaning they are prohibited from including or reporting the identified adverse information in any consumer report thereafter.

Purpose of Pro Bono DBRA Credit Repair Clinics:

DBRA clinics are designed to:

- Review and assess survivors' credit reports.
- Identify adverse information, which resulted from the survivor's trafficking experience.

- Prepare letters to the three major national CRAs (Equifax, Experian, and TransUnion) requesting that the CRAs block these harmful entries.

> **"It is an issue I still struggle with today. My credit is shot because I have things in my name that I never knew I had. And, because I'm not as open to telling a credit person, 'Oh this is my life, this is what I went through,' and giving proof of [my trafficking experience]. I can't get a phone bill in my name. I can't get a lot of things in my name."**
>
> **-Survivor (Polaris "National Survivor Study Initial Learnings", 2022)**

<u>Next Steps</u>:
Below, this toolkit outlines resources, templates, and examples to guide organizations interested in hosting DBRA Clinics. Every law firm has its own pro bono practices and culture. These materials are designed to help you structure and launch a clinic that fits any firm, ensuring that more survivors can access this critical credit repair relief.

EXAMPLE HOST ORGANIZATION RESPONSIBILITIES

This outlines the responsibilities of host organizations in organizing and executing a Credit Repair Clinic.

Before the Clinic

Estimated time: Work should begin at least 3 months in advance of the clinic. See sample calendar here.

- **Client Coordination**
  - ❑ Identify NGO(s) to conduct outreach to, screen and generate the Victim Determination Documentation (VDDs) on behalf of eligible survivors.
  - ❑ Work with verified NGOs to invite clients to participate in the clinic using a Survivor Intake Form.
  - ❑ Vet prospective clients with the assistance of the NGOs to determine whether the clients are eligible to participate in the clinic.
  - ❑ Send the Client Limited Engagement Disclaimer to each approved client.
  - ❑ Upload relevant client documents to an online platform that will allow you to share confidentially the approved client documents with their assigned clinic volunteers.

- **Volunteer Management.** See instructions and FAQs here.
  - ❑ Invite volunteers to participate in the limited scope Credit Repair clinic and complete a volunteer sign-up form and confirm participation. (link sign up form)
  - ❑ Send a Confidentiality Agreement to all volunteers in advance of the clinic and collect signed Agreements.
  - ❑ Send volunteers background materials, including a template letter to credit reporting agencies that they will use on the day of the clinic.
    - ▪ If you match volunteers and clients in advance of the clinic, send the client eligibility documents to volunteers.

- **Clinic Set Up**
  - ❑ Set up the virtual clinic using Zoom, Teams, or a similar platform.
    - ✓ Possible set-ups:

- Breakout Rooms: a general room for all volunteers to gather and receive instructions, a general room for all clients to check-in, breakout rooms for each volunteer team to meet with their client (e.g., 15 breakout rooms to serve 15 clients per session), a room for experts to answer volunteer questions and provide guidance, and a room for NGOs to address any eligibility screening or related questions.
- Individual meetings between the legal team and the survivor.

- **Document Protocol**

  - [ ] Prepare an efficient and secure protocol for sharing each survivor's documentation with the volunteer team serving that survivor on the day of the clinic, keeping in mind possible firewalls that block access to common file share sites.

  - [ ] Review each client's documentation to ensure that they are eligible to participate in the clinic and notify the client of any additional documentation the client needs to obtain to become eligible. The host organization could structure this as a mini pro bono opportunity for volunteers or could do this on its own or in partnership with one or more NGOs.
    Consider creating electronic forms for any toolkit documents that must be completed or signed by clients or volunteers.

- **Expert Support**

  - [ ] Identify subject matter experts to be available to support volunteers on the day of the clinic.

Day of the Clinic:

Estimated time: 6-hour clinic. A sample agenda can be found here.

- [ ] Provide welcome remarks and logistical details and assistance to volunteers and clients as needed.

- [ ] Share links to each survivor's documentation with the appropriate volunteer teams or ensure the relevant documents are posted in each of the appropriate breakout rooms.

- [ ] Designate a point person to receive any closing notes from volunteers regarding the status of their work and a process for volunteers to share clinic documents with that person.

