

NCCRC

National Coalition for a
Civil Right to Counsel



Civil Right to Counsel E-Alerts

January 24, 2024

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Please Welcome NCCRC's New Staffers, Shuron Jones and Andrew Ashbrook!

We are thrilled to announce that **Shuron Jones** and **Andrew Ashbrook** have joined the NCCRC! Shuron joins our staff as the NCCRC's Eviction RTC Enactment Specialist. Shuron served as an organizer with Homes for All St. Louis, where she played a key role in the enactment of RTC in that city. Andrew will join us in February as the NCCRC's Eviction RTC Implementation Specialist, fresh off his role as a supervising housing attorney at the Bronx Defenders, one of the providers of the Eviction RTC in NYC. We are excited to add such dynamic team members and are thrilled about the additional capacity and expertise this will bring to the NCCRC! **Welcome Shuron and Andrew!**

UPCOMING EVENTS

Fordham Symposium Will Feature RTC Conversation. On February 9, 2024, the Fordham Urban Law Journal will host its 2024 Symposium, which, among other topics, will feature a conversation about the tenant RTC movement. Our Coordinator, John Pollock, will be one of that panel's speakers. Check out the [symposium website](#) for more.

RIGHT TO COUNSEL FOR TENANTS FACING EVICTION

National Updates

ARPA Deadline Nears, State/Local Govts Have Only Spent Approx. 50% of Funds. Local Progress notes: "2024 is the last opportunity for state and local governments to make spending decisions for funds provided by the American Rescue Plan Act (ARPA)...The latest State and Local Fiscal Recovery Funds (SLFRF) spending data, covering the period ending June 30, 2023, show that [roughly half of fiscal recovery funds had yet to be spent.](#)" The funds must be obligated by Sept. 30, 2024, and spent by January 28, 2025.

The Federal Eviction Prevention Act of 2023. U.S. Representative De Lauro and Senator Bob Casey are [co-sponsoring](#) the Eviction Prevention Act of 2023 (EPA) (H.R. 6696, S. 3446), [federal legislation](#) (see [one-pager](#) or [bill text](#)) that

establishes a grant program to support state and local governments in hiring attorneys to represent tenants facing eviction, limited to tenants making 125% of the federal poverty level, requires specific reporting related to evictions proceedings by the Government Accountability Office, and creates a new a National Database of Evictions. The bill prioritizes RTC jurisdictions in selecting grant recipients. [WSHU](#), [CT Mirror](#), and [Connecticut Public Radio](#) have more.

New Reports and Studies

- The [LSC](#) has published a [research brief](#) on the right to counsel in eviction proceedings, which includes an overview of RTC and a discussion of relevant studies/evaluations.
- A [new study](#) has found that high rent burdens, increasing rent burdens in midlife, and evictions are associated with increased mortality. [CNBC](#) covered the study's key findings and featured an interview with one of the authors, who highlighted RTC as a policy that promotes housing stability and helps tenants avoid eviction.
- [NLIHC](#) has released a [brief](#) documenting the history and successes of the [ERASE](#) Project.
- REDESCA's recent [report](#) documents the human rights situation of unhoused people in Los Angeles and includes a recommendation about legal representation for people who are unhoused or facing eviction.
- [USICH](#) recently published a [research agenda](#) recommending future research into "Large Scale Eviction Prevention," which includes exploring questions related to RTC.

Relevant Resources

- ["The Rent is Too Damn High!"—The Rise of a National Tenants' Movement](#) is a powerful interview with Tara Raghuvver, [KC Tenants](#) co-founder.
- [LSC's Talk Justice Podcast](#) has a recent episode on [Eviction Causes and Consequences](#), which briefly highlights the benefit of RTC for tenants.
- [New America](#) has a new article exploring data from the Eviction Lab showing that children, and more specifically Black children, are the "demographic most at risk of experiencing eviction in the U.S." The article presents RTC as one important eviction intervention.
- [NLC's](#) has a new [article](#) on homelessness prevention, highlighting RTC as a homelessness prevention activity. Check out our previous [guest blog for NLC](#) on RTC policies.
- [PolicyLink](#) has launched the [Spatial Futures Initiative](#) and released a framing paper for the Initiative entitled [Grounding Justice: Toward Reparative Spatial Futures in Land and Housing](#).

State and Local Updates

To learn more about existing RTC ordinances and laws, visit the [NCCRC's Enacted Eviction RTC Laws Matrix](#).

- **California.** A recent [KQED](#) piece explored tenant experiences in RTC jurisdictions as compared to areas that don't have RTC in place yet (even in the same state, like California). The article discussed San Francisco's RTC,

and RTC campaign efforts in Los Angeles and Fresno. In mid-December, the Los Angeles City Council [asked](#) the City Attorney to draft an RTC ordinance.

