Evaluation of the Sargent Shriver Civil Right to Counsel Act (AB590)

Chapter on the Housing Pilot Projects

DRAFT – UNDER REVIEW

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SUMMARY HIGHLIGHTS FOR THE SHRIVER HOUSING PILOT PROJECTS

Given the serious dearth of affordable housing in California and the rate at which rents have outpaced wages in most areas of the state, eviction is one of the most poignant civil justice issues for low-income individuals, as the loss of housing poses a wide range of short and long terms risks and consequences for families. These risks can be particularly severe for vulnerable tenants, such as the elderly and people with disabilities. Among low-income populations, it is very common for unlawful detainer cases to involve landlords with legal representation and tenants without the resources to retain counsel. By balancing the playing field, the Shriver Program sought to provide equal access to justice and ensure that cases were decided on their merits and not as a result of one side having legal representation. The Shriver Program funded housing pilot programs in six counties: Kern, Los Angeles, Sacramento, San Diego, Santa Barbara, and Yolo.

Data for the evaluation of the Shriver housing pilot projects was collected over the course of 5 years, from multiple sources including program services data by Shriver project staff, individual court case files, administrative court data, and interviews with defendants and Shriver project staff from both legal aid and the courts. Importantly, three pilot projects randomly assigned litigants to receive Shriver services or not, and data for these two groups was compared.

WHO WAS SERVED BY THE SHRIVER HOUSING PILOT PROJECTS?

From October 2011 through October 2015, the six housing pilot projects provided legal aid services to more than 19,000 low-income tenants facing eviction (and a small number of low-income landlords). Most Shriver clients were female and non-White. Many experienced a disability or had limited proficiency with English. More than half had minors living in their households. Within these cases, approximately 55,000 household members were impacted by the Shriver legal services.

Their average monthly income among Shriver clients was well below the 2014 Federal Poverty Level, and the overwhelming majority of them were experiencing considerable rental cost burden. Across all six pilot projects, 92% of Shriver clients spent more than 30% of their monthly household income on rent, and 73% spent 50% or more. Most commonly, Shriver clients were being evicted for the purported non-payment of rent, and the average amount demanded on the notice was $1,812, highlighting the financial vulnerability of many families.

WHAT SERVICES WERE PROVIDED BY THE SHRIVER HOUSING PILOT PROJECTS?

More than half of Shriver clients received full representation by a Shriver legal aid attorney and just under half received unbundled services, such as brief counsel and advice or help filing an answer. Of those tenants who received full representation from a Shriver attorney, 96% were facing a landlord who was represented by counsel.

Court-based Shriver services for unlawful detainer cases included self-help centers, mediation services, and electronic filing systems. One court established a Housing Settlement Master and

instituted mandatory settlement conferences for all unlawful detainer cases that were scheduled for trial.

NOTABLE IMPACTS OF THE SHRIVER HOUSING PILOT PROJECTS

Study findings demonstrated that, relative to cases with self-represented defendants, cases with Shriver full representation for defendants had the following impacts:

Increased Participation in the Justice System

Tenants' access to justice depends on their ability to successfully file a written response to the unlawful detainer complaint within a short timeframe. Inability to do so usually results in a default and defendants never presenting their side of the case. Historically, in unlawful detainer cases, defaults are very common. An answer (or other response) was successfully filed in approximately 94% of cases that received representation by a Shriver attorney. The random assignment study results showed that significantly more full representation cases filed an answer/response (91%) than did comparison cases (73%).

The increased likelihood of filing an answer to the unlawful detainer complaint led to fewer defaults among cases with full representation. The random assignment study found that Shriver full representation clients were significantly less likely to end their case in default (8%) than were self-represented defendants (16%). The lower rate of default judgments is an important indication of access to justice for these families.

More Settlements and Fewer Trials

Balancing the playing field did not appear to make unlawful detainer proceedings more combative or drawn-out. Instead, it increased the likelihood of settlement. Overall, 70% of defendants with Shriver representation settled their cases, versus roughly 5% who resolved their case via trial. Random assignment study results showed that the settlement rate with balanced representation is significantly higher, and the trial rate lower, than what occurs when one side is self-represented.

Impact of Mandatory Settlement Conferences

As part of their Shriver housing pilot project, the Santa Barbara County Superior Court established a court-based Housing Settlement Master and required parties in unlawful detainer cases to meet with the settlement master before the trial date. Preliminary data suggest this intervention was effective. When both parties appeared at the conference, an agreement was reached 79% of the time. This greatly reduced the number of cases that proceeded to trial, thereby reducing the burden on the court. Further, among those cases that settled during the conference, 81% complied with the terms of the agreement, suggesting that the settlement master helped negotiate terms that were both agreeable and tenable for both sides.

Improved Efficiency for the Courts

Although providing full representation to defendants does not appear to shorten the time to resolve cases, it does reduce the level of involvement necessary by the court to bring cases to resolution. Shriver services enabled a large majority of unlawful detainer cases to resolve by settlement, which requires comparably fewer court resources, and limited the number of cases that went to trial, which is a more resource-intensive activity for court staff. These efficiencies

can help alleviate court congestion, by reducing the load on court clerks and judicial officers, and they also translate into cost savings over time.

Case Outcomes Favored Longer Term Housing Stability

Possession of the Property

Overall, among cases that received full representation, tenants in approximately three-quarters of cases ultimately moved out of their homes. Although comparatively fewer cases ended with the defendant retaining possession of the property, the random assignment study results indicate that possession was retained more often among cases with represented defendants than among cases with self-represented defendants.

The majority of tenants with representation from a Shriver attorney moved out of the home as part of a negotiated settlement. Moving as part of a settlement helps to calm emotional tensions on both sides and offers some additional stability for tenants. Specifically, tenants with full representation received, on average, 2 weeks longer to move than did self-represented defendants, allowing them more time to find alternate housing.

Financial and Credit Related Outcomes

Across all projects, among those cases in which tenants had to move out of their homes: 65% resulted in a reduction or waiver in the back-owed rent to be paid by the tenant, 74% ended with the unlawful detainer action masked from the public record, 53% ended with the case not reported to credit agencies, and 39% involved a neutral rental reference from the landlord. Any of these elements alone—but more so when combined—provides tenants with increased opportunity to find alternate stable housing for themselves and their families.

Random assignment study results showed that many of these beneficial financial and credit related outcomes were attained more often by defendants with Shriver representation than by self-represented defendants.

This support for longer term housing stability was evident among defendants interviewed 1 year after their case had closed. All interviewees except for one had moved out of their home at the end of their housing case. One year later, 71% of Shriver clients had obtained a new rental unit, compared to 43% of self-represented defendants. Although they were not asked directly about the effects of the settlement terms on their ability to relocate successfully, it is certainly plausible that benefits such as protected credit, masked records, and reduced/waived debt made it easier for Shriver clients to obtain stable replacement housing and to maintain stability for their households.

Litigants felt supported

When asked about their case, many Shriver clients expressed appreciation for the legal aid services they received. Even with this assistance, and certainly among those who did not receive Shriver services, defendants described that the unlawful detainer case negatively impacted their lives and that being forced to move negatively affected others in the household, most notably dependent children. However, the presence of an attorney helped tenants make the stressful experience of an unlawful detainer case manageable, helped them feel supported in the process and not lost in the system, and in some cases, it helped them mount the motivation for a new start.

Methodological Limitations and Considerations

Three of the six pilot projects implemented random assignment of litigants to receive service, a methodologically rigorous study design that lends considerable credence to the results. However, litigants could be assigned to the comparison group only if they presented at legal aid for assistance with their case. Given the high number of unlawful detainer defendants who default without ever seeking help, the comparison litigants in this study may not be representative of typical unrepresented tenants in unlawful detainer cases. This limitation presents a potential bias in the current sample, but one that would lead to an underestimation of the effect of representation. The larger drawback to this potential sample bias is the lack of information about those litigants who are most prone to default.

ADDITIONAL NEEDS NOTED BY PROJECTS

The dearth of affordable housing creates a constant struggle for low-income renters. Tenants frequently needed more resources than just legal help, such as short-term rental assistance and help finding new housing. These services can be effective in preventing homelessness and implementing rapid re-housing, but they were not part of the Shriver Program parameters.

In larger geographic regions, Shriver project staff noted that accessing services was challenging for tenants with a disability, unreliable transportation, or inflexible work schedules. It may take hours, by bus, to get to the courthouse or to legal aid offices, which can be a significant impediment to accessing help, even when it is free.

Additionally, there was concern for tenants who did not qualify for Shriver services due to their income, but who could still not afford an attorney, and therefore tended to slip through the cracks. Further, some staff thought that low-income landlords would benefit from legal assistance at a greater level that what was available in the current projects.

Shriver Housing Pilot Projects

Introduction

DRAFT

INTRODUCTION

The Sargent Shriver Civil Right to Counsel Act (AB590) allocated the bulk of the program funding for housing cases related to unlawful detainer (eviction). The broad service eligibility criteria established by the statute included low-income status (i.e., at or below 200% of the Federal Poverty Level) and imbalanced representation (i.e., facing an opposing party with an attorney). By balancing the playing field, the law sought to provide equal access to justice and ensure that cases were decided on their merits and not as a result of one side having legal representation. Among low-income populations, it is not atypical for unlawful detainer cases to involve landlords with legal representation and tenants without the resources to retain counsel. Thus, although the Shriver Program funded services for landlords and tenants, the majority of individuals served were low-income tenants, often with children, who were facing eviction. The Shriver Program funded housing pilot projects in six counties: Kern, Los Angeles, Sacramento, San Diego, Santa Barbara, and Yolo.

This chapter presents data collected from the six Shriver housing pilot projects that received Shriver Program funding in fall 2011. Data were collected from a variety of sources and stakeholders, using a range of research methodologies, including compilation of service data, review of court case files, and interviews with litigants and project stakeholders. This chapter compiles and presents the findings across these evaluation activities implemented over the course of 5 years. This chapter is organized in the following sections:

Overview of Housing Cases

This section provides an overview of the unlawful detainer (eviction) case process, including a description of the various events and proceedings in such court cases, which are essential to understanding the impact of Shriver services. This section also provides important and relevant context for these cases by highlighting the impact of eviction on low-income tenants, the importance of housing stability, and issues of rental cost burden and housing affordability.

Implementation Overview and Individual Project Service Summaries

This section describes the overall implementation of the six pilot housing projects. In short, it summarizes the work done by legal aid and superior court staff, as a results of Shriver funding, across the projects and over the course of the grant period. In addition, an individual detailed service summary is provided for each project that outlines its project context, implementation model and service structure, and goals for clients, as articulated by project stakeholders during interviews and site visits. Each site's service summary also presents data on the numbers and characteristics of people served, services provided, and case characteristics and outcomes. Information for these analyses was recorded by Shriver staff in an ongoing manner into the program services database, a standardized data collection platform, as they provided legal services to low-income clients. Summary data collected from each superior court provides context for the project service numbers.

Random Assignment Study of Case Outcomes

A random assignment study was conducted at three of the six housing projects (Kern, Los Angeles, and San Diego). For 1 month, each of these sites randomly assigned litigants either to receive Shriver service or to not receive service (comparison group). Months later, the court case files for all randomly assigned litigants were reviewed and coded for relevant information, such as case resolution and outcomes. Analyses then compared the outcomes for cases that received Shriver representation and those that did not. Random assignment protocols create study groups that can be considered equivalent on all aspects except for the receipt of service, enabling a confident interpretation of the results to reflect the impact of service provision.

Litigant Perceptions

Litigants who were part of the random assignment process at two projects (Kern and San Diego) were contacted at two points in time for phone interviews to discuss their perceptions of their case and the legal process, as well as their experiences during and after the eviction process. Shriver clients were also asked about their experiences of the assistance they received. The first interview occurred approximately 1 month after the case was closed, and the second interview occurred approximately 1 year later.

Stakeholder Perceptions

Four years into the project implementation, stakeholders at each pilot project were interviewed about their perceptions of the impact of the Shriver pilot project at their site, including impacts on litigants, the court, and the community. Perspectives were gathered from staff at both the legal aid agencies and the superior court. A cross-project summary is presented.

Cost Study

The costs to provide Shriver services were estimated for all six pilot housing projects using data from project invoices submitted to the Judicial Council of California, online cost information, and data recorded in the project services database. Potential cost savings to the court were calculated for one project that had available data from court staff and sufficient sample size (San Diego). Potential costs beyond the court are also discussed.

Some key terms used in this chapter:

Each pilot project offered a range of legal services specific to the local implementation model. ***Full representation*** involved an attorney providing assistance and representation for all aspects of the case from start to finish. ***Unbundled services*** entailed legal help provided for discrete tasks, such as assistance with preparing and filing forms, collection of evidence for court, brief counsel and advice, representation during mediation or settlement negotiations, or day of trial representation. All Shriver housing pilot projects provided full representation to some clients and a range of unbundled services to some clients; the proportion depended on their unique program model. Throughout this report, the terms ***full representation*** and ***unbundled services*** are used to indicate these two levels of Shriver service.

All pilot projects served low-income defendants, and a few also served low-income plaintiffs. Throughout this report, the terms ***plaintiff*** and ***landlord*** are used interchangeably. The terms ***defendant*** and ***tenant*** are also used to refer to the same group of people involved in the case. However, it is understood that a single case can have multiple defendants (e.g., a couple) and multiple tenants (e.g., a family with children). In most instances throughout this report, the data for a single defendant is used to represent a single case. However, it should be understood that the number of cases and the number of defendants served by Shriver does not equate to the number of tenants impacted by Shriver services. Given that most Shriver clients lived in households with other people, often minor children, the number of tenants impacted by services and by eviction is higher than the number of defendants impacted.

DRAFT

Shriver Housing Pilot Projects

Overview of Housing Cases

DRAFT

OVERVIEW OF HOUSING CASES

Unlawful Detainer (UD) Cases

An Unlawful Detainer (UD) action is a court proceeding that centrally pertains to eviction. This type of action generally occurs when a tenant stays after the lease is up, the lease is canceled, or the landlord believes the tenant has not paid rent. At issue in an unlawful detainer case is the "possession" (i.e., the right to inhabit) of a property. The case will determine whether the landlord (the plaintiff) can take the property back from the tenant (the defendant), or if the tenant can retain possession of the property. Other issues, such as back-owed rent, are determined only in conjunction with possession. If the defendant moves out during the proceedings, the unlawful detainer case is dismissed or, if other issues persist, can be changed to a regular civil action.

LANDLORD GIVES NOTICE OF EVICTION

A landlord can evict a tenant for many reasons, including that the tenant failed to pay rent, breached the lease or rental agreement, is doing something illegal on the property, or simply that the lease term has ended or that the landlord wants to take the property off the market. Before a landlord can evict a tenant, the landlord has to first give the tenant written notice. The notice can be correctable, in which case it includes a method for the tenant to remedy the situation (e.g., pay owed money or perform other aspect of the rental agreement, like not subletting the premises) and a timeframe in which to complete the action (often 3 to 7 days). In other cases, the notice is not correctable, such as when the landlord wants to take the property off the market or would like to terminate a month-to-month tenancy, in which case the notice will only include a time period for the tenant to leave the premises (often a 30- or 60-day notice to move out). In both scenarios, the landlord can only evict (by filing and winning a case in court) if the tenant does not do what the notice asks by the time the notice expires.

LANDLORD FILES A COMPLAINT WITH THE COURT

An unlawful detainer lawsuit is a civil court proceeding that occurs when a landlord alleges that a tenant has failed to comply with the parameters listed in the notice. In order to evict the tenant from the premises, a landlord must take specific legal steps, typically initiated by the landlord filing a complaint with the local superior court. Once the complaint has been filed, the court will issue a summons (an order to appear before a judge), and a copy of the complaint and summons will be served to the tenant. In unlawful detainer cases, the landlord is referred to as the *plaintiff* and the tenant is referred to as the *defendant*. By design, unlawful detainer cases are considered *summary* or *limited* court procedures, which permit landlords to recover possession of the unit more quickly compared to more complicated cases involving disputes over ownership of the property.

TENANT FILES AN ANSWER TO THE COMPLAINT

Most defendants (tenants) have only 5 calendar days (which includes weekends) to file a written response (an "answer") with the Clerk of Court after being served with a summons and complaint, and a judge usually will hear the case within 20 days after one of the parties files a

request to set the case for trial. The California Courts aim to resolve 90% of unlawful detainer cases within 30 days after complaint filing and 100% of cases within 45 days of filing. Although this speedy process appears as if it might favor the landlord, the law requires the landlord to strictly follow certain rules throughout the process and the tenant retains the right to occupy the premises while the case is being decided by the court.

For tenants, filing a prompt written response to a landlord's complaint is critical. If a tenant does not file an answer or some other proper legal response within 5 days, the landlord can ask the court to enter a default judgment against the tenant, and the court will issue the landlord a writ of possession, a legal document granting possession of the premises to the landlord. If the tenant does not leave immediately, the landlord can present the writ of possession to local law enforcement, who will post a lock out notice on the tenant's property (often a 5-day notice), and if the tenant does not move out voluntarily within the timeframe, law enforcement will forcibly remove the tenant from the residence.

If the tenant believes he or she has a legally defensible right to the premises, the defense(s) must be stated in the written answer, or else the defense(s) might not be reviewed by the court. Some typical unlawful detainer defenses include: (1) the landlord served an incorrect notice or did not include legally required information in the notice; (2) the landlord was not entitled to the amount of rent demanded because the rental unit was uninhabitable; (3) the tenant did not breach the lease in the manner stated in the landlord's termination notice; and (4) the landlord filed the eviction in retaliation of the tenant exercising a tenant right, such as the tenant having complained to the building inspector about the condition of the rental unit.

Case Resolution

Once the answer has been filed, either party can request that the case be set for trial, at which point the parties can present their evidence and explain their cases before a judge or a jury (if a jury is requested). If the court rules in favor of the tenant and allows the tenant to retain possession of the premises, the tenant will not have to move and the landlord may be ordered to pay for court costs such as the tenant's filing and/or attorney's fees. If the court rules in favor of the landlord and awards possession to the landlord, a writ of possession will be issued (process described earlier) and the tenant may be ordered to pay damages, penalties, court costs, and/or attorney's fees. Further, the case (and tenant) may be recorded in the Unlawful Detainer Registry, which is public record (and often used by landlords to screen prospective tenants), and the judgment may appear on the tenant's credit report for 7 years or longer.

The unlawful detainer process is quick by legal standards, and the failure to address a small technicality on the part of the landlord or tenant can dramatically change the outcome of the case, such as to void the lawsuit altogether or to force the court to enter a default judgment against the tenant. In addition to state laws regulating unlawful detainer cases, there are some local ordinances such as rent control ordinances, as well as federal laws that may apply in specific incidents (e.g., special rules for tenants in the military or additional protections for tenants with disabilities). For litigants, legal advice and assistance to help identify and/or prevent errors is crucial, as the impact of the unlawful detainer case can have a lasting impact on the tenant, their credit report, and their ability to rent in the future. Also, legal assistance may facilitate court efficiency if the litigant is more prepared, and may lessen court time spent

on unlawful detainer cases if the parties can negotiate a mutually agreeable settlement before the hearing or trial date.

Reaching a mutually agreeable settlement before the trial can also benefit landlords by reducing legal costs and potentially increasing the likelihood that tenants will adhere to the negotiated conditions and/or leave the unit in better condition with less subsequent disturbance. There are often significant costs for landlords in advertising and preparing an apartment for rental, which can also be avoided if the tenant can stay in the building.

Potential Impacts of Eviction and Importance of Housing Stability

Housing stability is an important factor for personal health and well-being, as it supports fundamental aspects of livelihood, such as the ability to meet basic needs (e.g., a place to cook meals, a place to care for one's personal hygiene and health-related issues), the ability to maintain employment, and the development of community. A lack of housing stability can result in a range of challenges, from temporary transience to persistent homelessness. In research on the causes of homelessness, Burt (2001) used data collected in 1996 via homeless service providers (e.g., emergency shelters and transitional housing) from interviews with 2,938 clients. Of 31 reasons given for leaving the previous residence, the top two were "couldn't pay rent" and "lost job," underscoring the link between losing one's housing and subsequent homelessness. Similarly, Hartman and Robinson (2003) found that homelessness followed an eviction for two out of five homeless individuals surveyed in their study. Further, findings from a study of 536 current and former mothers who received TANF indicated that 20% of them were homeless at one time during the 5-year study period (Phinney, Danziger, Pollack, & Seefeldt, 2007), highlighting the vulnerability of families who lose their housing.

Eviction impacts all members of the household, and experiencing housing instability can be particularly negative for children. In a 2013 analysis of data gathered on housing court litigants, researchers found that an eviction was significantly more likely for litigants with children in the household than for those without children, controlling for other factors (Desmond, Weihua, Winkler, & Ferriss, 2013). In a report on the impact of foreclosure and eviction on children, Isaacs (2012) concluded that "children face not just the loss of their homes, but also the risk of losing friends and falling behind academically if they are forced to switch neighborhoods and schools." Indeed, other research findings indicate that high residential mobility is related to reductions in student achievement test scores and that scores decrease further with each residential move (Beatty, 2010). This effect can begin early, as children who change schools during kindergarten have been found to lag behind in literacy skills and children from low-income families tend to be most seriously impacted (Lee, Burkam, & Dwyer, 2009). Still other research has shown a link between high residential mobility and increased adolescent violence and earlier onset of sexual activity (Haynie & South, 2005; South, Haynie, & Bose, 2005). In summary, housing instability can have both immediate and long-term deleterious effects for adults and children.