After the Clinic:

Estimated time: 3 - 5 hours per client

- ❑ Finalize the credit repair requests and submit them to the credit reporting agencies (Equifax, Experian, and Transunion).
- ❑ Ensure that an attorney from the host/co-host firm or legal department signs their name on each of the client's submissions.
- ❑ Respond to inquiries or requests to cure from any credit reporting agency for up to 30 days following submission.
- ❑ Follow up with clients to answer any inquiries or requests to cure from credit reporting agencies and have the client run a new credit report.
- ❑ Satisfaction surveys for Clients and Volunteers.

EXAMPLE SURVIVOR INTAKE FORM

Referring Entity*

Name of Referring Entity: ____
Contact: ____
Phone Number: ____________________________ Email: ________________________________

Potential Client Information

Name of potential client:____
Phone number: ____________________ Email: ______________________________________
Date of birth: ____________________ Preferred Name: ______________________________

Is client comfortable with a male attorney? ⦿ Yes or ⦿ No

Service provider* certifies that the potential client has been screened and identified as a victim of human trafficking? ⦿ Yes or ⦿ No

Screened by: ____

* Must be Project Partner (*i.e.*, service provider partner or law enforcement)

Does client have a credit report? (Ideally one from each of the three CRAs (Equifax, Experian, and TransUnion) available in PDF format, if possible, or a consolidated report through https://www.annualcreditreport.com/index.action.) ⦿ Yes or ⦿ No

Preferred method of contact: ____

EXAMPLE PLANNING CALENDAR

[Date of Clinic]

[5 – 8 weeks prior]	Conference call with clinic partners (host organization, NGO(s)) to discuss clinic scheduling and process for recruiting clients Send invitations and intake form to clients and volunteers Host/intake team meets with clients to review client documents for eligibility and confirm clients
[4 - 5 weeks prior]	Deadline for clients to sign up for clinic [This deadline may be extended depending on number of sign-ups.] Deadline for NGOs to provide host organizations with VDDs Send client confirmation email to volunteers with limited engagement disclaimer (if not already received during intake) Coordinate with referring NGOs about survivors who have not completed registration so NGO can further support them with signing up
[3 - 3 ½ weeks prior]	Deadline for volunteers to sign up for clinic Send volunteer confirmation email with template documents, slides, video training, and confidentiality agreement
[2 - 3 weeks prior]	Deadline to receive limited engagement disclaimer and confidentiality agreement Prepare draft matching chart of volunteers and clients (internal)
[1 ½ - 2 weeks prior]	Send volunteer and client confirmation email #2
[1 – 1 ½ weeks prior]	Finalize matching chart (internal)
[2 days prior]	Send volunteer and client confirmation email #3
[Day of clinic]	Adjust volunteer-client matching as needed Host clinic Provide satisfaction surveys to clients and volunteers
[1 day after clinic]	Volunteers submit draft credit repair request letters and notes on any follow-up needed to host organization

[1 – 1 ½ weeks after clinic]	Host organization submits credit repair request letters by this deadline
[Up to 30 days post-submission]	Host organization timely addresses any follow-up questions or requests to cure
	Have the client run a new credit report

<u>EXAMPLE CLIENT LIMITED ENGAGEMENT DISCLAIMER</u>

Welcome to the [NAME OF HOST] [MONTH] [YEAR] Credit Repair Clinic for Trafficking Survivors!

Thank you for your interest in participating in this Virtual clinic to receive pro bono services related to credit repair for human trafficking survivors (the "**Clinic**"). By participating in the Clinic and signing below, you agree to following terms and conditions, in order to receive this limited service through the Clinic:

1. I understand that the organization(s) hosting the Clinic, [NAME OF FIRM(S)], agree to help me only with credit repair relief that may be currently available under the Federal Debt Bondage Repair Act ("**DBRA**") related to the three major national credit report agencies (Equifax, Experian, and TransUnion).
2. I understand that [NAME OF FIRM(S)] may partner with volunteer lawyers and staff at other organizations to collaboratively deliver this service and that together those volunteers make up my "**Credit Repair Legal Team**." Further, [NAME OF FIRM(S)] agree to respond to inquiries or requests to cure from any consumer reporting agency for the 30 days following the submission.
3. I understand that my Credit Repair Legal Team agrees to provide only the following assistance during the Clinic: (a) evaluating my eligibility under the DBRA; and (b) if eligible, submitting an application for credit repair relief on my behalf.
4. I do not expect any additional services from the Credit Repair Legal Team, and understand that the assistance automatically ends 30 days after my application for credit repair relief has been submitted, unless [NAME OF FIRM(S)] and I have entered into an agreement for formal pro bono representation related to additional services.
5. I understand that the Credit Repair Legal Team is providing assistance to me on a pro bono basis, which means I will not be charged for the services provided to me.
6. I will cooperate in providing information and documents necessary to evaluate my eligibility for credit repair relief under the DBRA.
7. I understand that the Credit Repair Legal Team does not promise or guarantee the results or outcome of any application for credit repair relief that might be filed on my behalf.
8. *Release of Information*: I understand that my Credit Repair Legal Team will make best efforts to keep my information private and confidential but that it will be electronically shared between the organizations involved in the Clinic and with the consumer reporting agencies.