- **Cincinnati.** On December 6, 2023, the Cincinnati City Council unanimously [passed](#) an [ordinance](#) establishing an Access to Counsel Pilot Program for tenants facing eviction.
- **Cleveland.** As reported by the [Cleveland Scene](#), the Rocket Community Fund has committed to a \$1.25 million investment to support the work of the Legal Aid Society of Cleveland through a newly created “Cleveland Eviction Defense Fund,” which will help provide emergency rental assistance, community legal education, and legal representation.
- **Detroit.** The [Detroit Free Press](#) featured an opinion column about the immense shift in how eviction proceedings are viewed and treated in the City, partly due to RTC.
- **Kansas City.** [KCUR](#) reported on the impact of the City’s RTC program, highlighting that out of the 1,506 cases that received representation pursuant to RTC and were resolved, Legal Aid reported that about 79% were dismissed or resulted in a ruling in favor of the tenant. The article emphasizes that eviction filings continue to rise, impacting the ability of designated providers to serve all eligible tenants.
- **Massachusetts.** Pending legislation (S864 and H1730) would establish a statewide RTC for tenants and small owner-occupied landlords. The [Commonwealth Beacon](#) and the [Boston Globe](#) recently featured pieces urging the passage of statewide RTC.
- **New York State.** State Senator Rachel May has [introduced](#) S2721 to establish a statewide RTC for tenants. The RTC NYC Coalition and statewide partners recently came together in Albany for the [2024 State of Evictions Forum](#). Among other calls to action, they [voiced](#) the need for a statewide, enforceable RTC for tenants. The [Harlem World](#) and [CityLimits](#) have more.
- **Oklahoma City.** A tenant representation initiative coordinated by Legal Aid Services of Oklahoma, Inc., has [expanded](#) to three [zip codes](#).
- **Philadelphia.** The City [announced](#) that the RTC program is expanding to another zip code, bringing the total number of zip codes with RTC to five.
- **South Carolina.** State Representative Marvin Pendarvis [reintroduced](#) a [bill](#) to establish a statewide right to counsel for tenants facing eviction with an income within 125% of the federal poverty guidelines.
- **Tennessee.** Stout’s [interim report](#) on Davidson County’s Eviction RTC pilot program shows that for clients with a closed case and measurable financial impact, “[t]he estimated total financial impact for all clients was approximately \$3.4 million from August 1, 2022 through June 30, 2023.” The [Tennessee Tribune](#) has more. Meanwhile, in Chattanooga, a new [report](#) analyzing the Eviction Prevention Initiative found that 67% of represented families avoided records of eviction, and the dismissal rate for represented families was 53% compared to 29% for pro se tenants.

RIGHT TO COUNSEL AND ADULT GUARDIANSHIP

Pennsylvania. The Pennsylvania legislature enacted [SB 506](#) in December, providing a right to counsel to adult respondents in guardianship matters, including guardianship establishment, modification, and termination proceedings, regardless of ability to pay. To read more about the right to counsel in guardianship proceedings in Pennsylvania, [visit our website](#).

RIGHT TO COUNSEL AND IMMIGRATION

New York. The Access to Representation Act ([A170A](#)) is back before the NY State Legislature in the 2023-2024 session. The bill would establish a right to counsel in immigration court proceedings. The [NY Daily News](#) has more.

Generally. [Law360](#) has an article discussing why legal representation in immigration cases, particularly deportation matters, is so critical. [Vera Institute's Advancing Universal Representation Initiative website](#) has more about the nationwide movement to establish universal representation in immigration proceedings.

CIVIL RIGHT TO COUNSEL GENERALLY

- [Law360](#) featured the right to counsel in various civil proceedings (including eviction, immigration, and adult guardianship) in its annual feature exploring access to justice issues that are top of mind for advocates in the upcoming year.
 - The [Times Union](#) discussed the need to increase funding for legal aid in civil court cases more generally, with a specific focus on family law matters in New York State.
 - **New law review article.** Our Coordinator, John Pollock's, comments from the 2023 academic symposium "[The Future of Substantive Due Process: What Are the Stakes?](#)" were collected into the article [Right to Counsel in Civil Cases: Protector \(and Source?\) of Substantive Due Process Rights](#), 76 SMU L. Rev. 449 (2023).
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CIVIL RIGHT TO COUNSEL RESOURCES

- [RTC Status Map](#)
 - [RTC Comprehensive Bibliography](#)
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The **National Coalition for a Civil Right to Counsel** (NCCRC) is an association of individuals and organizations committed to ensuring individuals have a right to effective counsel when facing the loss of their basic human needs in the civil legal system. www.civilrighttocounsel.org | [Donate](#)

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