Housing Affordability and Rental Cost Burden

Rental vacancy rates have been decreasing and rents have been increasing in metropolitan areas across the country. According to the U.S. Department of Housing and Urban Development (HUD), in 2015, California had 6 of the 10 metropolitan areas deemed the least affordable

rental markets in the nation. The California Housing Partnership Corporation (CHPC; 2014) reported that, from 2000 to 2012, statewide median incomes of renter households dropped by 8% while median rents increased by 20%. In 2016, CHPC briefs provided county-level figures for four of the counties involved in the Shriver program.

- Since 2000, median rent in San Diego County has increased by 32%, while the median income among renter households has declined by 2%, when adjusted for inflation.
- Median rent in Los Angeles County has increased 28% since 2000, while renter household median income decreased by 8%.
- Median rent in Sacramento County increased by 13% since 2000, as renter household median income has declined by 13%.
- Median rent in Kern County increased 23% since 2000, while median renter income increased by only 2%. In 2013, Kern County was the most affordable metropolitan area in California, though nationwide, it ranked the 122nd least affordable market out of 206 metropolitan regions (National Housing Conference, 2013).

Rental cost burden refers to the proportion of a household income that is devoted to rent. HUD considers rental cost burden problematic when it is more than 30% of a household's income. The financial precariousness of having high rental cost burden means that any one major event, including job loss, reduction in work hours, a medical event, or car trouble, could impact a household's ability to afford rent that month and maybe for months to come. Households with severe rental cost burden may need to choose which bills are paid (utilities, groceries, medical prescriptions, etc.), and which are not, in order to reserve enough money to cover housing costs. When a month's rent requires a substantial proportion of that month's income, missing one payment can result in a compounded debt that is very difficult to surmount.

The Joint Center for Housing Studies of Harvard University (2015) reported that almost 50% of American renter households experienced rental cost burden (more than 30% of income spent on rent). HUD estimates that more than 12 million households are severely cost burdened—that is, they allocate more than 50% of household income to rent.[1] According to the National Low Income Housing Coalition (2016), 51% of low-income renters in California (those with incomes between 30% and 50% of area median income) are severely cost burdened. Importantly, 80% of California households at or below 30% of the area median income experience severe housing cost burden.

According to the National Low Income Housing Coalition (2016), California has 21 affordable housing units for every 100 low-income households. The California Legislative Analyst's Office (2015) determined the average monthly rent in California to be 50% higher than the national average. The state's shortage of affordable housing for low-income residents results in many families experiencing high rental cost burden and increased risk for eviction.

[1] http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/affordablehousing

Subsidized Housing

"Section 8" refers to the federally funded and locally implemented subsidized housing programs. Section 8 assistance can be "building-based," in which specific units are set aside as subsidized, similar to traditional public housing. Section 8 assistance can also be "tenant-based," also called the Housing Choice Voucher Program, through which low-income recipients are allotted a certain amount, based on their income, toward their monthly rent. This tenant-based voucher system was designed to afford families flexibility to live in lower-crime areas, closer to employment or good schools, as compared to traditional public housing. The programs are administered by local housing authority agencies. Because the program has been "extremely oversubscribed," local administrators of these programs have created waiting lists (Affordable Housing Online [AHO]). AHO reports that of the 2,320 housing authorities across the country, all have waiting lists for Section 8 rental assistance and most close their waiting lists for years at a time. Thus, obtaining a voucher can be difficult, and retaining one is critical.

The Shriver program funded pilot housing projects in six counties in which the Section 8 program could not meet the local demand for affordable housing. In all six counties, the waiting lists were so long that they were closed.[2] For example, in San Diego, the Housing Authority website told individuals who were seeking to apply for a Housing Choice Voucher, "Approximately 46,000 households in San Diego are on a waiting list to obtain a federal Housing Choice Voucher (Section 8). The average wait to obtain a housing voucher is 8 to 10 years."

The under-availability of Section 8 rental assistance and the decrease in median income that is not keeping pace with the increase in the median rental cost all point to a housing shortage for low-income individuals and families. This shortage leads to low-income households using a greater proportion of their income for rent than is considered sustainable. This scenario can lead to eviction, which makes future renting even more difficult and can, in some cases, lead to homelessness.

[2] Websites for the Housing Authority in each county checked in August 2016.

Shriver Housing Pilot Projects

Project Descriptions and Implementation Overview

An example Shriver case:
The Solano family was sitting at home when an unfamiliar visitor introduced himself as the new owner of the building and said, "How much time do you need to move out?" Stunned, the family inquired why they had to move, as they were good tenants who had paid rent for 26 years. The new landlord said that he was tripling their rent and they had to move. The family was shocked that they might lose their home and concerned that they might become homeless. They were especially concerned about the elderly, disabled grandmother, who lived with them and whose health was unstable.

The family lived in a rent stabilized apartment, for which these kinds of rent increases are not allowed. However, the new owner still filed an eviction action. The owner offered the tenants $1,500 to vacate, saying. With increasing rents, higher-than-ever move in fees, and housing inventory at an all-time low, $1,500 would have done little to help the family.

Attorneys from the Shriver project gathered facts, filed the appropriate papers, and prepared for their day in court. The landlord refused to settle, delayed the case for 3 months, and engaged in what the tenants described as "intimidation and bullying." The case ultimately went before a jury. The Shriver attorney presented evidence to establish that the rental increase was illegal, that the tenants were able and willing to continue paying the proper rent, and that the landlord did not provide the proper eviction notices. After a brief deliberation, the jury returned with a 10-2 verdict in favor of the Solano family.

PROJECT DESCRIPTIONS AND IMPLEMENTATION OVERVIEW

To understand the unique implementation circumstances and approaches of each pilot project, legal aid agency staff and court staff were interviewed about their project's context, service structure, and goals. This qualitative information was synthesized to create a comprehensive description of each project. Descriptions of the six housing pilot projects follow in this section.

Implementation of the Shriver housing pilot projects was tracked through collection of quantitative service data. At each project, legal aid services agency staff entered information into the program services database to record characteristics of the clients, cases, and services provided. Later in this section, a brief cross-project implementation overview is provided based on these aggregated data. Detailed service summaries for each housing pilot project, inclusive of several additional indicators, can be found in Appendix A. To fully understand each Shriver pilot project, the reader is recommended to read these detailed service summaries.

What services were provided by the Shriver Housing Pilot Projects?

The legislation sought to create services for low-income individuals and families, specifically those with incomes at or below 200% of the Federal Poverty Level: $23,540 per year for an individual, or a total of $48,500 for a family of four.[3] The legislation also intended for services to reach those tenants who faced an opposing party with legal representation, had other potential disadvantages navigating the legal system (e.g., limited education or English proficiency), or had a heightened vulnerability if evicted (e.g., experienced a disability, had minors in the home). While some projects offered assistance to low-income landlords (plaintiffs), the requirement for opposing party representation generally limited eligibility among these individuals.

At the highest level of Shriver service, attorneys provided ***full representation*** to clients in their unlawful detainer case. This involved the attorney providing assistance and representation for all aspects of the case from start to finish. The pilot projects also offered a range of ***unbundled services***, which entailed legal help provided for discrete tasks, such as assistance with preparing and filing forms, gathering evidence for court, provision of brief counsel and advice, representation during mediation or settlement negotiations, day-of-trial representation, or assistance at the self-help center. All Shriver housing pilot projects provided full representation to some clients and a range of other unbundled services to some clients; the proportion depended on their unique program model.

Shriver housing pilot projects offered a range of legal services and each project employed a unique service model based on local circumstances. At all sites, Shriver services involved legal assistance provided by legal aid attorneys, and some sites included ***court-based services*** provided by superior court staff. A description of each project's service structure follows.

[3] Federal Poverty Guidelines; http://familiesusa.org/product/federal-poverty-guidelines

Shriver Pilot Project Description: Kern County

This section describes how the Shriver Kern housing pilot project addressed unlawful detainer cases. This summary includes information on the project context, involved agencies, and service model. Detailed data on the litigants who received services, case characteristics, and outcomes can be found in the detailed project service summary in Appendix A.

Project Context

COMMUNITY

In 2014, the population of Kern County had an estimated 865,923 individuals,[4] of which 23% were living under the Federal Poverty Level. The median household income was $48,522 (or $4,046 per month) and the average number of persons per household was 3.2. The average monthly fair market value for a two-bedroom rental unit was $815.

AGENCIES INVOLVED

The Kern pilot housing project is a collaboration between the local legal aid agency, Greater Bakersfield Legal Assistance (GBLA), the Kern County Superior Court, and the Volunteer Attorney Program (VAP) of Kern County. GBLA serves as the lead partner on the Kern housing pilot project, and subcontracts with the court and other local private attorneys to provide legal assistance to low-income litigants in the county (through VAP).

Prior to the implementation of the Kern pilot housing project, the only legal resources available to low-income litigants were services from GBLA, pre-trial mediation provided by non-attorney mediators (who could not offer legal advice and did not review pleadings), or the Kern County Law Library (which only provided sample packets to tenants completing answers and did not provide individualized legal assistance). With the implementation of the Shriver pilot housing project, the court expanded its Law Library to include more extensive pro se assistance (e.g., one-on-one assistance with document preparation), added an unlawful detainer advisor and neutral evaluator to facilitate mediation earlier in the court process, and added a social services coordinator to help with additional litigant needs. These expanded court services evolved into what is now referred to as the Landlord Tenant Assistance Center (LTAC), which is operated at the court and staffed by personnel from the court, GBLA, and other contracted providers.

COURTHOUSE

The Kern County Superior Court, located in the city of Bakersfield, hears all unlawful detainer cases in the greater Bakersfield area. The following table shows the number of unlawful detainer (limited jurisdiction[5]) cases filed at Kern County Superior Court from fiscal year 2010 (2 years prior to Shriver implementation) through fiscal year 2014. Shriver services in Kern County began in March 2012. In the 2 years prior to Shriver implementation (i.e., FY2010 and FY2011), an average of 4,470 cases were filed at the court each year, with more than 50% of cases

[4] Demographic data were retrieved from the U.S. Census Bureau, County & States Quickfacts at www.census.gov in July 2015.

[5] Limited jurisdiction cases involve amounts less than $25,000 and exclude commercial properties.

involving a default. During this period, an average of 691 unlawful detainer cases per year (about 15% of cases filed) had a fee waiver granted for a low-income defendant.[6] Although the eligibility requirements for a fee waiver are more restrictive than those for Shriver service eligibility, this group roughly approximates the intended population for Shriver services.

During the 2 years of full-scale Shriver implementation (FY2013 and FY2014),[7] an average of 3,843 unlawful detainer cases were filed per year at the court, and the overall default rate remained above 50%. An average of 1,026 cases per year involved a defendant with a fee waiver granted (about 26% of all cases filed). During this period, GBLA provided legal services to an average of 347 cases per year, and LTAC provided court-based services to an average of 1,640 litigants per year.[8]

Table H1. Unlawful Detainer (UD) Cases Filed in Kern County per Fiscal Year

	Before Shriver		During Shriver		
Number of UD…	**FY2010**	**FY2011**	**FY2012**	**FY2013**	**FY2014**
Cases filed[a]	4,478	4,461	4,258	4,007	3,678
Cases with a default	2,279	2,353	2,235	2,174	1,951
Cases with a fee waiver granted[b]	592	790	1,052	1,013	1,039
Cases receiving Shriver legal aid services[c]	--	--	152	316	378
Litigants receiving Shriver court-based services[d]	--	--	375	1,549	1,730

Note. Fiscal Year example: FY2010 = the period of October 1, 2009 through September 30, 2010.
[a] Includes only limited jurisdiction cases. Data obtained from staff at the Kern County Superior Court.
[b] Fee waivers granted for defendant(s).
[c] Data obtained from the Shriver program services database (as of 10/18/15); Shriver services began 3/2012.
[d] Data obtained from the Shriver LTAC project coordinator (as of 7/20/15); services began 3/2012. LTAC can assist multiple litigants in a case.

Project Implementation Model

The Kern pilot housing project started in March 2012 and involves services offered by legal aid and the court. Litigants receive assistance on unlawful detainer and other housing-related matters using a four-pronged approach:

- Representation and/or direct legal aid services (provided by GBLA, VAP),
- Pro se (extended self-help) assistance (provided by LTAC),
- Participation in early dispute resolution (EDR) activities (provided by LTAC), and
- Assistance from a social services coordinator (provided by LTAC).

There was some overlap in staffing and service delivery provided by these two key partners. In this report, services provided by an attorney through legal aid services agencies (GBLA or

[6] Low-income litigants (those with a household income of 150% or less of the Federal Poverty Level) can petition the court to have their court fees waived.
[7] These estimates do not include the data from FY2012, because the Shriver project was ramping up and service did not begin until March 2012, halfway through the fiscal year.
[8] The total number of UD *cases* was not available from LTAC. Since LTAC assisted both defendants and plaintiffs, and since more than one defendant can be involved in each case, the number of litigants listed overestimates the number of UD cases assisted by LTAC.

Volunteer Attorney Program) are referred to as "legal aid services" and all other services provided at the court (LTAC) are referred to as "court-based services."

LEGAL AID SERVICES

Services Offered, Referral Sources, and Eligibility Requirements

GBLA serves as the central point of contact for the Kern pilot housing project, provides eligibility and service screening, and provides legal representation and assistance to litigants. In addition to unlawful detainer cases, legal aid attorneys also assist litigants on a wide range of housing problems, including mortgage default and foreclosure issues for homeowners, habitability cases, pre-filing housing disputes (e.g., demand and termination notices for renters), recovery of security deposits and related small claims matters, and landlord-tenant dispute resolution (pre-litigation, pending litigation, and post-judgment).

Most litigants are referred to legal aid from the LTAC. A kiosk was set up within LTAC where an attorney screens incoming litigants for Shriver service eligibility. To receive representation by a Shriver attorney, a litigant must have an income at or below 200% of the Federal Poverty Level, face an opposing party represented by legal counsel, and meet Federal Legal Services Corporation immigration eligibility standards. After assessing for eligibility, the LTAC attorney guides the litigant to the appropriate avenue of service delivery (i.e., services offered by legal aid and/or services offered by the court).

Litigants meeting the eligibility requirements for legal aid services are scheduled to meet with an attorney from either GBLA or the Volunteer Attorney Program. At that point, legal staff review the facts and circumstances of the case and develop a case plan, which can include unbundled services such as legal education, brief counsel and advice, or representation during settlement negotiations, or full representation by an attorney before the court. If litigants are deemed ineligible for representation due to income or other case-specific characteristics such as an unrepresented opposing party, they are directed to the other services provided by the court in LTAC, namely mediation or expanded self-help services (discussed in more detail next).

COURT-BASED SERVICES

Services Offered, Referral Sources, and Eligibility Requirements

Prior to the Shriver housing pilot project, Kern County Superior Court offered limited mediation and self-help services. The court contracted with the Better Business Bureau (BBB) to provide mediation services. Mediation was conducted outside the courtroom, just before trial. These sessions were conducted by non-attorney mediators who could not offer legal advice or opinions and did not review pleadings. The Law Library also provided self-help services, but litigants could not get individualized attention or receive specific advice.

As part of the Kern housing pilot project, litigants can access additional court-based services through LTAC, which involves the litigant meeting with the intake coordinator to determine service eligibility and develop an individualized plan. The plan is based on litigant vulnerability, case merit, and other case characteristics, and can include being referred for representation from GBLA (if the opposing party is represented by counsel) or being offered from LTAC expanded self-help ("pro se") assistance, early dispute resolution (EDR) activities, and/or social service referrals. Litigants can receive any or all of these services, and LTAC strives to provide

pro se assistance to all eligible litigants. EDR services are provided when both parties agree to participate in mediation (and if the case has not already gone to trial), and social services referrals are made as needed. LTAC provides services to both plaintiffs (e.g., landlords) and defendants (e.g., tenants).

Pro se assistance includes workshops, self-help materials, and one-on-one assistance with document preparation. The expanded EDR/mediation services were initially intended to be provided by attorneys with specialized training in unlawful detainer issues. However, the high volume of cases, quick summary nature, and number of available attorneys required the project to contract a professional mediator to facilitate the sessions. When a litigant is referred for Shriver mediation services, the case file is first reviewed by the Shriver attorney, who advises the client of the strengths and weaknesses of the case and provides talking points and strategy suggestions for resolution. The mediator gets the file and contacts the parties. The mediation session is conducted as early as possible, with the goal of avoiding trials and other unnecessary court time. The mediation services offered by the BBB are still available on the day of trial.

When litigants have needs that cannot be addressed adequately by the legal system, or are outside the scope of legal services, they are referred to the social services coordinator, who provides linkages to government, community, and local services. Referrals include services such as affordable housing, emergency housing, job searching or job training, food or clothing sources, public assistance, and healthcare coverage.

Litigants are typically routed to LTAC via referrals from courthouse staff, flyers affixed to sample packets provided by the Law Library, word of mouth from previously-assisted litigants, or local community agencies. LTAC is located next to the civil window at the courthouse, which makes it convenient for litigants seeking help with housing matters to get connected with LTAC services and information. Unlike Shriver legal aid services, a litigant does not have to face an opposing party represented by counsel to receive Shriver court-based services; however, they are still subject to the same income requirements (within 200% of the Federal Poverty Level).

Table H2 illustrates the services offerings available to litigants eligible to receive Shriver services at legal aid and at the court.

Table H2. Legal Aid and Court-Based Shriver Services Available from the Kern Pilot Housing Project

	Shriver Service Location	
Services Available	**Legal Aid**	**Court**
Self-help center		✓
Pro se assistance (expanded self-help)		✓
Early dispute resolution (mediation)		✓
Social services referral		✓
Legal education	✓	
Brief counsel and advice	✓	
Limited representation	✓	
Full representation	✓	

GOALS FOR CLIENTS

The Kern pilot housing project reports that their top goals are to prevent homelessness and to provide representation to all litigants, particularly in cases where the opposing party has representation. The project aims to put individuals in the best position to move out of their home if a move-out is inevitable, such as ensuring litigants know their rights and receive due process and/or housing authority rights.

For cases in which a low-income defendant is unrepresented while the plaintiff is represented by counsel (the most common type of "unbalanced" case), the Kern pilot housing project seeks to provide an attorney to help "level the playing field."[9] When a defendant does not have an adequate legal defense (e.g., economic hardship), the legal aid attorney provides unbundled limited scope services and focuses on negotiating a pre-trial settlement. A typical pre-trial settlement may allow the tenant to remain in the home as long as back-owed rent is paid. In some cases, the social services coordinator can help connect the tenant to resources that help ease the financial burden, making housing costs and debt more manageable. Another example of a typical pre-trial settlement is negotiating a voluntary move-out of the rental unit, in exchange for avoiding an adverse judgment on the defendant's public record.

When a defendant has a legitimate defense (e.g., habitability issues), risks the loss of subsidized housing, or when other factors warrant representation through trial, legal aid provides the tenant with full representation. In habitability cases, the Shriver attorney's strategy is dictated by the client's goals. If tenants want to remain in the home, attorneys do their best to achieve this outcome, while assisting in getting necessary repairs made. If the tenant wants to move, attorneys will attempt to secure an extended move-out date and a clear court and credit history (the case masked from public view and the lawsuit not reported to credit agencies). If the tenant lives in subsidized housing and could potentially lose a Section 8 Housing Choice Voucher (HCV) if ruled against in court, Shriver attorneys attempt to secure the HCV in the event the tenant must move. Overall, GBLA attorneys want to make sure that unlawful detainer cases do not prohibit their clients from obtaining fair and affordable housing.

Brief Summary of Shriver Service Provision

Below is an overview of the service provision at the Kern housing pilot project. For a more extensive and detailed summary of the services provided, see the full project service summary in Appendix A.

Information regarding the types of services provided, case characteristics, and outcomes were obtained from the program services database. Data from the Kern housing pilot project were collected on all parties seeking Shriver services from legal aid (GBLA) or the court (LTAC) from March 2012 through October 2015. GBLA and LTAC had different eligibility requirements and service offerings. Thus, their service data are presented separately. Litigants who were represented by a legal aid attorney for the entirety of their case are termed ***full representation*** clients, litigants who received any other type of service from legal aid (short of full representation) are referred to as ***unbundled services*** clients, and those who obtained help from LTAC received ***court-based services***.

[9] As of October 2015, only defendants received Shriver direct representation services from GBLA.

WHO RECEIVED SHRIVER PROJECT SERVICES?

Court-Based Services

Through fall 2015, the Kern housing pilot housing project had provided court-based services to more than 3,600 litigants in housing-related matters through fall 2015. According to LTAC service counts, 57% of litigants helped were plaintiffs (landlords)[10] and 43% were defendants (tenants). LTAC served over 1,600 defendants across 1,107 cases. Among these cases, 76% received pro se assistance (expanded self-help), 68% received a referral from the social services coordinator, and 58% received early dispute resolution (EDR or "mediation") services. Most (64%) received two or more services, and 42% received all three.

Defendant Characteristics. As shown in Table H3, the majority of these cases involved female defendants (64%). About one third (38%) were Hispanic/Latino, 25% were White, and 20% were Black or African American. Nearly one in five cases (18%) had a defendant with a disability (note that 39% were missing this information), and 11% had a defendant who could not effectively communicate in English without the assistance (Limited English Proficiency). Most (57%) tenants receiving court-based services had minors living in the household, and 32% received CalFresh[11] benefits. The median monthly income for litigants receiving court-based services was $1,000 (mean = $1,104), well below the federal poverty threshold.

[10] Data regarding case and individual characteristics were not available for plaintiff cases.

[11] The CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP; formerly "food stamps"), provides qualified, low-income households with monthly electronic benefits that can be used to buy most foods at many markets and food stores.