9. *Conflicts Waiver*: The Clinic is a pro bono collaboration between [NAME OF FIRM(S) AND ANY OTHER PARTNER ORGANIZATIONS)]. In providing you assistance as part of the Clinic, the objective of [NAME OF FIRM(S) AND ANY OTHER PARTNER ORGANIZATIONS)] is to assist you to the best of our ability without forfeiting the continuing representation of the general clients of [NAME OF FIRM(S)]. [NAME OF FIRM(S) is a law firm which has represented, and continues to represent, many different corporate and individual clients with various interests in numerous industries. As a specific condition to the [NAME OF FIRM(S) AND ANY OTHER PARTNER ORGANIZATIONS)] assisting you with credit repair relief as part of the Clinic, you understand and agree that [NAME OF FIRM(S)] may continue to represent or may undertake in the future to represent existing or new clients in any matter that is not substantially related to our work for you even if the interests of such clients in those other matters are directly adverse to your interests. [NAME OF FIRM(S)] agree, however, that your prospective consent to conflicting representation contained in the preceding sentence shall not apply in any instance where, as a result of the assistance provided to you in the Clinic, we have obtained proprietary or other confidential information of a nonpublic nature, that, if known to such other client, could be used in any such other matter by such client to your material disadvantage.

By signing below, you agree to the above terms and conditions. Thank you.

____

[Client Name] Date

EXAMPLE VOLUNTEER CONFIDENTIALITY AGREEMENT

I, ___________________, desire to participate as a Volunteer at [NAME OF CLINIC ORGANIZER(S)] Credit Repair Clinic for Human Trafficking Survivors (the "**Clinic**"). Volunteers will work with survivors who have been referred to the Clinic from various organizations working with human trafficking survivors. As a Volunteer, I will have access to confidential and sensitive client information and records. I agree to maintain the confidentiality of all client information and records that the [NAME OF CLINIC ORGANIZER(S)] is giving me access to as part of my participation in the Clinic. I understand that I am not authorized to disclose or release any client information without the client's consent. This agreement shall remain effective even after I stop volunteering with the Clinic.

____

Volunteer Signature   Volunteer Name   Date

EXAMPLE INSTRUCTIONS & TIPS DURING THE CLINIC

Tips for Communicating with our Survivors:

- Be aware and sensitive about the terminology you use. For example, using "survivor" as opposed to "victim." Similarly, avoid using the term "client" because it might have negative connotations for some of the Survivors. However, be mindful of the language preferred by the Survivor and follow their cues. (For example, using first names only if the Survivor is okay with it).

- We do not require our Survivors to provide details about their trafficking experience. The fact that they have a Victim Determination Document ("**VDD**") or another source establishes that they are survivors of human trafficking for purposes of the DBRA. However, if a Survivor wants to tell you part of their story, you should listen.

Recommended Introduction:

- At the start of your meeting with the Survivor, all team members should introduce themselves to the Survivor, even those off-camera, so that they know who is on their Credit Repair Team.

- One team member should provide the Survivor an email address to send documents to the Credit Repair Team.

- Explain to the Survivor that the meeting will focus on two issues:

    1. Determine whether the Survivor is eligible for relief under the DBRA. This part focuses primarily on whether the Survivor has all the required documents.

    2. If eligible, identify the specific adverse information that the Survivor wants to include in their Trafficking Block Request. This part focuses on carefully reviewing the Survivor's credit reports with the Survivor.

