

## Legal Needs of Human Trafficking Survivors

*This document provides a list of legal and related issues that may affect human trafficking survivors. Legal providers should be aware of these diverse needs and develop plans to help survivors address them. This list is not meant to be comprehensive, but rather a starting point for understanding the issues faced by survivors of trafficking. Underlined items are designated by Polaris Project Client Services as of particular interest to US Citizen survivors requiring legal assistance.*

### Family Law

- Custody and visitation
- Divorce
- Securing access to child support
- Child abduction/concealment
- Child abuse and neglect
- Domestic violence
- Orders of protection/restraining orders

### Benefits

- Access to public benefits (Medicaid, Medicare, SSI, State-level benefits)
- Access to crime victim compensation
- Certification or letter of eligibility\*
- Assistance vacating convictions (e.g., for prostitution) that complicate eligibility for benefits

\*May also fall under immigration-related needs.

### Employment

- Back wages
- Occupational safety and health violations
- Sexual harassment or discrimination
- Equal employment opportunity violations
- Unemployment benefits

### Criminal Justice Advocacy

- Advocacy within criminal justice system for victims of crime
- Legal representation for survivors who are incarcerated
- Representing trafficking victims as defendants charged with prostitution and related crimes
- Vacating prostitution-related convictions

### Civil Litigation

- Various tort claims against traffickers, those who aid and abet trafficking
- Civil damages
- Restitution

### Housing

- Access to public or subsidized housing
- If in public housing, negotiating transferring to a safer facility
- Negotiating with a private landlord to change leasing arrangements



**Immigration**

- T-Visa, U-Visa or VAWA Self-Petition
- Adjustment to permanent resident status
- Derivative visa for family members
- Asylum
- Special Immigrant Juvenile Status (also Child-Specific)

**Child-Specific**

- Court-Appointed Special Advocate or Guardian ad Litem
- Use of Safe Harbor laws
- Emancipation or Advocacy within Child Welfare System (for minors exploited by a parent or guardian)

**Tax-Related**

- Tax exemption for criminal restitution
- Tax exemption for civil damage awards

**Class Actions**

- Relief for similarly situated victims