Table H3. Demographic Characteristics of Defendants Receiving Shriver Court-Based Services

Litigant Level Characteristics	*N* (%)
Gender	
Male	373 (34%)
Female	709 (64%)
Transgender	1 (<1%)
Missing/unknown	24 (2%)
Race/Ethnicity[a]	
Black or African American	221 (20%)
Hispanic/Latino	420 (38%)
White	277 (25%)
Other	82 (7%)
Missing/unknown/declined	107 (10%)
Education	
High school degree or less	480 (43%)
Any post-secondary	214 (19%)
Missing/unknown	413 (37%)
Limited English Proficiency	
Yes	118 (11%)
No	949 (86%)
Missing/unknown	40 (4%)
Disability	
Yes	196 (18%)
No	476 (43%)
Missing/unknown	435 (39%)
Total	1,107 (100%)

Note. Data from the program services database (as of 10/18/15). [a] Litigants who identified as Hispanic/Latino and any other race/ethnicity are included in the Hispanic/Latino row.

Opposing Party Representation and Case Status at Shrive Intake. Information regarding opposing party representation status, at case intake, was unknown for nearly half (45%) of litigants receiving court-based services. With that proportion in mind, 15% of defendants were facing an opposing party with legal representation and 40% were not. At the time of Shriver intake, the defendant had not yet filed an answer or other response in 84% of cases.

Legal Aid Services

Kern housing pilot project provided legal aid services to litigants, all of whom were tenants, in a total of 1,220 unlawful detainer cases. Of these cases, 38% received full representation and 62% received unbundled services. Attorneys worked an average of 13 hours (median = 9) per full representation case and an average of 4 hours (median = 2) per unbundled services case.

Client Characteristics. Table H4 shows the demographic characteristics of the primary client on the 1,220 cases served by legal aid, by level of service. Overall, the majority (71%) of clients were female, 34% were Black/African American and 33% were Hispanic/Latino, 25% had a known or

observable disability (note that 25% of clients were missing this information), and 6% had limited proficiency with English.

Table H4. Demographic Characteristics of Shriver Legal Aid Clients

	Level of Service		
Client Level Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Gender			
Male	113 (25%)	226 (30%)	339 (28%)
Female	342 (74%)	524 (69%)	866 (71%)
Transgender	2 (<1%)	0 (0%)	2 (<1%)
Missing/unknown	4 (1%)	9 (1%)	13 (1%)
Race/Ethnicity[a]			
Black or African American	158 (34%)	254 (33%)	412 (34%)
Hispanic/Latino	150 (33%)	255 (34%)	405 (33%)
White	134 (29%)	212 (28%)	346 (28%)
Other	13 (3%)	30 (4%)	43 (4%)
Missing/unknown/declined	6 (1%)	8 (1%)	14 (1%)
Education			
High school degree or less	73 (16%)	183 (24%)	256 (21%)
Any post-secondary	51 (11%)	130 (17%)	181 (15%)
Missing/unknown	337 (73%)	446 (59%)	783 (64%)
Limited English Proficiency			
Yes	28 (6%)	49 (6%)	77 (6%)
No	430 (93%)	672 (89%)	1,102 (90%)
Missing/unknown	3 (1%)	38 (5%)	41 (3%)
Disability			
Yes	109 (24%)	197 (26%)	306 (25%)
No	204 (44%)	402 (53%)	606 (50%)
Missing/unknown	148 (32%)	160 (21%)	308 (25%)
Total	461 (100%)	759 (100%)	1,220 (100%)

Note. Data from the Shriver program services database (as of 10/18/15). Information about the age of the primary client was not available. [a] Litigants who identified as Hispanic/Latino and any other race/ethnicity are included in the Hispanic/Latino row.

As shown in Table H5, 67% of cases served by legal aid had at least one minor living in the home and 60% of households received CalFresh benefits. The median monthly income was $925 (mean = $1,075), and the median monthly rental amount was $650 (mean = $644). By comparison, recall that the median monthly household income in Kern County is $4,046 per month and the average fair market value for a two-bedroom apartment is $815. Nearly all (92%) of Shriver legal aid clients were renters/tenants of a house, apartment, or condominium

Table H5. Household Characteristics of Shriver Legal Aid Clients

	Level of Service		
Household Level Characteristics	**Full Representation**	**Unbundled Services**	**Total**
Minors in Household, *N* (%)			
Yes	319 (69%)	494 (65%)	813 (67%)
No	138 (30%)	253 (33%)	391 (32%)
Missing/unknown	4 (1%)	12 (2%)	16 (1%)
Received CalFresh Benefits, *N* (%)			
Yes	265 (57%)	463 (61%)	728 (60%)
No	186 (40%)	277 (36%)	463 (38%)
Missing/unknown	10 (2%)	19 (3%)	29 (2%)
Monthly Income			
Mean (*SD*)	$1,108 (696)	$1,055 (740)	$1,075 (722)
Median	$1,000	$900	$925
Range	$0 to $3,983	$0 to $4,355	$0 to $4,355
Missing/unknown	2 (<1%)	4 (<1%)	6 (<1%)
Monthly Rental Amount[a]			
Mean (SD)	$629 (309)	$654 (333)	$644 (323)
Median	$628	$650	$650
Range	$0 to $2,490	$0 to $4,040	$0 to $4,040
Missing/unknown, *N* (%)	23 (5%)	150 (20%)	173 (14%)
Total	461 (100%)	759 (100%)	1,220 (100%)

Note. Data obtained from the Shriver program services database (as of 10/18/15).
SD = standard deviation. [a] Monthly rental amount according to defendant at time of intake.

Opposing Party Representation and Case Status at Shriver Intake. At Shriver services intake, among clients that received Shriver full representation, 87% faced an opposing party with legal representation and 5% did not (this information was missing for approximately 8% of cases). Among clients receiving unbundled services, 41% faced an opposing party with representation and 36% did not (this information was missing for 23% of cases). At the time of Shriver intake, 78% of clients had not filed an answer or other response with the court.

Of those cases with information about an eviction notice, the most frequent reason listed was for non-payment of rent (76%), followed next by foreclosure (3%), and violation of lease terms (2%). In cases where the notice indicated non-payment of rent, the median amount demanded on the notice was $797 (mean = $1,130; range = $0 to $12,099). In 55% of cases, defendants

owed between $501 and $2,000 according to the eviction notice. In 29% of cases, the amount was $500 or less, highlighting the financial vulnerability of many litigants.

KEY OUTCOMES AMONG SHRIVER FULL REPRESENTATION CASES

The remainder of this section highlights key outcomes of interest among cases provided full representation by the Kern housing pilot project. A more detailed review of case events and outcomes can be found in Appendix A.

Some key findings include:

Answers were filed. To participate in the justice system—that is, to avoid defaulting on an unlawful detainer case—defendants must file an answer (or other response) to the complaint filed by the landlord. Among full representation cases, nearly all defendants (97%) participated in the judicial system either by filing an answer (89%) or other response (2%), or by settling (2%) or having the case dismissed (4%). Notably, no default judgments were entered because the tenant failed to respond to the unlawful detainer complaint.

Cases were likely to settle. Half (51%) of Shriver full representation cases were resolved by settlement, 34% were dismissed by the plaintiff, and 11% were resolved through a trial or hearing (4% were resolved in other way or were missing information).

Outcomes favored longer term housing stability. From the perspective of the tenants, remaining in one's home and avoiding the burden and disruption of looking for new housing (e.g., spending additional money to move or enrolling children in new schools) is a noteworthy and positive outcome. In instances when a tenant must relocate, having additional time to move out, retaining neutral references from landlords, or retaining Housing Choice Vouchers can support one's ability to find new and affordable replacement housing more quickly.

Possession of Unit. At the end of the unlawful detainer case, 22% of tenants were able to remain in the home, either because they retained possession of the unit or were granted relief from forfeiture.[12] In 76% of cases, the landlord was awarded possession and the tenant had to move (see Table H6). Of the cases in which tenants had to relocate, most did so as part of a negotiated agreement or before a hearing/trial, as opposed to being evicted.[13] The rates of possession varied by case resolution method.

[12] Relief from forfeiture typically applies when a defendant experiences a temporary income shortage and has the ability to pay back rent or other money owed.

[13] Evictions occur when defendant are ruled against in a court hearing, trial, or default judgment. They can also occur, later, when defendants fail to comply with the conditions of their settlement. This outcome usually results in a case viewable on the public record.

Table H6. Housing Stability Outcomes for Full Representation Clients by Case Resolution Method

Housing Stability Outcome	Case Resolution Method				
	Settlement *n* (%)	Plaintiff Dismissal *n* (%)	Trial/ Hearing *n* (%)	Other/ Missing *n* (%)	Total *n* (%)
Retained possession	14 (6%)	25 (17%)	4 (9%)	1 (2%)	44 (10%)
Relief from forfeiture	20 (9%)	23 (16%)	7 (15%)	0 (0%)	50 (12%)
Moved (not evicted)[a]	169 (78%)	97 (67%)	8 (17%)	7 (15%)	281 (66%)
Temporary stay of eviction[b]	0 (0%)	0 (0%)	6 (13%)	2 (4%)	8 (2%)
Evicted[c]	12 (6%)	0 (0%)	20 (43%)	1 (2%)	33 (8%)
Missing/unknown	2 (1%)	0 (0%)	1 (2%)	0 (0%)	9 (2%)
Total	217 (100%)	145 (100%)	46 (100%)	17 (37%)	425 (100%)

Note. Data obtained from the Shriver program services database (as of 10/18/15).
[a] Defendant moved as part of negotiated agreement or before hearing or trial judgment.
[b] Court granted possession of the unit to the plaintiff (landlord), but postponed the eviction due to extreme hardship on behalf of the defendant. [c] Defendant ruled against in court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement.

Other Case Outcomes for Tenants who Moved. Among full representation cases of the Kern housing pilot project, 94% resulted in some positive outcome that supported tenants' longer term housing stability. These outcomes tended to be most common when cases were settled or dismissed by the plaintiff. Among full representation cases in which the tenant had to move:

- 67% had their move-out date adjusted
- 79% had their rental debt reduced or waived
- 49% retained their housing subsidy (e.g., Housing Choice Voucher)
- 85% had their unlawful detainer record masked from public view
- 70% had their credit protected.

Table H7. Case Outcomes among Full Representation Cases with Tenants who Moved

Outcome	Case Resolution Method				
	Plaintiff Dismissal *N* (%)	Settlement *N* (%)	Trial *N* (%)	Other/ Missing *N* (%)	Total *N* (%)
Physical Outcomes					
Move Out Date Adjusted	57 (59%)	151 (83%)	7 (21%)	1 (10%)	216 (67%)
Mean Number of Days to Move (*SD*)[a]	33 (*27*)	52 (*35*)	43 (*27*)	--	45 (*33*)
Financial Outcomes					
Pay Plaintiff's Attorney Fees	0 (0%)	16 (9%)	13 (38%)	0 (0%)	29 (9%)
Pay All Rent Owed	1 (1%)	7 (4%)	6 (18%)	0 (0%)	14 (4%)
Rental Amount Owed Reduced	69 (71%)	138 (76%)	21 (62%)	4 (40%)	232 (72%)
Rental Amount Owed Waived	3 (3%)	19 (10%)	0 (0%)	0 (0%)	22 (7%)
Payment Plan for Money Owed	2 (2%)	29 (16%)	1 (3%)	0 (0%)	32 (10%)
Preserved Housing Choice Voucher/Sec. 8[b]	5 (63%)	13 (50%)	0 (0%)	2 (50%)	20 (49%)
Received Any Positive Financial Outcome[c]	***73 (75%)***	***162 (90%)***	***21 (62%)***	***5 (50%)***	***261 (81%)***
Credit-Related Outcomes					
Neutral References from Landlord	53 (55%)	112 (62%)	9 (26%)	2 (20%)	176 (55%)
Not Reported to Credit Agencies	74 (76%)	136 (75%)	11 (32%)	3 (30%)	224 (70%)
Record Masked from Public View	93 (96%)	158 (87%)	16 (47%)	7 (70%)	274 (85%)
Received Any Positive Credit Outcome[d]	***94 (97%)***	***164 (91%)***	***16 (47%)***	***7 (70%)***	***281 (87%)***
Received Any Positive Outcome[e]	**96 (99%)**	**173 (96%)**	**25 (74%)**	**9 (90%)**	**303 (94%)**

N = 322. Plaintiff dismissal *n*=97. Settlement *n*=181. Trial *n*=34. Other *n*=10.
Note. Data obtained from the Shriver program services database (as of 10/18/15).
[a] Calculated as the number of days from complaint filing to move out date; Dates were missing for the case resolved by "other" methods. [b] Calculated out of the number of cases where the defendant(s) lived in subsidized housing (*n*=41). [c] Calculated from all monetary items, except where the litigant had to pay for the plaintiff's (landlord's) attorney fees or had to pay back all money owed. [d] Calculated from all credit-related outcomes. [e] Calculated from all monetary and/or credit-related outcomes, except where indicated above.

SHRIVER PILOT PROJECT DESCRIPTION: LOS ANGELES COUNTY

This section describes how the Shriver Los Angeles pilot housing project addressed unlawful detainer cases. This summary includes information on the project context, involved agencies, and service model. Detailed data on the litigants who received services, case characteristics, and outcomes can be found in the detailed project service summary in Appendix A.

Project Context

In 2014, the population of Los Angeles County was an estimated 10 million individuals,[14] of which 18% were living under the Federal Poverty Level. The median household income was $55,909 (or $4,659 per month) and the average number of persons per household was 3.0. The average monthly fair market value for a two-bedroom rental unit was $1,398.

AGENCIES INVOLVED

The Los Angeles pilot housing project is a collaboration between four local legal aid agencies, the Los Angeles Superior Court, and a network of pro bono attorneys. The legal aid agencies include Neighborhood Legal Services of Los Angeles County (NLSLA), Inner City Law Center (ICLC), Legal Aid Foundation of Los Angeles (LAFLA), and Public Counsel (PC). NLSLA serves as the lead partner on the project and their field office is located in the city of Glendale.

Prior to the implementation of the Los Angeles pilot housing project, there were few low-income services available to litigants dealing with unlawful detainer cases. While many of the courthouses located in Los Angeles have onsite self-help centers, the self-help center located at the Stanley Mosk Courthouse (the largest and busiest of the courthouses) did not offer assistance for unlawful detainer cases. Public interest law programs were able to provide legal aid assistance to an estimated 3% of the cases heard at the Mosk courthouse. Three of the current Shriver partners (NLSLA, LAFLA, and ICLC) helped to provide these services through a federal homelessness prevention grant and through other grant funding, but the grant expired in 2012. With the start of Shriver services in late 2011, the Los Angeles pilot housing project developed the Eviction Assistance Center (EAC), which is located at the Mosk courthouse. This center serves to streamline the referral process so that eligible unlawful detainer litigants are made aware of the legal services available from the four partnering legal aid agencies.

COURTHOUSE

The Superior Court of California, County of Los Angeles, has more than 40 courthouses that cover the 4,000 square mile county—from Pomona to Santa Monica, and from Lancaster to Long Beach. The primary courthouse serving Shriver litigants is the Mosk courthouse, which hears unlawful detainer cases daily and is the largest court in the Los Angeles Superior Court system. Mosk is the courthouse that covers many of Los Angeles' poorest neighborhoods—Skid Row, South Los Angeles, and Pico-Union—where many vulnerable individuals and families with limited capacity to access courts, secure representation, or represent themselves reside.

[14] Demographic data were retrieved from the U.S. Census Bureau, County & States Quickfacts at www.census.gov in July 2015.

The following table shows the number of unlawful detainer cases filed at the Mosk Courthouse, from fiscal year 2010 (2 years prior to Shriver implementation) through fiscal year 2014. Shriver services in Los Angeles County began in March 2012, halfway through FY2012. In the 2 years prior to implementation (FY2010 and FY2011), an average of 17,604 cases were filed at the court annually. During the 2 years of full-scale Shriver implementation (FY2013 and FY2014), an average of 16,364 unlawful detainer cases were filed annually, and the Los Angeles housing pilot project provided legal aid services to an average of 3,068 cases per year. Unfortunately, the numbers of cases that involved default and/or a fee waiver granted to the defendant (proxy for low-income status) were not available, which makes it difficult to estimate the proportion of low-income defendants reached by Shriver services.

Table H8. Unlawful Detainer (UD) Cases Filed in Los Angeles County per Fiscal Year

	Before Shriver		During Shriver		
Number of UD…	**FY2010**	**FY2011**	**FY2012**	**FY2013**	**FY2014**
Cases filed[a]	17,754	17,455	17,364	16,182	16,547
Cases involving a default	*unavailable*	*unavailable*	*unavailable*	*unavailable*	*unavailabl*
Cases with a fee waiver granted	*unavailable*	*unavailable*	*unavailable*	*unavailable*	*unavailabl*
Cases receiving Shriver legal aid services[b]	--	--	1,679	2,950	3,186

Note. Fiscal Year example: FY2010 = the period of October 1, 2009 through September 30, 2010.
[a] Data obtained from staff at the Los Angeles County Superior Court and includes only limited jurisdiction cases. Numbers of cases involving a default or a fee waiver were not available. [b] Data obtained from the Shriver program services database (as of 10/18/15) and includes full representation and unbundled services cases. Shriver services began in March 2012.

Project Implementation Model

The Los Angeles housing pilot project started in March 2012. The Los Angeles County Superior Court provides space for the EAC, where NLSLA provides services for unlawful detainer litigants who meet the Shriver eligibility criteria. The project provides legal services to plaintiffs and defendants using a three-pronged approach: (1) unbundled services available at EAC including screening, referral, fee waiver and answer preparation, and trial preparation, (2) full representation available from one of the legal aid agencies (NLSLA, ICLC, LAFLA, PC), and (3) extended limited scope (a.k.a., "Attorney of the day") services from NLSLA (*defunct*).[15]

Legal Aid Services

Services Offered, Referral Sources, and Eligibility Requirements

Litigants are referred to the Shriver housing pilot project at the Eviction Assistance Center (EAC) in the Los Angeles County Superior Court. EAC assistance is available to plaintiffs (landlords) and defendants (tenants), and all services are available in person in English, Spanish, and Korean. If a litigant has another language interpretation need, EAC staff members use an over-the-phone language interpretation service. At the EAC, litigants sign in as they arrive and complete intake forms providing demographic, housing characteristic (e.g., subsidized housing, rent-controlled

[15] This test program only lasted a short period of time, approximately 1 month.

housing), and other eligibility information (e.g., income). The intake screener completes a first review for eligibility for Shriver services, and anyone the project is not able to assist (either due to eligibility requirements or if all appointments are booked for the day) is provided with a general assistance packet that provides generic guidance for filing paperwork with the court. All eligible litigants receive help preparing a complaint (for plaintiffs) or answer (for defendants).

Eligibility requirements for plaintiffs and defendants at the Los Angeles project are the same and require that the litigant have an active unlawful detainer case, have an income at or below 200% of the Federal Poverty Level, face an opposing party represented by legal counsel, and had a complaint filed at the Mosk courthouse. After the initial eligibility screen, an attorney reviews the case for merit and litigant vulnerability,[16] and, if the case is assessed to have sufficient merit and/or vulnerability, then the litigant is referred for full representation. If individuals are not eligible for full representation, they may be given brief counsel and advice from an attorney at EAC. It is intended that all litigants who present at the EAC are provided with some legal service, but due to capacity constraints, some may have to return the next day.

When litigants are referred for full representation, they are scheduled an appointment at one of the partnering legal aid agencies. After a litigant is connected to an agency, subsequent service is provided from the lawyers and staff at that agency. If the referred agency determines a conflict of interest, the litigant is re-referred to one of the other three agencies. Having a multi-agency collaboration minimizes the impact of issues, such as conflicts of interest, on receiving representation, as litigants have more than one option. Additional services come from a network of attorney volunteers throughout Southern California (referred to as the "Shriver Corps"). They are trained and mentored by attorneys from the partnering legal aid agencies and primarily serve as co-counsel on full representation cases.

One additional unbundled service briefly existed at the Los Angeles project. After the complaint and/or answer was filed, the EAC coordinator would work to connect the self-represented litigant with a Shriver pro bono attorney. These attorneys were typically connected with litigants on the day of trial and help to explain the trial process, negotiate settlements, and—in limited circumstances—provide representation at trial. This "Attorney of the Day" program was not sustainable, because services were difficult to coordinate and there were insufficient resources to maintain it permanently.

Table H9 illustrates the variety of service offerings available to Shriver clients through the legal aid agencies at the Los Angeles project. *Limited scope before trial* includes brief counsel and advice, as well as referrals and access to educational materials and workshops. *Extended limited scope* includes everything under limited scope before trial (all provided at the EAC), and the ability to meet with an attorney on the day of their scheduled trial. Both of these services are considered unbundled. *Full representation* includes attorney assistance on all aspects of the case from discovery to representation during settlement negotiations or at trial.

[16] Merit includes concepts such as affirmative defenses (e.g., uninhabitable living conditions, improper notice). Vulnerability refers to the client/family vulnerability and the litigant's ability to navigate the legal system without help (e.g., has a disability) or there is the threat of severe displacement and potential for harm if evicted.

Table H9. Legal Aid Services Available from the Los Angeles Housing Pilot Project

Services	Shriver Project Service Providers		
	EAC	Legal Aid Partners	Pro Bono Attorneys
Self-help packet	✓		
Language interpretation	✓	✓	✓
Brief counsel and advice	✓	✓	
Limited scope before trial:			
Assistance with filing complaint/response	✓		
Education (e.g., online video)	✓		
Trial preparation workshop	✓	✓	
Extended Limited Scope/Attorney of the Day[a]	✓	✓	✓
Full representation		✓	✓

Note. All litigants, regardless of eligibility, are provided with a self-help packet. Eligible litigants receive some service (e.g., preparation of documents), regardless of their merit/vulnerability screening results. Counsel and advice may also be provided to tenants affected by the eviction, but not listed on the complaint. [a] This was a pilot program that lasted for approximately 1 month.