- Explain that, based on the information provided by the survivor, the team will put together Trafficking Block Requests to one or more of the three major national CRAs (Equifax, Experian, and TransUnion), which will be reviewed with the Survivor during the Clinic (if completed during the Clinic) or sent to the Survivor for review after the clinic (if the team was unable to complete during the Clinic) prior to submission to the CRAs.

<u>Other Important Disclaimers for the Survivors</u>
(*These should be mentioned at some point during the meeting*):

- Remind the Survivor about the limited scope of the Clinic. We are only able to help with Trafficking Block Requests under the DBRA. If the Survivor has additional legal questions related to their trafficking experience, they should reach out to the organization that referred them to the Clinic. [*While this will be covered during the Intake Portion, a reminder is important.*]

- Remind the Survivor that a Trafficking Block Request under the DBRA does **<u>not</u>** discharge the underlying debt that may be associated with negative information on their credit report. However, a Trafficking Block Request will block the negative information, so that it no longer affects their credit score. [*While this will be covered during the Intake Portion, a reminder is important*.]

- Explain to eligible Survivors that after they have approved the draft Trafficking Block Requests, they will receive a DocuSign request asking them to sign the Equifax Authorization Form from [THE HOST LAW FIRM OR COMPANY], authorizing us to submit the Trafficking Block Request on their behalf to Equifax.

- Explain to the Survivor that all Trafficking Block Requests will be submitted by [THE HOST LAW FIRM OR COMPANY] to streamline the process and ensure that follow-up requests are timely processed.

<u>Step 1: Determining Eligibility</u>

- Make sure Survivors have <u>all</u> the documentation required for submission of the Trafficking Block Requests: (1) Proof of Identity, (2) Proof of Current Address, (3) Victim Determination Documents, and (4) Credit Reports.

1. **Proof of identity** – Here is what is needed for each CRA:

   Equifax – Requires a copy of one of the following documents:
   - ☐ Survivor's driver's license (does not appear to be enforced);
   - ☐ Survivor's government-issued ID;
   - ☐ Survivor's passport;
   - ☐ Survivor's birth certificate;
   - ☐ Survivor's Social Security card; OR
   - ☐ Survivor's W2.

Experian – Requires a copy of one of the Survivor's government- issued IDs, such as:

- ☐ Survivor's driver's license;
- ☐ Survivor's state ID card; OR
- ☐ Survivor's passport.

TransUnion – Requires a copy of one of the following documents:

- ☐ Survivor's driver's license;
- ☐ Survivor's government issued ID;
- ☐ Survivor's passport;
- ☐ Survivor's birth certificate;
- ☐ Survivor's Social Security card; OR
- ☐ Survivor's current utility bill.

All photocopies/scans must be clear and readable.

Under Regulation V, the CRAs are required to accept nondocumentary forms of identification. Please consult [POINT PERSON AT HOST] during the clinic if the Survivor does not have any form of documentary identification.

2. **Proof of Current Address** (Needed for Experian Only).

- In addition to proof of identity, Experian requires one of the following documents showing Survivor's current address:
  - ☐ A recent utility bill;
  - ☐ A recent bank statement; OR
  - ☐ A recent insurance statement.

3. **Victim Determination Documentation** (“**VDD**”).

☐ The most common form of VDD the Survivors will provide is a letter from a service provider stating that the Survivor is a victim of human trafficking.

- Such letter can be a valid VDD if the service provider has been specifically authorized by a government agency to make such victim determinations. Unfortunately, many of the organizations that have provided such letters to the Survivors are likely not specifically authorized to make such determinations. Thus, such letters are insufficient.

    - Some of the Survivors will have received such letters from a Clinic participating organization, in which case volunteers can rely on it because we know those organizations have both been authorized to issue VDDs. To avoid potential issues of fraud, **please do not provide those VDDs to the Survivors as they are solely to be used in connection with the Clinic**.
    - Other Survivors submitted their proposed VDDs beforehand for screening, in which case we have tried to verify with the organization whether they are authorized to issue VDDs. If we were able to do so, the VDD will say **"Verified Before Clinic"** in the document name.

- The Clinic team will not be able to submit Trafficking Block Request to the credit agencies until we receive the VDDs, but we can have them ready to submit otherwise.

- **If the Survivor provides a letter from a service provider that (1) is not from a confirmed Clinic participant, and (2) does not say "Verified Before Clinic" in the document name**, please make sure that the VDD contains the necessary language, including:

    - ☐ The organization has determined that the Survivor was a victim of human trafficking; and
    - ☐ The organization has been authorized by a specific government agency to make a victim determination (it should identify the government agency).