COURT-BASED SERVICES

An additional judicial assistant was hired to work at the public counter in the clerk's office at the Mosk Courthouse. The judicial assistant provides a variety of services to litigants and attorneys, including:

- processing fee waivers and filing answers for litigants who qualify for fee waivers,
- processing status requests, including researching the Case Management System (CMS),
- other administrative duties, as needed, for litigants and Shriver attorneys (e.g., pulling files, making copies of document, filing amended answers, processing substitutions of attorneys).

GOALS FOR CLIENTS

The Los Angeles pilot housing project staff, from legal aid, report that their ultimate goal is to keep individuals in their homes, but often such an outcome is not realistic. If staying in the home is not possible given the characteristics of the case, the project aims to minimize the impact eviction has on the individual's ability to obtain new housing.

To minimize this impact of eviction, the Los Angeles housing pilot project focuses on masking or "sealing" the record beyond the statutory period[17] and retaining tenants' Housing Choice

[17] All unlawful detainer cases are "masked" per statute for at least 60 days from filing. Cases dismissed within this 60-day period are not entered into the public record (the "UD Registry"). The court can extend the masking period beyond 60 days, while the case proceeds, though this practice varies by jurisdiction. Having a case "sealed" permanently removes it from public view, regardless of whether it was dismissed. This process can only occur when it is ordered by the court.

(Section 8) Vouchers. They might also negotiate for an extended move-out date, financial relief or award for the client,[18] and credit protection.[19]

A typical case for the Los Angeles housing pilot project begins due to non-payment of rent with few or no defenses. Attorneys ask about possible illegal rent increases, tenant job loss, and change in tenant public benefits, and attempt to use these circumstances to request reasonable accommodation for the case. Habitability cases are also common, where tenants do not pay rent due to the condition of the property, and the goal of these cases is for the litigant to retain the housing, with the landlord making any repairs or habitability changes. Housing department inquiries and inspections may be part of these cases.

Brief Summary of Shriver Service Provision

Below is an overview of the service provision at the Kern housing pilot project. For a more extensive and detailed summary of the services provided, see the full project service summary in Appendix A.

Information regarding the types of services provided, case characteristics, and outcomes were obtained from the Shriver program services database. Data from the Los Angeles pilot housing project were collected on all parties seeking services from March 2012 through October 2015.

Litigants who received full representation from an attorney at one of the four legal aid agencies are categorized as ***full representation*** clients and litigants who received any other types of legal service (through the EAC, any of the legal aid agencies, or an "Attorney of the Day") are referred to as ***unbundled services*** clients.[20]

WHO RECEIVED SHRIVER PROJECT SERVICES?

Through fall 2015, the Los Angeles housing pilot project, had provided legal aid services to 10,182 clients. Of these, 52% received full representation and 48% received unbundled services. Shriver attorneys worked an average of 11 hours (median = 7) per full representation case and an average of 2 hours (median = 1) per unbundled services case. (Less than 1% of Shriver legal aid clients were plaintiffs, information about plaintiff clients can be found in Appendix B.)

Client Characteristics. The majority of Shriver clients (57%) were female, 45% were Hispanic or Latino, and 30% were Black or African American. About one fourth (24%) of cases had a tenant with a disability, and 38% involved a defendant who could not effectively communicate in English without the assistance of an interpreter (Limited English Proficiency). Table H10 shows the characteristics of the 10,182 primary clients served by legal aid, by level of service.

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[18] Under rent stabilization, the landlord might provide money as part of the stipulated settlement to help with relocation costs.

[19] Credit protection includes the lawsuit not being reported to credit agencies, as well as neutral references from the landlord. In the Los Angeles housing pilot project, Shriver attorneys negotiate to add language to settlements stipulating that landlords will only provide dates of tenancy, and no information about the eviction, if a housing reference is needed.

[20] Approximately 91 litigants (about 1% of all clients served by the Los Angeles pilot housing project) received extended limited scope ("Attorney of the Day") services.

Table H10. Demographic Characteristics of Shriver Legal Aid Clients

	Level of Service		
Client Level Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Age (years)			
18 to 24	306 (6%)	410 (8%)	716 (7%)
25 to 44	2,414 (46%)	2,373 (48%)	4,787 (47%)
45 to 61	1,803 (35%)	1,739 (35%)	3,542 (35%)
62 or older	517 (10%)	307 (6%)	824 (8%)
Missing/unknown	184 (4%)	129 (3%)	313 (3%)
Gender			
Male	1,841 (35%)	2,209 (45%)	4,050 (40%)
Female	3,180 (61%)	2,629 (53%)	5,809 (57%)
Transgender	3 (0%)	6 (0%)	9 (0%)
Missing/unknown	200 (4%)	114 (2%)	314 (3%)
Race/Ethnicity[a]			
Black or African American	1,431 (27%)	1,598 (32%)	3,029 (30%)
Hispanic/Latino	2,511 (48%)	2,088 (42%)	4,599 (45%)
White	244 (5%)	385 (8%)	629 (6%)
Other	228 (4%)	286 (6%)	514 (5%)
Missing/unknown/declined	810 (16%)	601 (12%)	1,411 (14%)
Education			
High school degree or less	2,284 (44%)	1,958 (39%)	4,242 (42%)
Any post-secondary	1,167 (22%)	1,535 (31%)	2,702 (27%)
Missing/unknown	1,773 (34%)	1,465 (30%)	3,238 (32%)
Limited English Proficiency			
Yes	2,168 (42%)	1,663 (34%)	3,831 (38%)
No	2,866 (55%)	3,171 (64%)	6,037 (59%)
Missing/unknown	190 (4%)	124 (3%)	314 (3%)
Disability			
Yes	1,374 (26%)	1,068 (22%)	2,442 (24%)
No	2,669 (51%)	3,171 (64%)	5,840 (57%)
Missing/unknown	1,181 (23%)	719 (15%)	1,900 (19%)
Total	5,224 (100%)	4,958 (100%)	10,182 (100%)

Note. Data from the Shriver program services database (as of 10/18/15) and includes only defendants. Twenty percent (*n*=2,007) of cases included multiple individuals (e.g., couples). Demographic data describe the primary litigant. [a] Clients who identified as Hispanic/Latino and any other race/ethnicity are counted in the Hispanic/Latino row.

As shown in Table H11, half (52%) of cases served by Shriver legal aid had at least one minor living in the home, and 41% of households received CalFresh[21] benefits. The median monthly income was $1,000 (mean = $1,154), and the median rental amount was $850 (mean = $877). By comparison, recall that the median monthly household income in Los Angeles County is $4,659 and the average fair market value for a two-bedroom apartment is $1,398. Nearly all clients (96%) were renters/tenants of an apartment, condominium, or house.

Table H11. Household Characteristics of Shriver Legal Aid Clients

	Level of Service		
Household Level Characteristics	**Full Representation**	**Unbundled Services**	**Total**
Minors in Household, *N* (%)			
Yes	2,945 (56%)	2,314 (47%)	5,259 (52%)
No	2,078 (40%)	2,552 (51%)	4,630 (45%)
Missing/unknown	201 (4%)	92 (2%)	293 (3%)
Received CalFresh Benefits, *N* (%)			
Yes	2,189 (42%)	1,968 (40%)	4,157 (41%)
No	2,836 (54%)	2,895 (58%)	5,731 (56%)
Missing/unknown	199 (4%)	95 (2%)	294 (3%)
Monthly Income			
Mean (SD)	$1,197 (843)	$1,109 (886)	$1,154 (866)
Median	$1,037	$964	$1,000
Range	$0 to $9,000	$0 to $8,500	$0 to $9,000
Missing	154 (3%)	65 (1%)	219 (2%)
Monthly Rental Amount[a]			
Mean (SD)	$820 (396)	$939 (460)	$877 (432)
Median	$802	$875	$850
Range	$0 to $4,120	$0 to $4,200	$0 to $4,200
Missing/unknown	243 (5%)	334 (7%)	577 (6%)
Total	5,224 (100%)	4,958 (100%)	10,182 (100%)

Note. Data obtained from the Shriver program services database (as of 10/18/15) and includes only defendants. *SD* = standard deviation
[a] Monthly rental amount according to defendant at time of intake.

Opposing Party Representation and Case Status at Shriver Intake. For clients who received full representation, 95% faced an opposing party with legal representation and 1% did not (this information was missing or unclear for 4% of clients). Among clients that received unbundled services, 97% faced an opposing party with legal representation and 1% did not (2% were missing data). At the time of intake, 94% of clients had not yet filed an answer with the court.

[21] The CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP; formerly "food stamps"), provides qualified, low-income households with monthly electronic benefits that can be used to buy most foods at many markets and food stores.

Of those cases with information about an eviction notice, the most frequent reason listed was for non-payment of rent (78%). In cases where the notice indicated non-payment of rent, the median amount demanded on the notice was $1,233 (mean = $1,902), ranging from $0 to $65,567. In 60% of cases, defendants owed between $501 and $2,000 according to the eviction notice. In 8% of cases, the amount was $500 or less.

KEY OUTCOMES AMONG SHRIVER FULL REPRESENTATION CASES

The remainder of this section highlights key outcomes of interest among cases provided full representation by the Los Angeles housing pilot project. A more detailed review of case events and outcomes can be found in Appendix A.

Some key findings include:

Answers were filed. To participate in the justice system—that is, to avoid defaulting on an unlawful detainer case—defendants must file an answer (or other response) to the complaint filed by the landlord. Among full representation cases, nearly all defendants (98%) participated in the judicial system by either filing an answer (94%) or other response (2%), or by settling outside of court (2%). Notably, no default judgments were entered because the tenant failed to respond to the unlawful detainer complaint.

Cases were likely to settle. About two thirds (64%) of Shriver full representation cases were resolved by settlement, 22% by plaintiff dismissal, 3% through a trial or hearing (11% were resolved in some other way or were missing information).

Outcomes favored longer term housing stability. From the perspective of the tenants, staying in one's home and avoiding the burden and disruption of a forced relocation (e.g., finding new housing, spending additional money to move, enrolling children in new schools) is a noteworthy and positive outcome. In instances where the tenant must relocate, other factors—such as having additional time to move, maintaining clean credit, or retaining housing subsidies—can contribute to a tenant being able to secure alternate, affordable housing more quickly.

Possession of Unit. At the end of the court case, 22% of clients were able to remain in the home, either because the tenant retained possession of the unit or was granted relief from forfeiture.[22] In 69% of cases, the landlord was awarded possession and the tenant had to move (see Table H12). (Award of possession was unknown for 10% of cases.) Of the cases in which tenants had to relocate, most did so as part of negotiated agreement or being a hearing/trial, as opposed to being evicted.[23] The rates of possession varied by case resolution method.

[22] Relief from forfeiture typically applies when a litigant experiences a temporary income shortage and has the ability to pay back rent or other money owed.

[23] Eviction is used to describe the situation where tenants are ruled against in a court hearing, trial, or through default judgment, or fails to comply with the conditions of their settlement. This outcome usually results in an unlawful detainer case viewable on their public record.

Table H12. Housing Stability Outcomes for Full Representation Clients by Case Resolution Method

Housing Stability Outcome	Case Resolution Method				
	Plaintiff Dismissal *n* (%)	**Settlement** *n* (%)	**Trial/ Hearing** *n* (%)	**Other/ Missing** *n* (%)	**Total** *n* (%)
Retained possession	670 (58%)	290 (9%)	56 (43%)	5 (1%)	1,021 (20%)
Relief from forfeiture	43 (4%)	54 (2%)	5 (4%)	4 (1%)	106 (2%)
Moved (not evicted)[a]	276 (24%)	2,797 (84%)	32 (24%)	288 (50%)	3,393 (65%)
Temporary stay of eviction[b]	1 (0%)	83 (2%)	2 (2%)	2 (<1%)	88 (2%)
Evicted[c]	4 (0%)	74 (2%)	19 (15%)	6 (1%)	103 (2%)
Missing/unknown	167 (14%)	46 (1%)	17 (13%)	0 (0%)	499 (10%)
Total	1,161 (100%)	3,344 (100%)	131 (100%)	574 (100%)	5,210 (100%)

Note. Data obtained from the Shriver program services database (as of 10/18/15) and includes only defendants. [a] Defendant moved as part of negotiated agreement or before unlawful detainer hearing or trial judgment. [b] Court granted possession of the unit to the plaintiff (landlord), but postponed the eviction due to extreme hardship on behalf of the defendant. [c] Defendant ruled against in court hearing, trial, or through default judgment, or failed to comply with the conditions of settlement.

Other Case Outcomes for Defendants who Moved. Among full representation cases of the Los Angeles housing pilot project, 89% resulted in some positive outcome that supported tenants' longer term housing stability. These outcomes were most common when cases settled. Among full representation cases in which the tenants had to move:

- 71% had their move-out adjusted
- 79% had their rental debt recued or waived
- 45% retained their housing subsidy (e.g., Housing Choice Voucher)
- 85% had their unlawful detainer case marked from public view
- 54% had their credit protected.

Table H13. Case Outcomes among Full Representation Cases with Tenants who Moved

Outcome	Case Resolution Method				
	Plaintiff Dismissal *N* (%)	Settlement *N* (%)	Trial/ Hearing *N* (%)	Other/ Missing *N* (%)	Total *N* (%)
Physical Outcomes					
Move Out Date Adjusted	52 (19%)	2,452 (83%)	21 (40%)	28 (9%)	2,553 (71%)
Mean Number of Days to Move (*SD*)[a]	58 (45)	91 (46)	96 (43)	122 (47)	90 (46)
Financial Outcomes					
Pay Plaintiff's Attorney Fees	2 (1%)	66 (2%)	5 (9%)	0 (0%)	73 (2%)
Pay All Rent Owed	31 (11%)	167 (6%)	10 (19%)	5 (2%)	213 (6%)
Rental Amount Owed Reduced	40 (14%)	687 (23%)	14 (26%)	21 (7%)	762 (21%)
Rental Amount Owed Waived	60 (21%)	1,975 (67%)	19 (36%)	11 (4%)	2,065 (58%)
Payment Plan for Money Owed	6 (2%)	175 (6%)	1 (2%)	0 (0%)	182 (5%)
Preserved Housing Choice Voucher/Sec. 8[b]	18 (30%)	209 (58%)	1 (9%)	3 (4%)	231 (45%)
Received Any Positive Financial Outcome[c]	***112 (40%)***	***2,766 (94%)***	***34 (64%)***	***33 (11%)***	***2,945 (82%)***
Credit-Related Outcomes					
Neutral References from Landlord	18 (6%)	818 (28%)	3 (6%)	3 (1%)	842 (23%)
Not Reported to Credit Agencies	105 (37%)	1,792 (61%)	15 (28%)	11 (4%)	1,923 (54%)
Record Masked from Public View	162 (58%)	2,836 (96%)	30 (57%)	37 (13%)	3,065 (86%)
Received Any Positive Credit Outcome[d]	***176 (63%)***	***2,849 (96%)***	***31 (58%)***	***38 (13%)***	***3,094 (86%)***
Received Any Positive Outcome[e]	***204 (73%)***	***2,918 (99%)***	***40 (75%)***	***43 (15%)***	***3,205 (89%)***

N=3,584. Plaintiff dismissal *n*=281. Settlement *n*=2,954. Trial/hearing *n*=53. Other/Missing *n*=296.
Note. Data obtained from the Shriver program services database (as of 10/18/15).
[a] Calculated as the number of days from complaint filing to move out date. [b] Calculated out of the number of cases where the defendant(s) lived in subsidized housing (*n*=515). [c] Calculated from all monetary items, except where the litigant had to pay for the plaintiff's (landlord's) attorney fees or had to pay back all money owed. [d] Calculated from all credit-related outcomes. [e] Calculated from all monetary and/or credit-related outcomes, except where indicated above.

Shriver Pilot Project Description: Sacramento County

This section describes how the Sacramento housing pilot project addressed unlawful detainer cases. This summary includes information on the project context, involved agencies, and service model. Detailed data on the litigants who received services, case characteristics, and outcomes can be found in the detailed project service summary in Appendix A.

Project Context

COMMUNITY

In 2014, the population of Sacramento County was an estimated 1.5 million individuals,[24] of which 18% were living under the Federal Poverty Level. The median household income was $55,064 (or $4,589 per month) and the average number of persons per household was 2.7. The average monthly fair market value for a two-bedroom rental unit was $1,072.

AGENCIES INVOLVED

The Sacramento housing pilot project is a collaboration between the Legal Services of Northern California—Sacramento (LSNC-Sacramento), the University of the Pacific—McGeorge School of Law, and the Sacramento County Superior Court. The project was implemented in January 2012 and ended in October 2014. LSNC-Sacramento served as the lead project partner and operated from their field office located in the city of Sacramento.

COURTHOUSE

The Superior Court of California, County of Sacramento, Carol Miller Justice Center houses the Unlawful Detainer division. There is an Unlawful Detainer Advisor's Office and the Unlawful Detainer Mediation Office. While currently there is no self-help center, there are plans to open an Unlawful Detainer Self-Help Center in the future.

Shriver services in Sacramento County began in January 2012, halfway through FY2012, during which the project served 392 litigants. In the subsequent 2 years, the project served 826 and 784 litigants, respectively. Unfortunately, it is not possible to estimate the reach of Shriver services because data from the Sacramento County Superior Court regarding the number of unlawful detainer cases filed were unavailable (Table H14).

Table H14. Unlawful Detainer (UD) Cases Filed in Sacramento County per Fiscal Year

	Before Shriver		During Shriver		
Number of UD…	**FY2010**	**FY2011**	**FY2012**	**FY2013**	**FY2014**
Cases filed[a]	*unavailable*	*unavailable*	*unavailable*	*unavailable*	*unavailable*
Cases with a fee waiver granted[b]	*unavailable*	*unavailable*	*unavailable*	*unavailable*	*unavailable*
Cases receiving Shriver legal aid services[c]	--	--	392	826	784

Note. Fiscal Year example: FY2010 = the period of October 1, 2009 through September 30, 2010.
[a, b] Data unavailable. [c] Data from the Shriver program services database (as of 10/20/14); Shriver began 1/2012.

[24] Demographic data were retrieved from the U.S. Census Bureau, County & States Quickfacts at www.census.gov in July 2015.

Project Implementation Model

The Sacramento housing pilot project primarily involved: (1) LSNC-Sacramento providing legal aid services to referred and/or walk-in clients facing unlawful detainer cases and (2) the University of the Pacific–McGeorge Housing Mediation Center (HMC) working with parties involved in housing disputes and offering various levels of mediation services if parties were willing to participate in the process. In addition, the court developed electronic filing services.

Legal Aid Services

Services Offered, Referral Sources, and Eligibility Requirements

Legal aid services were provided by LSNC attorneys and students, as well as by mediators and volunteer attorneys from the HMC. Shriver services by LSNC included full representation and unbundled services. ***Full representation*** included assistance with all aspects of the case. Importantly, this also included advocacy staff monitoring and enforcing (through post-trial motions) court orders addressing nuisance abatement and/or repairs ordered in habitability cases. ***Unbundled services*** included expanded self-help, brief counsel and advice, and assistance with pleadings. Attorneys also worked to coordinate services with the Homelessness Prevention and Rapid Re-housing Program (HPRP), which was active until 2013, and provided emergency funding, employment, and social services to tenants to bridge an economic crisis.

The eligibility requirements for Shriver legal aid services included that the litigant did not earn more than 200% of the Federal Poverty Level, the opposing party was represented by legal counsel, and the complaint was filed at the Carol Miller Justice Center. The level of service provided was determined on a case-by-case basis by the assigned attorney. Shriver attorneys prioritized cases with vulnerable tenants for whom the potential consequences of eviction were most severe (e.g., elderly clients, clients with children, clients with absolutely no alternative housing); cases with tenants who had significant challenges representing themselves effectively (e.g., those with disabilities, limited English proficiency, or difficulty reading and writing); and cases with merit and a reasonable estimation that representation would make the greatest impact (e.g., reasonable requests made or affirmative defenses raised by the defendant).

Referrals to legal aid originated from various sources. Contact information for LSNC-Sacramento was listed in a resource pamphlet included in the *Notice of Unlawful Detainer* filing received by all tenants being sued. Legal aid also held a daily walk-in clinic and received referrals through the housing court website, the public housing authority, and flyers posted at the court.

LSNC attorneys also referred cases to HMC when litigants would benefit from mediation services. HMC provided free mediation services in cases where at least one party qualified as low-income (income does not exceed 200% of FPL). The qualifying party could be the defendant and/or plaintiff. Either party could initiate contact with HMC, as long as the property in dispute was located in Sacramento County. HMC provided assistance to interested parties at any stage of the dispute, including pre-filing, post-filing, post-judgment, and post-move out. In addition to referrals from LSNC, HMC information was listed on the court's *Notice of Unlawful Detainer* filing, brochures, websites, and other literature. HMC also conducted its own outreach efforts and forged collaborative working relationship with a variety of community organizations.

COURT-BASED SERVICES

Court-based services[25] included expanded mediation opportunities, expanded self-help materials, and expanded electronic filing. The electronic filing component was permanent and continues beyond the scope of the Sacramento pilot housing project. Table H15 shows the variety of service offerings available to litigants eligible to receive Shriver services.

Table H15. Legal Aid and Court-Based Shriver Services Available from the Sacramento Housing Pilot Project

	Shriver Service Location	
Services	**LSNC**	**HMC**
Mediation		✓
Limited assistance representation		✓
Referrals	✓	
Assistance with pleadings	✓	
Brief counsel and advice	✓	
Expanded self-help	✓	
Full representation	✓	

GOALS FOR CLIENTS

Legal aid attorneys reported that their primary goal was to provide some level of service for every eligible client. Litigants with particular challenges or barriers to accessing the legal system (e.g., those with disabilities or limited English proficiency) were given priority for full representation. The overall goals were to correct the imbalance in representation often faced by low-income defendants, increase consistency and predictability in unlawful detainer case outcomes, reduce the burden on the courts by increasing the number of settled cases, and create an incentive to use mediation services.