- For any letter from a non-profit that is (1) not from a participating Clinic organization, and (2) does not say "Verified Before Clinic" in the document name, the Clinic team will need to verify after the Clinic that the non-profit is actually authorized to issue VDDs and did so for the Survivor.

- Apart from a letter from a non-profit, there are **other forms of acceptable VDDs**, which are usually government documents that specifically identify the Survivor as a victim of human trafficking. This includes:

    - ☐ HHS Certification letter
    - ☐ HHS Eligibility Letter
    - ☐ T Visa Approval (I-94 or I-797)
    - ☐ Continued Presence Approval
    - ☐ U Visa Certification (I-918B) with trafficking as the qualifying crime

- ☐ Court order for vacaturs, expungements, or record sealing where the underlying crime was related to the trafficking victimization
- ☐ Criminal court records with the consumer identified as a victim of trafficking (e.g., restitution orders)
- ☐ Victim compensation approval showing trafficking victimization
- ☐ Civil suit complaints, filings, or decisions with decisions related to trafficking
- ☐ State government agency approvals for public benefits that are available to trafficking survivors (e.g., California Trafficking and Crime Victim Assistance program, New York Notice of Confirmation as a Human Trafficking Victim)

- Please ask [POINT PERSON] to review any such government documents to determine whether they meet the requirement, unless the name of the document includes "Verified Before Clinic."

4. **Credit Reports.**

- Ideally, the Survivor has a credit report from each of the three CRAs (Equifax, Experian, and TransUnion) available *in PDF format*, if possible, or a consolidated report through **https://www.annualcreditreport.com/index.action**. Some CRAs may include more information than others, so it is best to have all three reports.

- However, as long as you have a credit report from one of the CRAs, you can proceed. If necessary, the Clinic team can submit follow-up Trafficking Block Requests once the Survivor accesses their updated credit reports after the CRAs granted the requests.

- **We will not be assisting Survivors in pulling their credit reports**. If they do not have at least one credit report, we will not be able to assist them at the Clinic.

5. **Equifax Authorization.**

    - Equifax requires an Authorization Form with the Survivor's signature and the Attorney's proof of identity for a third-party to submit a Trafficking Block Request on behalf of a Survivor (Experian and TransUnion do not require this). As noted, the Equifax Authorization Form will be sent to eligible Survivors via DocuSign after the clinic once the Survivor has approved the draft Trafficking Block Requests. Please remind them to sign it.

6. **Experian Preferred Contact Method**.

    - For Experian, you need to obtain the Survivor's preferred method of contact, which has to be included on the Trafficking Block Request. This is usually an email address but can be a physical address.

<u>Step 2: Evaluating Survivor's Credit Report with Survivor</u>.

- For each credit report available, walk through all of the credit accounts listed, especially those that include adverse information (late payments, default, etc.).

- Ask the Survivor whether the adverse information was the result of their trafficking experience (*e.g.*, debt was incurred, or coerced by the trafficker; late payment was the result of trying to make ends meet after they were no longer being trafficked; overdue medical bills resulting from assaults while being trafficked; accounts reflecting that the trafficker used their identity to open accounts after the trafficking experience.).

<u>Step 3: Prepare Trafficking Block Requests</u>

- Based on the information provided by the Survivor, generate the Trafficking Block Request.

- In preparing the Trafficking Block Request, volunteers should provide sufficient detail for the CRA to identify the Account (often Survivors have multiple accounts with the same financial institution and similar account numbers). This could include the name of the creditor, partial account number, account opening date, current or final balance, status.

- One team member can start working on the draft Trafficking Block Request during the interview (*i.e.*, taking notes in the template letter).

- Teams may be able to finish draft letters during the meeting with the Survivor, in which case they can review it with the Survivor during the meeting. Some teams may be able to finish one meeting with a survivor, while waiting for the next meeting. Otherwise, the letters can be completed after the Clinic.

EXAMPLE FREQUENTLY ASKED QUESTIONS (FAQ)

(Q): **What if the Survivor does not have credit reports from all three CRAs?**

(A): You need at minimum one credit report to proceed. You can submit letters to all three CRAs with the information from one CRA. Most likely, each CRA has information that overlaps with the others.

Note: We have directed survivors to https://www.annualcreditreport.com, where they are able to pull a weekly free report from all three CRAs.

(Q): **What if a Survivor is unsure whether adverse information is the "result" of human trafficking?**

(A): The DBRA is very open-ended in terms of what items are the "result" of human trafficking. This can include items that traffickers are directly responsible for as well as items that arose after, but still resulted from, exploitation. Survivors self-report which items apply and do not need to provide any explanation to the volunteers or the CRAs. Regulation V provides that the CRAs cannot challenge a survivor's position as to what resulted from human trafficking.

(Q): **Can a Survivor ask to remove incorrect personal information (*e.g.*, misspelled names, addresses they don't recognize, phone numbers)?**

(A): Yes, we have included such requests in the past. They have not always been granted, but it is worth trying. This type of incorrect information can give the trafficker access to the Survivor's credit report or make it difficult for the Survivor to verify their identity when applying for credit.

(Q): **Can a Survivor's bankruptcy be removed from a Survivor's report through a Trafficking Block Request?**

(A): Yes, any information can be blocked, even if it does directly affect their credit score as long as it resulted from the trafficking experience. This can include late payments, unpaid loans, evictions, records of coerced debt, bankruptcy, records of being arrested or convicted of a crime, and records of being evicted for not paying rent.

(Q): **Can a Survivor's late payments be removed through a Trafficking Block Request while keeping the credit account on a Survivor's report?**

(A): No, in our experience, the CRAs have been unable to process such requests. They either deny it or block the entire credit account. Thus, if the Survivor wants to keep the credit account on their report for the otherwise positive impact on their credit, the account should not be listed in the Trafficking Block Request.

(Q): **Can a Survivor ask to remove accounts that are not listed as negative accounts on their credit report through a Trafficking Block Request?**

(A): Yes, even accounts in good standing could negatively impact the Survivor's credit (*e.g.*, due a high credit balance). Additionally, a Survivor may have been struggling to make minimum payments on a credit card, which results in the debt constantly increasing due to interest charges. Thus, the Survivor might want to remove the account proactively anticipating that the Survivor will miss future payments. Finally, the account may have been opened by the trafficker and the Survivor just wants it removed from the Survivor's credit report, even if it was paid in full.

(Q): **Can a Survivor ask to remove all accounts on their credit report through a Trafficking Block Request?**

(A): Yes. However, this should be carefully discussed with the Survivor because that would result in the Survivor having no credit history at all. While this may be preferable to really bad credit in some situations, it warrants careful consideration.

(Q): **Can a Survivor ask to remove a hard inquiry from their credit report?**

(A): Yes. Although removing a hard inquiry has only a small effect on a consumer's credit score, it can still lead to denials for new credit. This is because banks may be concerned that new lines of credit have not yet appeared, creating the impression that the individual is shopping for credit or taking on multiple loans.

(Q): **Can a Survivor ask to remove a soft inquiry from their credit report?**

(A): No. In our experience, the three major credit reporting agencies have not removed soft inquires from survivor's credit reports, as these have no impact on the survivor's credit.

EXAMPLE CLINIC AGENDA

(11:45 pm – 6:00 pm)

First Clinic Meeting Block	**11:45 pm – 3:00 pm**

Welcome Volunteers **11:45 pm**

- Use volunteer waiting room to welcome volunteers when they first join the clinic

Move Volunteers to Breakout Rooms **12:15 pm**

- Move volunteers in teams to their assigned breakout rooms
- Ensure that in each breakout room the appropriate clinic/survivor documents have been linked in the chat or that teams will have access to them when client arrives
- Ensure that survivors' identities are protected through anonymized names and disable camera function

Welcome Clients **12:30 pm**

- Have a Survivor waiting room to welcome Survivors as they join the clinic

Clinic Meetings **2 Hour 30 minutes**

- Move Survivors to breakout rooms **12:30 pm**
- Clinic meeting ends and Survivor departs **2:30 pm**
- Volunteers conduct wrap-up work and draft letter(s) to consumer reporting agencies with host organization **2:30pm – 3:00 pm**

Second Clinic Meeting Block	**2:45 pm – 6:00 pm**

Welcome Volunteers **2:45 pm**

- Use volunteer waiting room to welcome new volunteers when they first join the clinic and/or gather previous volunteers