Brief Summary of Service Provision

Below is an overview of the service provision at the Sacramento housing pilot project. For a more extensive and detailed summary of the services provided, see the full project service summary in Appendix A.

Information regarding the types of services provided, case characteristics, and outcomes were obtained from the Shriver program services database. Data from the Sacramento pilot housing project were collected on all parties seeking services from LSNC-Sacramento from January 2012 through September 2014. Data from HMC on mediation services was not available. LSNC provided a range of services, and litigants who received full representation from an LSNC attorney are categorized as ***full representation*** clients and those receiving any other type of service from LSNC are referred to as ***unbundled services*** clients.

[25] As part of the Shriver project, the Sacramento Court initially set out to include a Special Master to provide housing inspections and other evidence, expanded language services, and housing court orientation and training, including a housing court bench book to be developed and used to train new judges hearing unlawful detainer cases at the Carol Miller Justice Center. These project components were not fully implemented.

WHO RECEIVED SHRIVER PROJECT SERVICES?

Between January 2012 and September 2014, the Sacramento housing pilot project provided legal aid services to litigants, all of whom were defendants, in a total of 2,002 unlawful detainer cases. Of these cases, 36% received full representation and 64% received unbundled services. Shriver attorneys worked an average of 17 hours (median = 13) per full representation case and an average of 4 hours (median = 3) per unbundled services case.

Client Characteristics. Table H16 shows the demographic characteristics of the 2,002 clients served by legal aid, by level of service. The majority of Shriver clients (66%) were female, 40% were Black or African American, 31% were White (non-Hispanic), and 42% had a disability.

Table H16. Demographic Characteristics of Shriver Legal Aid Clients

	Level of Service		
Client Level Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Age (years)			
18 to 24	36 (5%)	80 (6%)	116 (6%)
25 to 44	323 (45%)	596 (46%)	919 (46%)
45 to 61	274 (38%)	511 (40%)	785 (39%)
62 or older	78 (11%)	94 (7%)	172 (9%)
Missing/unknown	7 (1%)	3 (0%)	10 (0%)
Gender			
Male	233 (32%)	419 (33%)	652 (33%)
Female	477 (66%)	853 (66%)	1330 (66%)
Transgender	2 (0%)	1 (0%)	3 (0%)
Missing/unknown	6 (1%)	11 (1%)	17 (1%)
Race/Ethnicity[a]			
Black or African American	314 (44%)	477 (37%)	791 (40%)
Hispanic/Latino	83 (12%)	191 (15%)	274 (14%)
White	203 (28%)	419 (33%)	622 (31%)
Other	83 (12%)	143 (11%)	226 (11%)
Missing/unknown/declined	35 (5%)	54 (4%)	89 (4%)
Education			
High school degree or less	90 (13%)	188 (15%)	278 (14%)
Any post-secondary	175 (24%)	242 (19%)	417 (21%)
Missing/unknown	453 (63%)	854 (67%)	1307 (65%)
Disability			
Yes	314 (44%)	525 (41%)	839 (42%)
No	342 (48%)	637 (50%)	979 (49%)
Missing/unknown	62 (9%)	122 (10%)	184 (9%)
Total	718 (100%)	1,284 (100%)	2,002 (100%)

Note. Data from the Shriver program services database (as of 10/20/14). [a] Litigants who identified as Hispanic/Latino and any other race/ethnicity are counted in Hispanic/Latino row.

As shown in Table H17, half (52%) of cases served by legal aid had at least one minor living in the home, and 28% of households received CalFresh[26] Benefits. The median monthly household income was $897 (mean = $1,036), and the median monthly rental amount was $729 (mean = $741). By comparison, recall that the median monthly household income in Sacramento County is $4,589 and the average fair market value for a two-bedroom apartment is $1,072. Most (86%) clients were renters/tenants of an apartment, condominium, or house.

Table H17. Household Characteristics of Shriver Legal Aid Clients

	Level of Service		
Household Level Characteristics	**Full Representation**	**Unbundled Services**	**Total**
Minors in Household, *N* (%)			
Yes	382 (53%)	654 (51%)	1,036 (52%)
No	336 (47%)	630 (49%)	966 (48%)
Missing/unknown	0 (0%)	0 (0%)	0 (0%)
Received CalFresh Benefits, *N* (%)			
Yes	237 (33%)	322 (25%)	559 (28%)
No	453 (63%)	548 (43%)	1,001 (50%)
Missing/unknown	28 (4%)	414 (32%)	442 (22%)
Monthly Income			
Mean (SD)	$1,086 (714)	$1,008 (745)	$1,036 (735)
Median	$900	$890	$897
Range	$0 to $4,517	$0 to $5,100	$0 to $5,100
Missing/unknown	0 (0%)	0 (0%)	0 (0%)
Monthly Rental Amount[a]			
Mean (SD)	$764 ($354)	$719 (338)	$741 (369)
Median	$745	$716	$729
Range	$0 to $4,000	$0 to $2,600	$0 to $4,000
Missing/unknown	65 (9%)	568 (44%)	633 (32%)
Total	718 (100%)	1,284 (100%)	2,002 (100%)

Note. Data obtained from the Shriver program services database (as of 10/20/14). *SD* = standard deviation

[a] Monthly rental amount according to defendant at time of intake.

Opposing Party Representation Case Status at Shriver Intake. Among cases receiving full representation, 92% faced an opposing party with legal representation (information was missing for 7% of cases). Among cases that received unbundled services, 38% faced an opposing party with legal representation, 20% did not (information was missing or unknown for 42%). At the time of Shriver intake, 59% of clients had not filed an answer or other responses with the court (note that 21% of cases were missing this information).

[26] The CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP; formerly "food stamps"), provides qualified, low-income households with monthly electronic benefits that can be used to buy most foods at many markets and food stores.

Of those cases with information about an eviction notice, the most frequent reason listed was for non-payment of rent (68%), followed next by foreclosure (5%), and violation of lease terms (5%). In cases where the notice indicated non-payment of rent, the median amount demanded on the notice was $1,031 (mean = $1,538, range = $0 to $13,200). In 62% of cases, defendants owed between $501 and $2,000 according to the eviction notice. In 11% of cases, the amount was $500 or less, highlighting the financial vulnerability of many tenants.

KEY OUTCOMES AMONG SHRIVER FULL REPRESENTATION CASES

The remainder of this section highlights key outcomes of interest among cases provided full representation by the Sacramento housing pilot project. A more detailed review of case events and outcomes can be found in Appendix A.

Some key findings include:

Answers were filed. To participate in the justice system—that is, to avoid defaulting on an unlawful detainer case—defendants must file an answer (or other response) to the landlord's complaint. Among full representation cases, nearly all (94%) defendants participated in the judicial system either by filing an answer (86%) or other response (3%), or by settling outside of court (4%) or having the case dismissed (1%). Notably, default judgments were entered in only 1% of cases. (Notably, 2% of cases had defaulted at the time of intake, so legal aid was successful in getting some of these defaults set aside.)

Cases were likely to settle. More than two thirds (69%) of Shriver full representation cases were resolved by settlement, 12% of cases were dismissed by the plaintiff, and 11% were resolved through a trial or hearing (8% were resolved another way or were missing data).

Outcomes favored longer term housing stability. From the perspective of the tenants, being able to stay in one's home and avoiding the burden and disruption of a forced relocation (e.g., looking for new housing, spending additional money to move, enrolling children in new schools) is a noteworthy and positive outcome. However, in instances when tenants must relocate, having additional time to move out, retaining neutral references from landlords, or retaining housing subsidies can support their ability to find new and affordable housing more quickly.

Possession of Unit. At the end of the case, 20% of clients were able to remain in the home, either because they retained possession of the unit or were granted relief from forfeiture.[27] In 75% of cases, the landlord was awarded possession and the tenant had to move. Of the cases in which tenants had to relocate, most did so as part of a negotiated agreement or before a hearing/trial, as opposed to being evicted.[28] Rates of possession varied by resolution method.

[27] Relief from forfeiture typically applies when a defendant experiences a temporary income shortage and has the ability to pay back rent or other money owed.

[28] Evictions describe the situation where tenants were ruled against in a court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement. This usually results with an unlawful detainer case viewable on the public record.

Table H18. Housing Stability for Full Representation Clients by Case Resolution Method

Housing Stability Outcome	Case Resolution Method				
	Plaintiff Dismissal *n* (%)	**Settlement** *n* (%)	**Trial/ Hearing** *n* (%)	**Other/ Missing** *n* (%)	**Total** *n* (%)
Retained possession	26 (31%)	40 (8%)	8 (10%)	2 (3%)	76 (11%)
Relief from forfeiture	9 (11%)	46 (9%)	7 (9%)	0 (0%)	62 (9%)
Moved (not evicted)[a]	45 (54%)	332 (67%)	10 (12%)	11 (19%)	398 (55%)
Temporary stay of eviction[b]	1 (1%)	64 (13%)	16 (20%)	7 (12%)	88 (12%)
Evicted[c]	0 (0%)	14 (3%)	39 (48%)	5 (9%)	58 (8%)
Missing/unknown	2 (2%)	0 (0%)	1 (1%)	0 (0%)	36 (5%)
Total	83 (100%)	496 (100%)	81 (100%)	58 (100%)	718 (100%)

Note. Data obtained from the Shriver program services database (as of 10/20/14).
[a] Defendant moved as part of negotiated agreement or before unlawful detainer hearing or trial judgment.
[b] Court granted possession of the unit to the plaintiff (landlord), but postponed the eviction due to extreme hardship on behalf of the defendant. [c] Defendant ruled against in court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement.

Other Case Outcomes for Defendants who Moved. Among full representation cases of the Sacramento housing pilot project in which clients moved, nearly all (93%) resulted in some positive outcome that supported the tenant's ability to retain new housing more easily. These outcomes were most common when cases settled. Among full representation cases in which the tenant had to move:

- 68% had the move out date was extended
- 80% had the amount of back-owed rent reduced or waived
- 71% retained their housing subsidy (e.g., Housing Choice Voucher)
- 56% had their credit protected
- 53% had the case masked from public view.

DRAFT

Table H19. Case Outcomes among Full Representation Cases with Tenants who Moved

Outcome	Case Resolution Method				
	Plaintiff Dismissal *N* (%)	Settlement *N* (%)	Trial/ Hearing *N* (%)	Other/ Missing *N* (%)	Total *N* (%)
Physical Outcomes					
Move Out Date Adjusted	22 (48%)	318 (78%)	20 (31%)	9 (39%)	369 (68%)
Mean Number of Days to Move (*SD*)[a]	31 (23)	56 (32)	48 (29)	77 (40)	53 (32)
Financial Outcomes					
Pay Plaintiff's Attorney Fees	1 (2%)	80 (20%)	50 (77%)	8 (35%)	139 (26%)
Pay All Rent Owed	0 (0%)	40 (10%)	9 (14%)	1 (4%)	50 (9%)
Rental Amount Owed Reduced	25 (54%)	319 (78%)	40 (62%)	10 (43%)	394 (72%)
Rental Amount Owed Waived	0 (0%)	37 (9%)	3 (5%)	1 (4%)	41 (8%)
Payment Plan for Money Owed	1 (2%)	173 (42%)	2 (3%)	1 (4%)	177 (33%)
Preserved Housing Choice Voucher/Sec. 8[b]	6 (86%)	41 (80%)	1 (14%)	2 (9%)	50 (71%)
Received Any Positive Financial Outcome[c]	***28 (61%)***	***400 (98%)***	***43 (66%)***	***12 (52%)***	***483 (89%)***
Credit-Related Outcomes					
Neutral References from Landlord	15 (33%)	228 (56%)	7 (11%)	3 (13%)	253 (47%)
Not Reported to Credit Agencies	22 (48%)	271 (66%)	9 (14%)	5 (22%)	307 (56%)
Record Masked from Public View	27 (59%)	242 (59%)	13 (20%)	8 (35%)	290 (53%)
Received Any Positive Credit Outcome[d]	***29 (63%)***	***323 (79%)***	***13 (20%)***	***10 (43%)***	***375 (69%)***
Total Received Any Positive Outcome[e]	**37 (80%)**	**408 (100%)**	**43 (66%)**	**19 (83%)**	**507 (93%)**

N=544. Plaintiff dismissal *n*=46. Settlement *n*=410. Trial/hearing *n*=65. Other/missing *n*=23.
Note. Data obtained from the Shriver program services database (as of 10/20/14).
[a] Calculated as the number of days from complaint filing to move out date. [b] Calculated out of the number of defendants living in subsidized housing (*n*=70). [c] Calculated from all monetary items, except where the litigant had to pay for the plaintiff's (landlord's) attorney fees or had to pay back all money owed.
[d] Calculated from all credit-related outcomes. [e] Calculated from all monetary and/or credit-related outcomes, except where indicated above.

Shriver Pilot Project Description: San Diego County

This section describes how the San Diego housing pilot project addressed unlawful detainer cases. This summary includes information on the project context, involved agencies, and service model. Detailed data on the litigants who received services, case characteristics, and outcomes can be found in the detailed project service summary in Appendix A.

Project Context

COMMUNITY

In 2014, the population of San Diego County was an estimated 3.2 million individuals,[29] of which 14% were living under the Federal Poverty Level. The median county household income was $62,962 (or $5,247 per month) and the average number of persons per household was 2.8. The average monthly fair market value for a two-bedroom rental unit was $1,354.

AGENCIES INVOLVED

The San Diego pilot housing project is a collaboration between the Legal Aid Society of San Diego (LASSD) and the San Diego County Superior Court. These entities coordinated to streamline the referral process so that all unlawful detainer litigants were made aware of the representation services available at LASSD. LASSD also encouraged litigants to participate in an Alternative Dispute Resolution (ADR) program (specifically, a settlement conference calendar) for unlawful detainer cases. Prior to the start of the Shriver project, legal services available for low-income litigants involved in eviction cases were almost exclusively provided by LASSD. There were two other tenant defense law firms in the San Diego area that provided some assistance, but charged for their services. Most, if not all, of the Shriver target population (under 200% of the Federal Poverty Level) would be unable to afford these services.

COURTHOUSE

At the outset of the project, San Diego Superior Court consisted of nine different court locations across the county. Due to court consolidation (based on decreased funding), in 2013, all unlawful detainer courts except for North San Diego County were consolidated into the Central Division (which covered the City of San Diego). The Central Division has been the location for the Shriver housing pilot project throughout these changes. An LASSD-funded (not Shriver-funded) unlawful detainer (UD) clinic located in this courthouse provides limited self-help services for unlawful detainer litigants but does not provide counsel and advice.

The following table shows the number of unlawful detainer (limited jurisdiction[30]) cases filed at San Diego County Superior Court from fiscal year 2010 (2 years prior to Shriver implementation) through fiscal year 2014. Shriver services in San Diego County began in October 2011. In the 2 years prior to Shriver implementation (FY2010 and FY2011), an average of 15,124 cases were

[29] Demographic data were retrieved from the U.S. Census Bureau, County & States Quickfacts at www.census.gov in July 2015.

[30] Limited jurisdiction cases involve amounts less than $25,000 and exclude commercial properties.

filed at the court annually, roughly a third of which defaulted. An average of 4,776 cases—nearly half of the remaining cases—involved a defendant with a fee waiver.

During the 2 years of full-scale Shriver implementation (FY2013 and FY2014) the average number of unlawful detainer cases filed per year had decreased to 11,548. Project staff attribute this decline to the court consolidation, which made it more inconvenient for landlords across the county to file a complaint. Consistent with earlier years, over a third of these cases defaulted and over half (58%) of the remaining cases involved a defendant with a fee waiver granted. During these 2 years, LASSD provided services to an average of 1,250 cases annually, approximately 30% of cases with a fee-waivered defendant.

Table H20. Unlawful Detainer (UD) Cases Filed in San Diego County per Fiscal Year

	Before Shriver		During Shriver		
Number of UD…	**FY2010**	**FY2011**	**FY2012**	**FY2013**	**FY2014**
Cases filed[a]	15,666	14,581	13,418	12,086	11,009
Cases involving a default	5,613	5,057	4,602	4,735	3,943
Cases with a fee waiver granted[b]	4,692	4,860	4,879	4,250	4,088
Cases receiving Shriver legal aid services[c]	--	--	481	1,278	1,222

Note. Fiscal Year example: FY2010 = the period of October 1, 2009 through September 30, 2010.
[a] Includes only limited jurisdiction cases. Data obtained from staff at the San Diego County Superior Court.
[b] Fee waivers granted for defendant(s). [C] Data obtained from the Shriver program services database (as of 08/31/15).

Project Implementation Model

The San Diego pilot housing project involves legal aid services offered by LASSD attorneys. San Diego Superior Court does not directly provide any Shriver services. However, the court did collaborate with LASSD to streamline the referral process and include Shriver legal aid service information in the *Notice You Have Been Sued* mailed to all defendants by the courts after a case is filed. Importantly, this means that all tenants receiving an unlawful detainer complaint received the contact information for LASSD and notification that low-income tenants could receive free legal representation in their case.

Legal Aid Services

Services Offered, Referral Sources, and Eligibility Requirements

Shriver funding enabled LASSD to expand its service reach and offer full representation to all eligible unlawful detainer litigants. Before the Shriver pilot project, only the most meritorious cases or those with the most complex issues to be presented in court were provided with representation during settlement negotiations or during trial. With the Shriver funds, the San Diego housing pilot project focused its resources toward providing as many eligible litigants as possible with full representation and lifted eligibility requirements for case merit.

In addition to the direct legal representation, LASSD also staffs the court-based UD Clinic (not Shriver funded). Volunteers and contract attorneys provide facilitator services at San Diego County courthouses, primarily assisting individuals to prepare answers to unlawful detainer complaints. Also, LASSD operates a Community Response Team (CRT) Hotline through which

attorneys and advocates offer general advice to eligible litigants by toll-free telephone. Both of these entities refer eligible cases to LASSD for Shriver representation.

Most litigants are referred to the San Diego housing pilot project directly from the Superior Court. As indicated above, information regarding Shriver services is included in every *Notice That You Have Been Sued* mailed to unlawful detainer defendants from the court. The Notice directs the litigant to call the CRT Hotline to determine eligibility for free legal services. Additionally, a small proportion of referrals come via the UD Clinic at the courthouse and from word-of-mouth through former Shriver clients.

When individuals call the hotline, they are screened for eligibility for Shriver services. They are considered eligible if they do not earn more than 200% of the Federal Poverty Level, meet federal Legal Services Corporation immigration eligibility standards, are facing an opposing party with legal representation, and their case has no conflict of interest. If they are eligible for Shriver service, they are connected to an LASSD staff member who confirms eligibility and begins legal aid service provision. All eligible clients are offered services regardless of case merit. The project also strives to be particularly sensitive to the needs of individuals with disabilities. If litigants are not eligible for Shriver service, they may be given brief counsel and advice or referred to other services.

Goals for Clients

LASSD attorneys report that their primary goal is to provide representation to as many unrepresented unlawful detainer defendants as possible in order to "level the playing field." Secondarily, the project aims to keep individuals in their homes, and if that is not possible given the characteristics of the case, then the project works to minimize the impact eviction has on tenants' ability to obtain new housing. To minimize the impact of eviction, the project focuses on credit protection and retaining housing subsidies (e.g., Section 8, Housing Choice Vouchers).

A typical case for LASSD begins due to non-payment of rent with no or few defenses. Tenants in such cases are encouraged by their attorney to seek new housing before the case masking period ends (60 days after the complaint filing), and attorneys attempt to negotiate a payment plan and/or other arrangements so that credit and/or housing vouchers are not impacted. LASSD also commonly sees habitability cases, where tenants purposefully withhold rent due to the condition of the property. The goal of these cases is for the litigant to retain the housing, with the landlord making the necessary repairs or habitability ameliorations.

The San Diego pilot housing project also serves a considerable number of individuals involved in unlawful detainer cases due to behavioral or nuisance issues, such as individuals acting out symptomatic mental health issues. According to project stakeholders, a large portion of these cases are based on discrimination against tenants with disabilities or mental health issues—often people who are vulnerable and for whom eviction could have severe consequences. In these cases, attorneys often seek judgments or settlements that allow for reasonable accommodation for disability and/or allowing the litigant to stay if treatment is sought and behaviors no longer disturb others.

Brief Summary of Service Provision

Below is an overview of the service provision at the San Diego housing pilot project. For a more extensive and detailed summary of the services provided, see the full project service summary in Appendix A.

Information regarding the types of services provided, case characteristics, and outcomes were obtained from the program services database. Data from the San Diego pilot housing project were collected on all parties seeking services from February 2012 through August 2015.

LASSD sought to provide ***full representation*** to all eligible litigants. Full representation entailed the litigant entering into a retainer agreement with LASSD for a Shriver attorney to be the attorney of record in an unlawful detainer matter and an LASSD attorney remained attorney of record through disposition of the matter. In a minority of cases, litigants received less than full representation (typically because the litigants did not follow with scheduled appointments), and these clients received ***unbundled services.***

WHO RECEIVED SHRIVER PROJECT SERVICES?

All of the 3,661 clients served by the San Diego pilot housing project between February 2011 and August 2015 were defendants in unlawful detainer lawsuits. Nearly all (92%) received full representation. Full representation clients received an average of 13 hours (median = 10) of attorney time and unbundled services clients received an average of 5 hours (median = 3).