Move Volunteers to Breakout Rooms **3:15 pm**

- Move volunteers in teams to their assigned

breakout rooms
- Ensure that in each breakout room the appropriate clinic/survivor documents have been linked in the chat or that teams will have access when client arrives

Welcome Clients **3:30 pm**

- Have a Survivor waiting room to welcome Survivors as they join the clinic

Clinic Meetings **2 Hour 30 minutes**

- Move Survivors to breakout rooms **3:30 pm**
- Clinic meeting ends and Survivor departs **5:30 pm**
- Volunteers conduct wrap-up work and draft letter(s) to consumer reporting agencies with host organization **5:30pm – 6:00 pm**

EXAMPLE DBRA COVER LETTER

[DATE]
TransUnion
P.O. Box 159
Woodlyn, PA 19094

Experian
P.O. Box 1069
Allen, TX 75013

Equifax Information Services, LLC
P.O. Box 105874
Atlanta, GA 30348

RE: Trafficking Block Request on Behalf of:
NAME of ADDRESS, SS# ending in ###-##-????, DOB: x//xxxx

Dear Sir or Madam:

I submit this request on behalf of the above-named individual as part of the [Name of Law Firm/Organization]'s [Year] Credit Repair Clinic. The information listed below, which appears on their credit report, is the result of human trafficking.

Creditor/Collector	Account	Amount

1.

Incorrect Personal Information
The following names listed on my credit report are not accurate and have never been a name associated with me:

1.

Please block this information from their credit report within four business days, pursuant to Section 605C of the Fair Credit Reporting Act. They can be contacted via email at [email address].

Please send notification of the actions taken to [NAME]. I appreciate your prompt attention to this matter.

Sincerely,

EXAMPLE CLIENT SURVEY

Thank you for taking the time to share your feedback. Your responses help us understand your experience working with your attorney and improve the quality of our legal services.

1. Client Initials:

   ____

2. Date of Clinic Attended:

   ____

   Example: January 7, 2019

3. Please state your credit score before legal representation.

   ____

4. Please state your credit score after legal representation.

   ____

If your credit score improved, please tell us how you feel about your new credit score and the impact it has had on your life.

____

____

____

____

____

5. On a scale of 1 to 10, how satisfied are you overall with the legal services you received?

Mark only one oval.

	1	2	3	4	5	6	7	8	9	10	
Very Dissatisfied	◯	◯	◯	◯	◯	◯	◯	◯	◯	◯	Very Satisfied

6. On a scale of 1 to 10, how much has your experience impacted your confidence or trust in the legal system?

Mark only one oval.

	1	2	3	4	5	6	7	8	9	10	
Not at all Impacted	◯	◯	◯	◯	◯	◯	◯	◯	◯	◯	Very Impacted

7. On a scale of 1 to 10, how likely are you to seek legal help in the future if you need it?

Mark only one oval.

	1	2	3	4	5	6	7	8	9	10	
Not Likely	◯	◯	◯	◯	◯	◯	◯	◯	◯	◯	Very Likely

8. Is there anything we could have done differently to improve your experience?

9. Is there anything else you would like to share with us about your experience?

EXAMPLE ATTORNEY SURVEY

Thank you for completing this survey. Your feedback helps us improve attorney support, client service, and case outcomes.

1. Attorney Name:

   ____

2. Client Initials:

   ____

3. Date of Clinic Attended:

   ____

4. Did you finalize the credit repair requests and submit them to the CRAs?

   - Yes
   - No

   If yes, when?

   ____

5. Was the credit block successful?

   Mark only one oval.

   - Yes
   - No

6. Overall, how satisfied are you with your handling of this case?

Mark only one oval.

	1	2	3	4	5	6	7	8	9	10	
Very Dissatisfied	◯	◯	◯	◯	◯	◯	◯	◯	◯	◯	Very Satisfied

7. How effectively did you meet the client's legal needs and goals?

Mark only one oval.

	1	2	3	4	5	6	7	8	9	10	
Not Effective at All	◯	◯	◯	◯	◯	◯	◯	◯	◯	◯	Very Effective

8. How inclined are you to represent clients in similar cases going forward?

Mark only one oval.

	1	2	3	4	5	6	7	8	9	10	
Not Inclined at All	◯	◯	◯	◯	◯	◯	◯	◯	◯	◯	Very Inclined

9. Is there additional support, training, or resources that could have improved your experience?

____

____

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____