Client Characteristics. Table H21 shows the demographic characteristics of the clients in the 3,661 cases served by legal aid, by level of service. The majority (61%) were female, 34% were White, 29% were Black/African American, and 27% were Hispanic/Latino. Close to one third (31%) of clients had a disability, and 9% had limited proficiency with English.

Table H21. Demographic Characteristics of Shriver Legal Aid Clients

	Level of Service		
Client Level Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Age (years)			
18 to 24	181 (5%)	22 (8%)	203 (6%)
25 to 44	1,521 (45%)	122 (42%)	1,643 (45%)
45 to 61	1,356 (40%)	127 (44%)	1,483 (41%)
62 or older	307 (9%)	19 (7%)	326 (9%)
Unknown/not collected	5 (<1%)	1 (<1%)	6 (<1%)
Gender			
Male	1,313 (39%)	114 (39%)	1,427 (39%)
Female	2,054 (61%)	177 (61%)	2,231 (61%)
Transgender	2 (<1%)	0 (0%)	2 (<1%)
Unknown/not collected	1 (<1%)	0 (0%)	1 (<1%)
Race/Ethnicity[a]			
Black or African American	991 (29%)	62 (21%)	1,053 (29%)
Hispanic/Latino	907 (27%)	88 (30%)	995 (27%)
White	1,138 (34%)	111 (38%)	1,249 (34%)
Other	162 (5%)	13 (4%)	175 (5%)
Unknown/declined	172 (5%)	17 (6%)	189 (5%)
Education			
High school degree or less	576 (17%)	45 (15%)	621 (17%)
Any post-secondary	832 (25%)	46 (16%)	878 (24%)
Unknown/not collected	1,962 (58%)	200 (69%)	2,162 (59%)
Limited English Proficiency			
Yes	284 (8%)	29 (10%)	313 (9%)
No	3,086 (92%)	262 (90%)	3,348 (91%)
Unknown/not collected	0 (0%)	0 (0%)	0 (0%)
Disability			
Yes	1,064 (32%)	81 (28%)	1,145 (31%)
No	1,751 (52%)	132 (45%)	1,883 (51%)
Unknown/not collected	555 (16%)	78 (27%)	633 (17%)
Total	3,370 (100%)	291 (100%)	3,661 (100%)

Note. Data from the Shriver program services database (as of 08/31/15). [a] Litigants who identified as Hispanic/Latino and another race/ethnicity are coded in Hispanic/Latino row.

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As shown in Table H22, half (49%) of legal aid clients had at least one minor living in the home, and 15% of households received CalFresh[31] benefits. The median monthly income was $960 (mean = $1,178), and the median monthly rental amount was $950 (mean = $985). By comparison, recall that the median monthly household income in San Diego County is $5,247 per month and the average fair market value for a two-bedroom apartment is $1,354. Most clients (84%) were renters of an apartment, condominium, or house.

Table H22. Household Characteristics of Shriver Legal Aid Clients

	Level of Service		
Household Level Characteristics	**Full Representation**	**Unbundled Services**	**Total**
Minors in Household, *N* (%)			
Yes	1,638 (49%)	140 (48%)	1,778 (49%)
No	1,730 (51%)	151 (52%)	1,881 (51%)
Missing	2 (<1%)	0 (0%)	2 (<1%)
Received CalFresh Benefits, *N* (%)			
Yes	516 (15%)	33 (11%)	549 (15%)
No	2,704 (80%)	223 (77%)	2,927 (80%)
Missing	150 (4%)	35 (12%)	185 (5%)
Monthly Income			
Mean (SD)	$1,179 (885)	$1,167 (895)	$1,178 (886)
Median	$960	$988	$960
Range	$0 to $6,000	$0 to $4,660	$0 to $6,000
Missing	322 (10%)	61 (21%)	383 (10%)
Monthly Rental Amount[a]			
Mean (SD)	$989 (523)	$931 (542)	$985 (524)
Median	$950	$895	$950
Range	$0 to $4,400	$0 to $2,700	$0 to $4,400
Missing/unknown, *N* (%)	96 (3%)	73 (25%)	169 (5%)
Total	3,361 (100%)	217 (100%)	3,578 (100%)

Note. Data obtained from the Shriver program services database (as of 08/31/15).
SD = standard deviation [a] Monthly rental amount according to defendant at time of intake.

Opposing Party Representation and Case Status at Shriver Intake. All clients (100%) receiving legal aid services from the San Diego housing pilot project faced an opposing party with legal representation. At the time of Shriver intake, an answer had not yet been filed in 53% of cases. In 4% of cases, the litigant had already missed the window to file an answer and a default judgment had been entered. In 37% of cases, an answer had been filed prior to seeking Shriver services, likely due to the services at the UD Clinic (non-Shriver funded).

[31] The CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP; formerly "food stamps"), provides qualified, low-income households with monthly electronic benefits that can be used to buy most foods at many markets and food stores.

Of those cases with information about an eviction notice, the most frequent reason listed was for non-payment of rent (81%), followed by foreclosure (4%), violation of lease terms (2%), or nuisance (2%). In cases where the notice indicated non-payment of rent, the median amount demanded on the notice was $1,276 (mean = $1,857; range = $0 to $46,555). The majority (63%) of litigants owed between $501 and $2,000 according to the eviction notice. In 8% of cases, the amount was $500 or less, highlighting the financial vulnerability of many tenants.

KEY OUTCOMES AMONG SHRIVER FULL REPRESENTATION CASES

The remainder of this section highlights key outcomes of interest among cases provided full representation by the San Diego housing pilot project. A more detailed review of case events and outcomes can be found in Appendix A.

Some key findings include:

Answers were filed. To participate in the justice system—that is, to avoid defaulting on the unlawful detainer case—defendants must file an answer (or other response) to the unlawful detainer complaint filed by the landlord. Among full representation cases, nearly all defendants (99%) participated in the judicial system by either filing an answer (92%) or other response (2%), or by settling outside of court (4%) or having the case dismissed (1%). Notably, less than 1% of cases had a default entered. Recall that, at intake, 4% of defendants had already defaulted, so legal aid was successful is getting many defaults set aside.

Cases were likely to settle. More than three quarters (79%) of Shriver full representation cases were resolved by settlement, 14% were dismissed by the plaintiff, and 6% were resolved through a trial or hearing (2% were resolved another way or were missing information).

Outcomes favored longer term housing stability. From the perspective of the tenants, being able to stay in one's home and avoiding the burden and disruption of a forced relocation is a noteworthy and positive outcome. However, in instances where the tenant must relocate, having additional time to move, retaining neutral references from landlords, or retaining housing subsidies can support the ability to find new and affordable housing more quickly.

Possession of the Unit. At the end of the case, 6% of clients were able to remain in the home. In 93% of cases, the landlord was awarded possession and the tenants had to move (Table H23). Among clients who moved, the majority did so as part of a negotiated agreement, as opposed to a formal eviction.[32] The rates of possession varied by case resolution method.

[32] Evictions describe situations in which defendants were ruled against in a court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement; this usually results with an unlawful detainer case viewable on their public record.

Table H23. Housing Stability Outcomes for Full Representation Clients by Case Resolution Method

Outcome	Case Resolution Method				
	Plaintiff Dismissal *n* (%)	Settlement *n* (%)	Trial *n* (%)	Other/ Missing *n* (%)	Total *n* (%)
Housing Stability					
Retained possession	113 (25%)	53 (2%)	28 (15%)	2 (4%)	196 (6%)
Relief from forfeiture	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Moved (not evicted)[a]	331 (73%)	2,436 (91%)	28 (15%)	10 (22%)	2,805 (83%)
Temporary stay of eviction[b]	4 (1%)	80 (3%)	30 (16%)	4 (9%)	118 (4%)
Evicted[c]	2 (0%)	97 (4%)	105 (55%)	19 (41%)	223 (7%)
Missing/unknown	6 (1%)	0 (0%)	1 (1%)	0 (0%)	18 (1%)
Total	456 (100%)	2,666 (100%)	192 (100%)	46 (200%)	3,360 (100%)

Note. Data obtained from the Shriver program services database (as of 08/31/15).
[a] Defendant moved as part of negotiated agreement or before unlawful detainer hearing or trial judgment.
[b] Court granted possession of the unit to the plaintiff (landlord), but postponed the eviction due to extreme hardship on behalf of the defendant. [c] Defendant was ruled against in court hearing, trial, or through default judgment, or failed to comply with the conditions of the settlement.

Other Case Outcomes for Tenants who Moved Out. Tenants in 93% of full representation cases moved out of their homes at the end of their case. Few cases involved an extension of the move-out date. Table H24 shows the percent of cases receiving each physical, financial, and credit-related outcome.

Among full representation cases in San Diego, nearly all (93%) resulted in at least one positive outcome that supported the tenant's longer term housing stability. These outcomes were the most common when cases were settled or dismissed by the plaintiff. Among full representation cases in which the tenant had to move:

- 46% had their rental debt reduced or waived
- 44% kept their housing subsidy (e.g., Housing Choice Voucher)
- 67% had their unlawful detainer record masked from public view
- 49% had their credit protected.

Table H24. Case Outcomes among Full Representation Case with Tenants who Moved

Outcome	Case Resolution Method				
	Plaintiff Dismissal *N* (%)	Settlement *N* (%)	Trial/ Hearing *N* (%)	Other/ Missing *N* (%)	Total *N* (%)
Physical Outcomes					
Move Out Date Adjusted	6 (2%)	172 (7%)	29 (18%)	4 (12%)	211 (7%)
Mean Number of Days to Move (*SD*)[a]	24 (*19*)	48 (*21*)	44 (*21*)	78 (--)	47 (*22*)
Financial Outcomes					
Pay Plaintiff's Attorney Fees	8 (2%)	478 (18%)	87 (53%)	9 (27%)	582 (18%)
Pay All Rent Owed	13 (4%)	847 (32%)	87 (53%)	12 (36%)	959 (30%)
Rental Amount Owed Reduced	23 (7%)	752 (29%)	36 (22%)	3 (9%)	814 (26%)
Rental Amount Owed Waived	63 (19%)	551 (21%)	7 (4%)	3 (9%)	624 (20%)
Payment Plan for Money Owed	7 (2%)	1,444 (55%)	8 (5%)	1 (3%)	1,460 (46%)
Preserved Housing Choice Voucher/Sec. 8[b]	11 (48%)	131 (45%)	2 (15%)	0 (0%)	144 (44%)
Received Any Positive Financial Outcome[c]	***100 (30%)***	***2,119 (81%)***	***50 (31%)***	***6 (18%)***	***2,275 (72%)***
Credit-Related Outcomes					
Neutral References from Landlord	45 (13%)	1,648 (63%)	13 (8%)	4 (12%)	1,710 (54%)
Not Reported to Credit Agencies	53 (16%)	1,461 (56%)	14 (9%)	4 (12%)	1,532 (49%)
Record Masked from Public View	292 (87%)	1,788 (68%)	21 (13%)	8 (24%)	2,109 (67%)
Received Any Positive Credit Outcome[d]	***296 (88%)***	***2,251 (86%)***	***27 (17%)***	***8 (24%)***	***2,582 (82%)***
Received Any Positive Outcome[e]	**308 (91%)**	**2,545 (97%)**	**60 (37%)**	**11 (33%)**	**2,924 (93%)**

Note. Data obtained from the Shriver program services database (as of 08/31/15).
N=3,146. Plaintiff dismissal *n*=337; Settlement *n*=2, 613; Trial/hearing *n*=163; Other/missing *n*=33.
[a] Calculated as the number of days from complaint filing to move out date. SD=standard deviation, which could not be calculated for the other/missing category due to only one case having data.
[b] Calculated out of the number of defendants living in subsidized housing (*n*=327).
[c] Calculated from all financial items, except where the litigant had to pay for the plaintiff's attorney fees or had to pay back all money owed.
[d] Calculated from all credit-related outcomes.
[e] Calculated from all financial or credit-related outcomes, except where indicated above.

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Shriver Pilot Project Description: Santa Barbara County

This section describes how the Santa Barbara housing pilot project addressed unlawful detainer cases. This summary includes information on the project context, involved agencies, and service model. Detailed data on the litigants who received services, case characteristics, and outcomes can be found in the detailed project service summary in Appendix A.

Project Context

The 2014 population of Santa Barbara County had an estimated 436,076 individuals, of which 16% were living under the Federal Poverty Level. Across the county, the median household income was $62,779 (or $5,231 per month) and the average number of persons per household was 2.9. The average monthly fair market value for a two-bedroom rental unit was $1,435. [33] Recent census data indicated four "high poverty areas" in Santa Barbara County, specifically areas in Santa Maria, Lompoc, Santa Barbara, and Isla Vista.[34] Despite accounting for 24% of the county's overall population, these areas were home to 61% of the children in poverty and 53% of the adults in poverty. A recent report by the County[35] also found a lack of funding and service provision to low-income residents North County and Lompoc, as compared to South County.

Agencies Involved

The Santa Barbara pilot housing project involves the collaboration between the Legal Aid Foundation of Santa Barbara County (LAFSBC) and the Santa Barbara County Superior Court. LAFSBC serves as the lead project partner and also subcontracts with pro bono attorneys to assist in providing services to low-income housing litigants.

LAFSBC runs three Shriver service locations throughout the county, at the three courthouses that hear unlawful detainer cases in Santa Barbara County (Santa Maria, Lompc, and Santa Barbara courthouses). Prior to the Shriver project, LAFSBC assisted clients with unlawful detainer cases, but fewer attorneys were available and income requirements were more restrictive (150% of the Federal Poverty Level). There were, and still are, self-help services available from the Legal Resource Center (LRC), which is operated by Santa Barbara Superior Court and staffed by an attorney from LAFSBC. However, the LRC attorney can only help with the preparation of forms and cannot provide legal advice, and due to the high demand for assistance with all types of legal matters, a housing litigant seeking help at the LRC is typically provided access to a research computer and a brief (e.g., 10 minute) interaction with the LRC attorney. Resource constraints at the LRC make meaningful access to the legal process virtually nonexistent for self-represented housing litigants. Through the Shriver project, LAFSBC was able to hire additional attorneys to provide services to litigants in housing matters and thus provide meaningful access to low-income tenants. The Shriver project also implemented a court-based

[33] Demographic data were retrieved from the U.S. Census Bureau, County & States Quickfacts at www.census.gov in July 2015.
[34] Retrieved from: cosb.countyofsb.org/WorkArea/DownloadAsset.aspx?id=44136
[35] Ibid.

mandatory settlement conferences facilitated by the Housing Settlement Master, a neutral, third-party attorney, at two courthouses (Santa Maria and Lompoc).

COURTHOUSE

The Santa Barbara Superior Court is divided into three courthouses across the county: Santa Maria (the primary Shriver service location), Lompoc, and the city of Santa Barbara.[36] The city of Santa Barbara is located in the southern end of the county, while both Santa Maria and Lompoc are located in the northern end.

Table H25 shows the number of unlawful detainer (limited jurisdiction[37]) cases filed at each of the three courthouses from fiscal year 2010 (2 years prior to the Shriver project) through fiscal year 2014. In Santa Barbara County, Shriver services from legal aid began in February 2012 and court-based services began in January 2013. In the 2 years before Shriver implementation (FY2010 and FY2011), an average of 471 cases were filed in Santa Maria, 213 in Lompoc, and 466 in Santa Barbara annually. In north county (Santa Maria and Lompoc), roughly a third of cases defaulted and nearly half of the remaining cases involved a defendant with a fee waiver. In south county (Santa Barbara), an average of 16% cases defaulted and less than a third of the remaining cases involved a defendant with a fee waiver.

During the 2 years of full-scale Shriver project implementation (FY2013 and FY2014), in north county, an average of 347 cases were annually filed at Santa Maria and an average of 222 at Lompoc. Consistent with earlier years, over 40% of these cases defaulted and over half of the remaining cases involved a defendant with a fee waiver granted. During these 2 years, across these two courthouses, LAFSBC provided services to an average of 200 cases annually. Also during these 2 years, an average of 169 cases participated in a settlement conference with the court-based Shriver-funded Housing Settlement Master. Every housing case set for trial at the Lompoc and Santa Maria courthouses is required to attend a settlement conference (regardless of income level), so it is possible that there is overlap in cases receiving services from legal aid and the court settlement master.

In south county, an average of 497 unlawful detainer cases were filed annually at the Santa Barbara Courthouse, roughly a third of which defaulted. Of the remaining cases, an average of 43% involved a defendant with a fee waiver, and Shriver legal aid services reached approximately 71% of this population.

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[36] Prior to October 19, 2014, there was a fourth courthouse, Solvang. However, all unlawful detainer matters filed in Solvang were heard by the Lompoc court, and no Shriver services were ever provided at the Solvang location.
[37] Limited jurisdiction cases involve amounts less than $25,000 and exclude commercial properties.

Table H25. Unlawful Detainer (UD) Cases Filed in Santa Barbara County per Fiscal Year

	Before Shriver		During Shriver		
Number of UD…	**FY2010**	**FY2011**	**FY2012**	**FY2013**	**FY2014**
Santa Maria Courthouse					
Cases filed[a]	455	486	357	345	349
Cases involving a default	161	163	137	144	146
Cases with a fee waiver granted[b]	140	158	119	110	132
Cases receiving Shriver legal aid services[c]	--	--	70	50	99
Cases receiving Shriver Settlement Conferences[d]	--	--	--	96	117
Lompoc Courthouse					
Cases filed[a]	210	216	225	262	182
Cases involving a default	79	77	91	127	71
Cases with a fee waiver granted[b]	57	59	72	76	62
Cases receiving Shriver legal aid services[c]	--	--	115	83	168
Cases receiving Shriver Settlement Conferences[d]	--	--	--	59	66
Santa Barbara Courthouse					
Cases filed[a]	428	504	567	516	478
Cases involving a default	78	72	68	166	161
Cases with a fee waiver granted[b]	105	131	182	139	149
Cases receiving Shriver legal aid services[c]	--	--	25	94	109

Note. Fiscal Year example: FY2010 = the period of October 1, 2009 through September 30, 2010.
[a] Includes only limited jurisdiction cases. Data obtained from staff at the Santa Barbara County Superior Court.
[b] Fee waivers granted for defendant(s). [C] Data from the Shriver program services database (as of 10/18/15); Shriver service at legal aid began in February 2012 and occurred at all three courts. [d] Data from the court-based Shriver Housing Settlement Master program service database (as of 12/31/2014); Shriver court-based service began in January 2013, occurred at the Santa Maria and Lompoc courthouses only, and were available to all litigants regardless of income level.

Project Implementation Model

The Santa Barbara pilot housing project involves legal services, which began in February 2012, offered by LAFSBC attorneys at three courthouses. The Shriver project also implemented a court innovation—namely, mandatory settlement conferences facilitated by the Housing Settlement Master, a neutral, third-party attorney. This service was available for cases filed at two courthouses (Santa Maria and Lompoc) and began in January 2013. Lastly, the court hired an additional judicial assistant, who was bilingual (English and Spanish), to help increase efficiency and access at the clerk's office and to provide interpretation services during the mandatory settlement conferences, if needed. The dedicated judicial assistant began in March 2013, and was located at the Santa Maria courthouse.

Legal Services

Services Offered, Referral Sources, and Eligibility Requirements

LAFSBC offers a range of services on housing matters, from brief counsel and advice to full representation. LAFSBC primarily represents tenants in unlawful detainer cases, but occasionally provides services to low-income landlords. In addition to assistance with unlawful

detainer cases, legal aid attorneys also assist litigants on a wide range of housing problems, including mortgage foreclosures, security deposits, and post-judgment matters.

Litigants are referred to LAFSBC from the courthouse, the LRC, or self-referred. To be eligible for Shriver services, litigants must have a monthly income not greater than 200% of the Federal Poverty Level, and the housing case must be in the Santa Barbara County jurisdiction. Litigants are not required to have an opposing party that is represented by counsel, although litigants with an opposing party represented by legal counsel are given priority over those with unrepresented opposing parties.

All litigants who are eligible for services are scheduled an appointment with an attorney. At that point, the attorney reviews the case and consults with the litigants about their goals (e.g., whether the litigant wished to stay in the home or move out). Litigants could receive full representation from a Shriver attorney, or one or more of a list of unbundled services, such as education, brief counsel and advice, or limited representation. Table H26 illustrates the variety of service offerings available to litigants eligible to receive Shriver services.

COURT-BASED SERVICES

Services Offered, Referral Sources, and Eligibility Requirements

The Santa Barbara County Superior Court offers services to litigants at its Santa Maria and Lompoc locations. An innovation implemented by the court was the addition of a Housing Settlement Master, a neutral third party and licensed attorney specializing in unlawful detainer and housing matters. Once an unlawful detainer case is set for trial, the clerk sends a combined notice of the trial date and date of the settlement conference. The settlement conference is scheduled for 1-2 weeks before the trial and is mandatory for any case proceeding to trial.

At the beginning of each settlement conference, all parties watch a 15-minute video, developed by the Judicial Council, about the mediation process. Once the video concludes, the settlement master meets with each party, separately, in private chambers (i.e., no judge, bailiff, or clerk present) to review the circumstances of the case and discuss whether a settlement between the two parties can be reached. At the end of the conference, the Settlement Master reports to the judge, either to deliver the terms of the stipulation (and to reschedule the hearing date until after the terms of the stipulation are to be met) or to indicate that a trial will take place.

Unlike the Shriver services provided by legal aid, the Settlement Master does not offer attorney-client privilege and can assist all parties involved in a case. Further, there was no income requirement to receive court-based services. Thus, the Housing Settlement Master conducted conferences and facilitated settlements with all parties involved in unlawful detainer cases, as well as other housing-related matters (e.g., bank conflict and foreclosure cases, long cause housing cases). All unlawful detainer cases set for trial were required to attend a settlement conference; therefore, some litigants may have received Shriver services from both legal aid attorneys and the court.

The court also used Shriver funds to hire an additional, part-time judicial assistant to process unlawful detainer petitions in the Santa Maria courthouse. The judicial assistant was bilingual and provided Spanish interpretation services at the clerk's office and during settlement

conferences. Judicial assistants commonly provide interpretation services at the clerk's office, but interpretation services at the settlement conferences were specific to the Shriver project.

Table H26. Legal Aid and Court-Based Shriver Services Available from the Santa Barbara Pilot Housing Project

	Shriver Service Location	
Shriver Services Available	**Legal Aid**	**Court**
Assistance with E-filing[a]	✓	
Education	✓	✓
Referral	✓	
Brief counsel and advice	✓	
Facilitated discussion	✓	
Limited representation:	✓	
Brief services (e.g., letter writing, phone calls)	✓	
Negotiation on behalf of client	✓	
Negotiation as attorney of record	✓	
Settlement conference		✓
Full representation	✓	

[a] E-filing became mandatory for all unlawful detainer cases in January 2016; however, prior to that time, legal aid attorneys assisted litigants with electronic filing at the court.

Goals for Clients

Attorneys from legal aid reported that, although there is no typical housing dispute, their general goals for clients are to provide more equitable access to the court process, especially in instances of unbalanced legal representation, and to help the court come to a more fully informed decision. Legal aid attorneys strive to provide their clients with education about the legal process, so that litigants have a better understanding of what is happening and feel more enabled during the proceedings. Legal aid staff also described a severe affordable housing shortage in Santa Barbara County, so if the tenant wishes to stay in the home, the attorneys attempt to negotiate a settlement where the tenant can stay if back-owed rent is paid or, at the very least, an extended move-out date. The LAFSBC team is also sensitive to defendants with disabilities, mental health issues, and criminal backgrounds, which can create unique hurdles and discrimination when attempting to navigate the legal process and housing market.

The Housing Settlement Master reports that his primary goals are to help empower both parties and provide equitable access for litigants involved in housing disputes. Frequently, the cases he sees have unbalanced legal representation, and he strives to provide an equal opportunity to both parties to reach a mutually agreeable outcome, while avoiding unnecessary court time. Although the Settlement Master cannot suggest settlement terms to either party, by facilitating the communication and asking questions of both sides, he can help cases reach more flexible and satisfactory terms for both parties than might otherwise be ordered in court.

Brief Summary of Service Provision

Below is an overview of the service provision at the Santa Barbara housing pilot project. For a more extensive and detailed summary of the services provided, see the full project service summary in Appendix A.

Information regarding the types of services provided, case characteristics, and outcomes were obtained from the program services databases. Data from the Santa Barbara pilot housing project were collected on all parties seeking Shriver services from legal aid (LAFSBC) from January 2012 through October 2015 and parties receiving Shriver court-based services from the Housing Settlement Master from January 2013 to December 2014.

Shriver services were provided by two entities, LAFSBC and the court, which had different eligibility requirements and service offerings. Thus, data for these entities are presented separately. Litigant who received full representation from a legal aid attorney are categorized as ***full representation*** clients, litigants who received any other type of legal service from legal aid are termed ***unbundled services*** clients, and those who were assisted by the Housing Settlement Master are referred to as receiving ***court-based services***.

WHO RECEIVED SHRIVER PROJECT SERVICES BY LEGAL AID?

Through October 2015, the Santa Barbara housing pilot project provided legal aid services to litigants in a total of 1,133 unlawful detainer cases. Of these, more than 99% (*n*=1,125) were defendants,[38] so the remainder of this section concentrates on defendants. Of these cases, 20% received full representation and 80% received unbundled services. Attorneys worked an average of 15 hours (median = 12) per full representation case and an average of 2 hours (median = 1) on each unbundled services case.

Client Characteristics. The majority (68%) of Shriver clients were female, 44% were Hispanic or Latino, 41% were White (non-Hispanic), 35% had a disability, and 20% could not effectively communicate in English without the assistance of an interpreter (Limited English Proficiency). Table H27 shows the demographic characteristics of the 1,125 defendants served by legal aid.

[38] Legal aid provided services to 8 low-income plaintiffs (landlords), representing <1% of cases. This section presents data on Shriver clients who were defendants. Information on Shriver clients who were plaintiffs can be found in Appendix B.

Table H27. Demographic Characteristics of Shriver Legal Aid Clients

	Level of Service		
Client Level Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Age (years)			
18 to 24	10 (4%)	50 (6%)	60 (5%)
25 to 44	94 (41%)	375 (42%)	469 (42%)
45 to 61	81 (35%)	309 (34%)	390 (35%)
62 or older	41 (18%)	137 (15%)	178 (16%)
Unknown/not collected	3 (1%)	25 (3%)	28 (2%)
Gender			
Male	74 (32%)	264 (29%)	338 (30%)
Female	151 (66%)	617 (69%)	768 (68%)
Transgender	0 (0%)	0 (0%)	0 (0%)
Unknown/not collected	4 (2%)	15 (2%)	19 (2%)
Race/Ethnicity[a]			
Black or African American	12 (5%)	51 (6%)	63 (6%)
Hispanic/Latino	104 (45%)	396 (44%)	500 (44%)
White	97 (42%)	362 (40%)	459 (41%)
Other	10 (4%)	52 (6%)	62 (6%)
Unknown/declined	6 (3%)	35 (4%)	41 (4%)
Education			
High school degree or less	88 (38%)	252 (28%)	340 (30%)
Any post-secondary	87 (38%)	286 (32%)	373 (33%)
Unknown/not collected	54 (24%)	358 (40%)	412 (37%)
Limited English Proficiency			
Yes	49 (21%)	172 (19%)	221 (20%)
No	180 (79%)	715 (80%)	895 (80%)
Unknown/not collected	0 (0%)	9 (1%)	9 (1%)
Disability			
Yes	98 (43%)	296 (33%)	394 (35%)
No	121 (53%)	495 (55%)	616 (55%)
Unknown/not collected	10 (4%)	105 (12%)	115 (10%)
Total	229 (100%)	896 (100%)	1,125 (100%)

Note. Data obtained from the Shriver program services database (as of 10/18/15) and includes only defendants. About two thirds of cases (*n*=706) included multiple individuals (e.g., couples). Demographic data describe the primary client. [a] Litigants who identified as Hispanic/Latino and any other race/ethnicity are included in the Hispanic/Latino row.

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As shown in Table H28, half (51%) of cases served by Shriver legal aid had at least one minor living in the home, and 30% of households received CalFresh[39] benefits. The median monthly household income was $1,000 (mean = $1,255), and the median monthly rental amount was $782 (mean = $882). By comparison, recall that the median monthly household income in Santa Barbara County was $5,231 and the average fair market value for a two-bedroom apartment was $1,435. Most clients (79%) were renters of an apartment, condominium, or house.

Table H28. Household Characteristics of Shriver Legal Aid Clients

	Level of Service		
Household Level Characteristics	**Full Representation**	**Unbundled Services**	**Total**
Minors in Household, *N* (%)			
Yes	114 (50%)	459 (51%)	573 (51%)
No	106 (46%)	293 (33%)	399 (35%)
Missing/unknown	9 (4%)	144 (16%)	153 (14%)
Received CalFresh Benefits, *N* (%)			
Yes	71 (31%)	272 (30%)	343 (30%)
No	158 (69%)	621 (69%)	779 (69%)
Missing/unknown	0 (0%)	3 (<1%)	3 (<1%)
Monthly Income			
Mean (SD)	$1,162 (792)	$1,283 (1,064)	$1,258 (1,016)
Median	$900	$1,050	$1,000
Range	$0 to $4,800	$0 to $7,000	$0 to $7,000
Missing/unknown	0 (0%)	3 (0%)	3 (0%)
Monthly Rental Amount[a]			
Mean (SD)	$978 (710)	$832 (558)	$882 (618)
Median	$807	$750	$782
Range	$0 to $4,139	$0 to $4,000	$0 to $4,139
Missing/unknown, *N* (%)	12 (5%)	479 (53%)	491 (44%)
Total	229 (100%)	896 (100%)	1,125 (100%)

Note. Data obtained from the Shriver program services database (as of 10/18/15) and includes only defendants. [a] Monthly rental amount according to defendant at time of intake. SD=standard deviation.

Opposing Party Representation and Case Status at Shriver Intake. At intake, for clients receiving full representation, 87% faced an opposing party with legal representation and 11% did not (2% were missing data). Information about opposing parties was not well known for clients receiving unbundled services: At least 22% faced an opposing party with legal representation and 26% did not, but this information was missing for 52% of these cases. At the time of Shriver intake, defendants in 71% of cases had not yet filed an answer with the court.

[39] The CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP; formerly "food stamps"), provides qualified, low-income households with monthly electronic benefits that can be used to buy most foods at many markets and food stores.

Of those cases with information about an eviction notice, the most frequent reason listed was for non-payment of rent (33%), followed by violation of lease terms (5%), and foreclosure (3%); this information was missing for approximately 26% of cases. In cases where the notice indicated non-payment of rent, the median amount demanded on the notice was $1,500 (mean = $2,776; range = $0 to $55,100). Most defendants owed between $501 and $2,000 according to the eviction notice. In 9% of cases, the amount was $500 or less, highlighting the financial vulnerability of many tenants.

KEY OUTCOMES AMONG SHRIVER FULL REPRESENTATION CASES

The remainder of this section highlights key outcomes of interest among cases provided full representation by the Santa Barbara housing pilot project. A more detailed review of case events and outcomes can be found in Appendix A.

Some key findings include:

Answers were filed. To participate in the justice system—that is, to avoid defaulting on an unlawful detainer case—defendants must file an answer (or other response) to the complaint filed by the landlord. Among full representation cases, nearly all defendants (99%) participated in the judicial system, either by filing an answer (81%) or other response (2%) or by settling outside of court (14%) or having the case dismissed (1%). Notably, only two default judgments were entered because the tenant failed to respond to the unlawful detainer complaint. (At intake, four defendants had defaulted, so legal aid was successful getting some to be set aside.)

Cases were settled. The majority (80%) of Shriver full representation cases were resolved by settlement, 12% of cases were dismissed by the plaintiff, and 6% were resolved through a trial or hearing (3% were resolved in another way).

Outcomes favored longer term housing stability. From the perspective of the tenants, staying in one's home and avoiding the burden and disruption of a forced relocation is a noteworthy and positive outcome. However, in instances when the tenant must relocate, other factors—such as having additional time to move, retaining neutral references from landlords, or retaining Housing Choice Vouchers—can contribute to the ability to secure new and affordable housing more quickly

<u>Possession of the Unit</u>. At the end of the court case, tenants in 25% of cases were able to remain in the home, either because they were awarded possession (most often when cases were dismissed) or were granted relief from forfeiture.[40] In 75% of cases, the landlord obtained possession and the tenants had to move. Of the cases in which tenants had to relocate, most did so as part of negotiated agreement, as opposed to being evicted.[41] Rates of possession varied by case resolution method.

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[40] Relief from forfeiture typically applies when a defendant experiences a temporary income shortage and has the ability to pay back rent or other money owed.

[41] Evictions describe the situation where a defendant was ruled against in a court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement; this usually results with an unlawful detainer case viewable on their public record.

Table H29. Housing Stability Outcomes for Full Representation Clients by Case Resolution Method

Housing Stability Outcome	Case Resolution Method				
	Plaintiff Dismissal *n* (%)	Settlement *n* (%)	Trial *n* (%)	Other/ Missing *n* (%)	Total *n* (%)
Retained possession	16 (62%)	22 (12%)	3 (23%)	0 (0%)	41 (18%)
Relief from forfeiture	3 (12%)	9 (5%)	2 (15%)	1 (17%)	15 (7%)
Moved (not evicted)[a]	6 (23%)	109 (61%)	1 (8%)	2 (33%)	118 (52%)
Temporary stay of eviction[b]	1 (4%)	27 (15%)	2 (15%)	0 (0%)	30 (13%)
Evicted[c]	0 (0%)	13 (7%)	5 (38%)	2 (33%)	20 (9%)
Missing/unknown	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (<1%)
Total	26 (100%)	180 (100%)	13 (100%)	6 (100%)	225 (100%)

Note. Data from the Shriver program services database (as of 10/18/15) and includes only defendants.
[a] Defendant moved as part of negotiated agreement or before unlawful detainer hearing or trial judgment.
[b] Court granted possession of the unit to the plaintiff (landlord), but postponed the eviction due to extreme hardship on behalf of the defendant. [c] Defendant ruled against in court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement.

Other Case Outcomes Defendants who Moved. Among full representation cases of the Santa Barbara housing pilot project, 96% resulted in some positive outcome that supported the tenant's longer term housing stability. These outcomes were most common when cases settled. Among full representation cases in which the tenant had to move:

- 64% had their move-out date adjusted;
- 69% had their rental debt reduced or waived;
- 54% retained their housing subsidy (e.g., Housing Choice Voucher);
- 60% had their unlawful detainer record masked from public view;
- 51% had their credit protected.

Table H30. Tenants who Moved Out:
Percentage of Full Representation Cases Receiving Each Outcome

Outcome	Case Resolution Method				
	Plaintiff Dismissal *N* (%)	Settlement *N* (%)	Trial/ Hearing *N* (%)	Other/ Missing *N* (%)	Total *N* (%)
Physical Outcomes					
Move Out Date Adjusted	4 (57%)	102 (68%)	2 (25%)	0 (0%)	108 (64%)
Mean Number of Days to Move (*SD*)[a]	23 (*18*)	54 (*47*)	34 (*19*)	--	52 (*46*)
Financial Outcomes					
Pay Plaintiff's Attorney Fees	0 (0%)	14 (9%)	2 (25%)	1 (25%)	17 (10%)
Pay All Rent Owed	0 (0%)	23 (15%)	1 (13%)	2 (50%)	26 (15%)
Rental Amount Owed Reduced	0 (0%)	47 (32%)	5 (63%)	0 (0%)	52 (31%)
Rental Amount Owed Waived	3 (43%)	58 (39%)	1 (13%)	1 (25%)	63 (38%)
Payment Plan for Money Owed	0 (0%)	30 (20%)	0 (0%)	0 (0%)	30 (18%)
Preserved Housing Choice Voucher/Sec. 8[b]	0 (0%)	21 (60%)	1 (50%)	0 (0%)	22 (54%)
Received Any Positive Financial Outcome[c]	***3 (43%)***	***130 (87%)***	***6 (75%)***	***1 (25%)***	***140 (83%)***
Credit-Related Outcomes					
Neutral References from Landlord	0 (0%)	72 (48%)	0 (0%)	1 (25%)	73 (43%)
Not Reported to Credit Agencies	1 (14%)	84 (56%)	0 (0%)	1 (25%)	86 (51%)
Record Masked from Public View	5 (71%)	92 (62%)	2 (25%)	2 (50%)	101 (60%)
Received Any Positive Credit Outcome[d]	***5 (71%)***	***113 (76%)***	***2 (25%)***	***2 (50%)***	***122 (73%)***
Total Received Any Positive Outcome[e]	**6 (86%)**	**146 (98%)**	**7 (88%)**	**2 (50%)**	**161 (96%)**

N=168. Plaintiff dismissal *n*=7; Settlement *n*=149; Trial/hearing *n*=8; Other/missing *n*=4.
Note. Data obtained from the Shriver program services database (as of 10/18/15) and includes only defendants. [a] Calculated as the number of days from complaint filing to move out date. [b] Calculated out of the number of defendants living in subsidized housing (*n*=41). [c] Calculated from all monetary items, except where the litigant had to pay for the plaintiff's (landlord's) attorney fees or had to pay back all money owed. [d] Calculated from all credit-related outcomes. [e] Calculated from all monetary and/or credit-related outcomes, except where indicated above.

WHO RECEIVED SHRIVER SERVICES BY THE COURT-BASED HOUSING SETTLEMENT MASTER?

When an unlawful detainer case is set for trial at the Santa Maria and Lompoc courthouses, litigants are also scheduled for a mandatory settlement conference in advance of the trial date. Between January 2013 and December 2014, parties from a total of 337 housing-related lawsuits[42] were scheduled to meet with the Shriver Housing Settlement Master.

Program Service Data

Settlement Conference Characteristics. In 79% of cases, both parties appeared at the settlement conference. However, in 21% of cases, at least one party (most often the defendant) did not appear. When one party does not appear, the party in attendance still receives

[42] The large majority (91%; *n*=310) of these cases were unlawful detainer, but the Housing Settlement Master also assisted cases on other property matters, such as when possession is no longer at issue.

information about court process and discusses the case characteristics and goals with the settlement master. Most cases involved just one settlement conference, but some cases held more than one meeting. The average number of conferences per case and the number of parties failing to appear at the scheduled conference is displayed in Table H31. (Demographic information about these litigants was not available.)

Table H31. Number of Settlement Conferences and Attendance by Parties

	Case Type		
Settlement Conference Characteristics	**Unlawful Detainer**	**Other Property Dispute[a]**	**Total**
Conferences Scheduled per Case			
Mean (*SD*)	1.2 (0.5)	1.3 (0.5)	1.2 (0.5)
Median	1	1	1
Range	1 to 4	1 to 3	1 to 4
Missing N (%)	1 (<1%)	0 (0%)	1 (<1%)
Failed to Appear at Conference			
Defendant	58 (19%)	1 (3%)	59 (17%)
Plaintiff	6 (2%)	1 (3%)	7 (2%)
Both parties	6 (2%)	0 (0%)	6 (2%)
Neither party (all parties attended)	240 (77%)	25 (93%)	265 (79%)
Total	310 (100%)	27 (100%)	337 (100%)

Note. Data obtained from the Shriver Settlement Master services database (as of 12/31/14). [a] This category includes civil cases where possession is no longer at issue.

Case Resolution. Of the 337 cases scheduled for a settlement conference with the Housing Settlement Master, 69% ultimately settled their cases (see Table H32). Of those that settled, the majority (67%) did so during the conference with the Settlement Master. Of the 94 cases that did not settle and were ultimately decided by the court, all were decided through bench trial and 86% of rulings were in favor of the plaintiff.

Table H32. Case Resolution Method for Litigants Receiving Court-Based Services

Case Resolution Characteristic	Case Type		
	Unlawful Detainer *N* (%)	Other Property Dispute[a] *N* (%)	Total *N* (%)
Method of Resolution			
Settlement/stipulation	216 (70%)	19 (70%)	235 (69%)
Plaintiff dismissal	1 (<1%)	0 (0%)	1 (<1%)
Trial/hearing	86 (28%)	8 (30%)	94 (28%)
Other	1 (<1%)	0 (0%)	1 (<1%)
Missing/unknown	6 (2%)	0 (0%)	6 (2%)
Total	310 (100%)	27 (100%)	337 (100%)
If Settlement/Stipulation, Point of Settlement			
Before Settlement Conference	28 (13%)	4 (21%)	32 (14%)
During Settlement Conference	154 (71%)	4 (21%)	158 (67%)
After Settlement Conference	34 (16%)	11 (58%)	45 (19%)
Total	216 (100%)	19 (100%)	235 (100%)
If Trial/Hearing, Judgment in Favor of			
Defendant	3 (4%)	2 (20%)	5 (5%)
Plaintiff	80 (93%)	1 (10%)	81 (86%)
Court Dismissal	2 (2%)	1 (1%)	3 (3%)
Missing/unknown	1 (1%)	4 (40%)	5 (5%)
Total	86 (100%)	8 (100%)	94 (100%)

Note. Data obtained from the Shriver Settlement Master services database (as of 12/31/14). [a] This category includes civil cases where possession is no longer at issue.

KEY OUTCOMES FOR COURT-BASED SHRIVER MANDATORY SETTLEMENT CONFERENCES

Court Case File Review Data

The above tables are based on the program service data collected by the Housing Settlement Master on all cases that received his help between January 2013 and December 2014. In addition to this basic service information, the settlement master also reviewed the individual court case files for a subset of 92 cases that received his assistance. These data are more fully presented in the detailed service summary for the Santa Barbara housing pilot project, in Appendix A. A summary of these results follows here.

Settlement Conference Characteristics. Of the 92 cases reviewed, 78% (*n*=72) had both parties appear at the settlement conference. In the remaining 22% of cases (*n*=20), one party did not appear at the conference. (In 19 of these 20 cases, the defendant did not appear but the plaintiff did). Settlement conferences are routinely scheduled for 1-2 weeks prior to the trial date. In most cases, the first settlement conference was held one month (median = 31 days; mean = 47 days) after the unlawful detainer complaint was filed.

Party Characteristics. As seen in Table H33, the typical unlawful detainer case had one plaintiff and two defendants. Fee waivers (a proxy for low-income status) were obtained by roughly 75%

of defendants, versus 7% of plaintiffs. Regarding legal representation, more than three quarters of plaintiffs had counsel, versus about one quarter of defendants.

Table H33. UD Party Characteristics by Mandatory Settlement Conference (MSC) Participation

	MSC Participation			
	Both Parties Appeared		One Party Appeared	
	Role in Dispute		Role in Dispute	
Party Characteristics	**Plaintiff**	**Defendant**	**Plaintiff**	**Defendant**
Number of Individuals per Case				
Mean (*SD*)	1.1 (0.3)	1.7 (0.8)	1.1 (0.3)	2.1 (1.2)
Median	1	2	1	2
Range	1 to 3	1 to 4	1 to 2	1 to 5
Missing	3 (3%)	3 (3%)	0 (0%)	1 (5%)
Fee Waiver Requests, *N* (%)				
None	63 (88%)	12 (17%)	20 (100%)	0 (0%)
Approved	5 (7%)	52 (72%)	0 (0%)	17 (85%)
Denied	0 (0%)	2 (3%)	0 (0%)	2 (10%)
At least one approved, one denied (mult. defs.)	0 (0%)	2 (3%)	0 (0%)	0 (0%)
Missing	4 (6%)	4 (6%)	0 (0%)	1 (5%)
Attorney Representation, *N* (%)				
None	16 (22%)	52 (72%)	3 (15%)	20 (100%)
Legal Aid	0 (0%)	6 (8%)	0 (0%)	0 (0%)
Private	56 (78%)	12 (17%)	17 (85%)	0 (0%)
Missing	0 (0%)	2 (3%)	0 (0%)	0 (0%)
Total, *N* (%)	**72 (100%)**	**72 (100%)**	**20 (100%)**	**20 (100%)**

Settlement Terms. When both parties appeared at the mandatory settlement conference, 79% of cases were able to reach an agreement before trial. Most (81%) agreements were conditional agreements, and many specified that if the defendants met certain terms (such as vacating the premises, 72%), the plaintiff would agree to other terms, such as dismissing the unlawful detainer case (42%) and/or reducing or waiving the amount owed. Assuming all the terms of the agreement were met, in 61% of cases the defendant would not have to pay any money, and in 28% cases, the defendant agreed to pay the plaintiff.

Case Resolution. Among cases in which both parties appeared at the settlement conference, 79% resolved their case via settlement or stipulation. Defendants in 81% of these cases complied with the terms of the agreement. Of the 20 cases in which only one party appeared at the settlement conference, 55% via trial or hearing and 40% resolved via default (Table H34).

Table H34. Case Resolution Method by Mandatory Settlement Conference (MSC) Participation

	MSC Participation		
Resolution Method	**Both Parties Appeared *N* (%)**	**One Party Appeared *N* (%)**	**Total *N* (%)**
Case Resolved Via:			
Settlement/stipulation through MSC	57 (79%)	0 (0%)	57 (62%)
Trial/hearing	13 (18%)	11 (55%)	24 (26%)
Default "prove-up" [a]	1 (1%)	8 (40%)	9 (10%)
Other	1 (1%)	1 (5%)	2 (2%)
Total	72 (100%)	20 (100%)	92 (100%)
If Settlement/Stipulation, Compliance with Agreement:			
Defendant complied	46 (81%)	--	46 (81%)
Defendant did not comply	11 (19%)	--	11 (19%)
Total	57 (100%)	--	57 (100%)

[a] Default was entered because defendant did not appear at trial/hearing.

Case Outcomes. Plaintiffs obtained possession of the property in more than 90% of cases. When defendants complied with the terms of the agreement reached during their settlement conference, they paid nothing to the plaintiff 70% of the time. This contrasts with defendants who did not comply with their agreements, did not reach an agreement, or did not appear at the settlement conference. Among these cases, defendants paid something to the plaintiff roughly 70% of the time. Across all cases in which the defendant agreed, or was ordered, to pay the plaintiff, the average amount to be paid was $3,884 (median = $3,192; range = $27 to $13,354).[43] Table H35 shows the final stipulated judgments or court orders for MSC cases.

In addition to the monetary terms/orders regarding tenant debt, there were a small number of other terms/orders, such as the plaintiff paying the defendant, the move-out date being adjusted, the unlawful detainer record being sealed, and repairs being made. These orders occurred in a minority of cases (see Table H35). However, quite notably, these other terms only occurred in cases where both parties came to agreement during the settlement conference and complied with the terms.[44] (See the service summary in Appendix A for a fuller discussion of case outcomes.)

[43] Standard deviation = $3,004. In 17 cases (18%), the final amount owed to the plaintiff was unknown.
[44] In the five cases where the plaintiff agreed to pay the defendant, the average amount to be paid was $1,990 (median = $2,000; range = $450 to $3,500; standard deviation = $1,513).

Table H35. Other Final Judgments and Orders for Unlawful Detainer Cases by Mandatory Settlement Conference (MSC) Participation

	MSC Participation				
	Both Parties Appeared				
Other Final Stipulated Judgments or Court Orders	**Complied with Agreement *N* (%)**	**Did Not Comply with Agreement *N* (%)**	**No Agreement Reached *N* (%)**	**One Party Appeared *N* (%)**	**Total *N* (%)**
Party Awarded Possession					
Plaintiff	42 (91%)	10 (91%)	14 (93%)	19 (95%)	84 (91%)
Defendant	4 (9%)	1 (9%)[a]	1 (7%)[b]	1 (5%)	8 (9%)
Case Dismissed					
By Plaintiff	18 (39%)	1 (9%)[a]	1 (7%)[b]	0 (0%)	20 (22%)
By Court	14 (30%)	0 (0%)	0 (0%)	0 (0%)	14 (15%)
No	11 (24%)	9 (82%)	14 (93%)	20 (100%)	54 (59%)
Unknown	3 (7%)	1 (9%)	0 (0%)	0 (0%)	4 (4%)
Defendant to:					
Pay nothing	32 (70%)	1 (9%)	0 (0%)	0 (0%)	33 (36%)
Pay something:	10 (22%)	7 (64%)	10 (67%)	15 (75%)	42 (46%)
Plaintiff to:					
Pay relocation costs	3 (7%)	0 (0%)	0 (0%)	0 (0%)	3 (3%)
Pay other costs	2 (4%)	0 (0%)	0 (0%)	0 (0%)	2 (2%)
Return security deposit	1 (2%)	0 (0%)	0 (0%)	0 (0%)	1 (1%)
Other terms:					
Move out date adjusted	9 (20%)	0 (0%)	0 (0%)	0 (0%)	9 (10%)
Record sealed	2 (4%)	0 (0%)	0 (0%)	0 (0%)	2 (2%)
Tenancy reinstated	2 (4%)	0 (0%)	0 (0%)	0 (0%)	2 (2%)
Defendant to make repairs	1 (2%)	0 (0%)	0 (0%)	0 (0%)	1 (1%)
Payment plan for money owed	1 (2%)	0 (0%)	0 (0%)	0 (0%)	1 (1%)
Neutral credit references from plaintiff	1 (2%)	0 (0%)	0 (0%)	0 (0%)	1 (1%)
Total	**46 (100%)**	**11 (100%)**	**15 (100%)**	**20 (100%)**	**92 (100%)**

Shriver Pilot Project Description: Yolo County

This section describes how the Yolo pilot housing project addressed unlawful detainer cases. This summary includes information on the project context, involved agencies, and service model. Detailed data on the litigants who received services, case characteristics, and outcomes can be found in the detailed project service summary in Appendix A.

Project Context

The 2014 population of Yolo County had an estimated 205,485 individuals, of which 19% were living under the Federal Poverty Level. The median household income was $55,918 (or $4,659 per month) and the average number of persons per household was 2.8. The average monthly fair market value for a two-bedroom rental unit was $1,104.[45]

AGENCIES INVOLVED

The Yolo housing pilot project involves a collaboration between Legal Services of Northern California's Yolo County office (LSNC-Yolo), Yolo County Superior Court, and the Yolo County Health Department. LSNC-Yolo served as the lead project partner and their field office is located in the city of Woodland.

COURTHOUSE

When the Shriver project began, Yolo County had four satellite courthouses in addition to the main courthouse, which is located in Woodland. In August 2015, the court consolidated courtrooms and administrative services into a new court building in Woodland. With Shriver funding, the court was able to offer self-help and mediations services to unlawful detainer litigants at this location.

Table H36 shows the number of unlawful detainer (limited jurisdiction[46]) cases filed at Yolo County Superior Court from 2009 (3 years prior to Shriver project implementation) through 2013 (calendar years). Shriver services in Yolo County began in February 2012. In the 3 years prior to Shriver implementation (2009-2011), an average of 779 cases were filed at the court annually, roughly half of which defaulted. An average of 303 cases per year—the majority of the remaining cases—involved a defendant with a fee waiver.[47]

During the 2 years of Shriver project implementation (2012 and 2013) the average number of unlawful detainer cases filed per year was lower, 589. Over half of these cases defaulted and the vast majority of the remaining cases involved a defendant with a fee waiver granted. During these 2 years, LSNC-Yolo provided services to an average of 284 cases annually, over three

[45] Demographic data were retrieved from the U.S. Census Bureau, County & States Quickfacts at www.census.gov in July 2015.
[46] Limited jurisdiction cases involve amounts less than $25,000 and exclude commercial properties.
[47] Low-income litigants (those with a household income of 150% or less of the Federal Poverty Level) can petition the court to have their court fees waived.

quarters of cases with a fee-waivered defendant. In addition, an average of 225 cases were provided court-bases services each year.[48]

Table H36. Unlawful Detainer (UD) Cases Filed in Yolo County per Calendar Year

	Before Shriver			During Shriver	
Number of UD…	**2009**	**2010**	**2011**	**2012**	**2013**
Cases filed[a]	740	776	820	580	598
Cases with involving a default	434	394	438	401	334
Cases with a fee waiver granted[b]	203	337	369	374	342
Cases receiving Shriver legal aid services[c]	--	--	--	299	268
Cases receiving Shriver court-based services[d]	--	--	--	155	294

Note. Counts are based on calendar year (January – December), not fiscal year.
[a] Includes only limited jurisdiction cases. Data obtained from staff at the Yolo County Superior Court.
[b] Fee waivers granted for defendant(s).
[c] Data obtained from the Shriver program services database (as of 10/01/15); Shriver legal aid services began in February 2012.
[d] Data obtained from the Shriver services project coordinator (as of 10/01/15); services began in February 2012.

Project Implementation Model

The Yolo pilot housing project started in February 2012, and involves legal aid services offered by the LSNC-Yolo, as well as self-help assistance and mediation provided at the courthouse by LSNC staff. The project also contracts with the County Department of Health to provide housing inspections, which are used by the court as an objective evaluation of a property in an unlawful detainer case involving breach of warranty of habitability as a defense.

Legal Aid Services

Services Offered, Referral Sources, and Eligibility Requirements

LSNC-Yolo attorneys provide two levels of service for litigants in unlawful detainer cases: full representation or expanded self-help. Expanded self-help is described by LSNC as helping the litigant navigate the unlawful detainer process by providing assistance on everything short of serving as the attorney of record. Nearly all eligible cases receive some service, although LSNC-Yolo prioritizes cases with merit and/or vulnerable populations for representation.

The Shriver pilot project receives referrals from various sources. LSNC-Yolo is listed as a resource on the *Notice of Unlawful Detainer* that the court is required to send to defendants when an unlawful detainer complaint is filed. The notice (in English and Spanish) contains information about the agency's free legal services. LSNC-Yolo also receives referrals through the Public Housing Authority, the court self-help center, and other community-based organizations.

To be eligible for Shriver services from the Yolo pilot project, a litigant must meet the statutorily defined income requirements (200% or less than the Federal Poverty Level) and be facing an

[48] LSNC-Yolo also provides pre-filing services to litigants. The total number of litigants served by LSNC-Yolo between 2012-2013 was 585, which includes clients seeking Shriver services pre-filing (e.g., after they receive an eviction notice, or if they had a dispute with the landlord). Based on the data provided, 18 cases resolved before an actual unlawful detainer complaint was filed with the court; these cases were removed from the figures above, but are included in subsequent descriptions of client and case characteristics.

opposing party who is represented by an attorney. Litigants who meet these criteria receive some level of legal service. Further screening is done to determine the level of service provided.

Expanded self-help services are offered to litigants whose cases do not have a meritorious defense, such as non-payment of rent due to loss of employment, and those who are not part of a vulnerable population. For example, if a litigant lost a job and needed a little more time to move out, but is not part of a vulnerable group, the litigant might receive expanded self-help services, such as help filing an answer and/or a counter request.

Full representation is offered to litigants who are considered vulnerable should they lose their housing and those whose cases are deemed meritorious. Specific examples of cases prioritized for full representation include those involving:

- breach of warranty of habitability as a defense;
- retaliation for complaints to code enforcement;
- mobile home park cases, in which the defendant could have cured the alleged violation, such as a park regulation;
- landlord served a 3-day notice and filed a complaint even though the tenant paid;
- subsidized housing where the landlord has not sufficiently alleged the cause for terminating the tenancy;
- defendants who have limited English proficiency;
- defendants who are members of vulnerable populations, such as domestic violence survivors and individuals with disabilities;
- procedural defenses that can be raised, such as foreclosure cases, improper notices to terminate tenancy, or improper or lack of service of the notice or summons.

COURT-BASED SERVICES

Services Offered, Referral Sources, and Eligibility Requirements

Shriver funds were used to support two court-based services: a self-help center and mediation services. Both of these services are provided by the same LSNC-Yolo attorney. Self-help services involve the attorney providing litigants (landlords and tenants, as needed) assistance with completing paperwork and/or submitting appropriate forms during the unlawful detainer process. A Spanish language interpreter is available as needed. The self-help attorney receives walk-in clients at the self-help center and referrals from judicial officers and the clerk's office.

Housing mediation services are also available. The mediator (the LSNC-Yolo attorney) attends court sessions and is available to any litigant who requests services, so long as at least one party in the case is eligible for Shriver services. Litigants can be referred for housing mediation services from the self-help center and from the clerk's office. Unrepresented landlord who call LSNC-Yolo for help may also be referred for mediation services.

Early in the Shriver project, the Yolo County Superior Court established the housing self-help center at a satellite courthouse where unlawful detainer cases were heard and the self-help attorney rotated between this center and another satellite courthouse (2 days per week at each

site). In August 2015, with the opening of the new courthouse in Woodland, all Shriver court-based services were moved to the self-help center in this location, in a space reserved for Shriver services 4 days per week. Table H37 illustrates the variety of service offerings available to litigants eligible to receive Shriver services.

Table H37. Legal Aid and Court-Based Shriver Services Available from the Yolo Housing Pilot Project

	Shriver Service Location	
Services Available	**Legal Aid**	**Court**
Self-help center		✓
Help with paperwork		✓
Mediation		✓
Expanded self-help	✓	
Full representation	✓	

GOALS FOR CLIENTS

The Yolo project legal aid staff members report that one of their primary goals for litigants is to avoid having the unlawful detainer case appear on the public records, as this seriously inhibits a tenant's rental options going forward, as well as possibly tarnishing their credit history. Often, this means prioritizing attempts to settle outside of court. Other goals include ensuring that landlords comply with their duty to provide habitable premises and making sure litigants are prepared for trial if they do have to go to court.

A typical case for the LSNC-Yolo involves an unlawful detainer complaint for nonpayment of rent and habitability issues. In this common scenario, the tenant alleges habitability issues with the unit and these complaints have been made to the landlord previously, with no action to remedy them. This stalemate usually leads to frustrations on both sides, whereby the tenant withholds rent and is subsequently served with a 3-day eviction notice. In these situations, legal aid's typical objective is to facilitate a settlement between the parties, in which the plaintiff agrees to either make repairs in exchange for the defendant paying a reasonable amount of rent (considering the habitability issues), or the plaintiff agrees to dismiss the case and waive all rent, costs, and fees allegedly owed if the defendant agrees to move out of the unit.

Brief Summary of Service Provision

Below is an overview of the service provision at the Yolo housing pilot project. For a more extensive and detailed summary of the services provided, see the full project service summary in Appendix A.

Information regarding the types of services provided, case characteristics, and outcomes were obtained from the program services databases. Data from the Yolo pilot housing project were collected on all parties seeking Shriver services from legal aid (LSNC-Yolo) or the court between February 2012 and October 2015. Data are presented for litigants receiving ***full representation*** from a legal aid attorney, those receiving ***expanded self-help*** (i.e., the only unbundled service) from legal aid, and those receiving ***court-based services*** from the self-help attorney/mediator.

WHO RECEIVED SHRIVER PROJECT SERVICES?

Court-Based Services

The Yolo housing pilot project provided court-based Shriver services to litigants in 1,711 unlawful detainer cases. Nearly all (95%) of these cases received assistance from the self-help attorney. Due to the brief exchange between the self-help attorney and litigant, information about demographics or case characteristics was not collected. The remaining 5% (*n*=81) cases were provided mediation services. As of October 2015, when the service data were collected, 65 cases had completed mediation and had available data. Among these cases, the primary litigants (i.e., the person initially seeking Shriver services from the court) included both defendants (55%; *n*=36) and plaintiffs (45%; *n*=29).

Litigant Characteristics. The average age of the primary litigant receiving Shriver court-based mediation services was 46 years (median = 45), although the median age of plaintiffs was higher (between 45 and 61 years) than for defendants (between 25 and 44 years). Approximately 55% were female.

Case Resolution. At the conclusion of Shriver mediation services, 51% of cases successfully negotiated a settlement, 6% were dismissed by the plaintiff (typically because the defendant moved out of the unit, and possession was no longer at issue), and 18% of cases proceeded to trial. The remaining 25% of cases included those where no official unlawful detainer complaint was filed (pre-filing status) and resolved through some other means, or the outcome was unknown to the mediator because one of the parties was unable to be reached.

Legal Aid Services

Through October 2015, the Yolo pilot housing project provided legal aid services to litigants, all of whom were defendants, on a total of 1,041 unlawful detainer cases. Of these cases, 38% received full representation and 62% received expanded self-help. Full representation cases received an average of 16 hours (median = 11) of attorney time and expanded self-help clients received an average of 4 hours (median = 2).

Client Characteristics. Table H38 shows the demographic characteristics of the primary client on the 1,041 cases served by legal aid, by level of service. The majority (67%) of clients were female, 47% were White (non-Hispanic), 30% were Hispanic or Latino, and 33% had a disability.

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Table H38. Demographic Characteristics of Shriver Legal Aid Clients

	Level of Service		
Client Level Characteristics	**Full Representation** *N* (%)	**Expanded Self-Help** *N* (%)	**Total** *N* (%)
Age (years)			
18 to 24	33 (8%)	72 (11%)	105 (10%)
25 to 44	183 (47%)	291 (45%)	474 (46%)
45 to 61	138 (35%)	223 (34%)	361 (35%)
62 or older	37 (9%)	61 (9%)	98 (9%)
Missing/unknown	2 (1%)	1 (0%)	3 (<1%)
Gender			
Male	119 (30%)	219 (34%)	338 (32%)
Female	270 (69%)	429 (66%)	699 (67%)
Transgender	0 (0%)	0 (0%)	0 (0%)
Missing/unknown	4 (1%)	0 (0%)	4 (%)
Race/Ethnicity[a]			
Black or African American	39 (10%)	67 (10%)	106 (10%)
Hispanic/Latino	101 (26%)	210 (32%)	311 (30%)
White	199 (51%)	288 (44%)	487 (47%)
Other	46 (12%)	72 (11%)	118 (11%)
Missing/unknown/declined	8 (2%)	11 (2%)	19 (2%)
Education			
High school degree or less	86 (22%)	102 (16%)	188 (18%)
Any post-secondary	81 (21%)	106 (16%)	187 (18%)
Missing/unknown	226 (58%)	440 (68%)	666 (64%)
Disability			
Yes	137 (35%)	203 (31%)	340 (33%)
No	239 (61%)	415 (64%)	654 (63%)
Missing/unknown	17 (4%)	30 (5%)	47 (5%)
Total	393 (100%)	648 (100%)	1041 (100%)

Note. Data obtained from the Shriver program services database (as of 10/01/15). Limited English Proficiency was not routinely assessed. [a] Litigants who identified as Hispanic/Latino and any other race/ethnicity are included in the Hispanic/Latino row.

As seen in Table H39, half (52%) of cases served by legal aid had at least one minor living in the home, and one third (34%) of households received CalFresh[49] benefits. The median monthly household income was $935 (mean = $1,139) and the median monthly rental amount was $693 (median = $717). By comparison, recall that the average fair market value for a two-bedroom apartment in Yolo County is $1,104 and the median monthly household income is $4,659. Most (80%) Shriver legal aid clients renting an apartment, condominium, or house.

Table H39. Household Characteristics of Shriver Legal Aid Clients

	Level of Service		
Household Level Characteristics	**Full Representation**	**Expanded Self-Help**	**Total**
Minors in Household, *N* (%)			
Yes	202 (51%)	333 (51%)	535 (51%)
No	190 (48%)	315 (49%)	505 (49%)
Missing/unknown	1 (<1%)	0 (0%)	1 (<1%)
Received CalFresh Benefits, *N* (%)			
Yes	150 (38%)	169 (26%)	319 (31%)
No	198 (50%)	334 (52%)	532 (51%)
Missing/unknown	45 (11%)	145 (22%)	190 (18%)
Monthly Income			
Mean (SD)	$1,129 (859)	$1,146 (961)	$1,139 (923)
Median	$950	$916	$935
Range	$0 to $6,996	$0 to $9,600	$0 to $9,600
Missing/unknown	0 (0%)	0 (0%)	0 (0%)
Monthly Rental Amount[a]			
Mean (SD)	$686 (428)	$739 (470)	$717 (454)
Median	$665	$710	$693
Range	$0 to $2,475	$0 to $3,500	$0 to $3,500
Missing/unknown, *N* (%)	29 (7%)	126 (19%)	155 (15%)
Total	393 (100%)	648 (100%)	1,041 (100%)

Note. Data obtained from the Shriver program services database (as of 10/01/15). [a] Monthly rental amount according to defendant at time of intake. *SD* = standard deviation

<u>Opposing Party Representation and Case Status at Shriver Intake</u>. Among cases that received full representation from legal aid, 90% of defendants faced an opposing party with legal representation and 3% did not (information was missing for 7% of cases). Among cases that received expanded self-help, 63% defendants faced an opposing party with legal representation and 8% did not (information was missing or unknown for 29% of cases). At the time of Shriver intake, an answer had not yet been filed in 76% of cases.

[49] The CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP; formerly "food stamps"), provides qualified, low-income households with monthly electronic benefits that can be used to buy most foods at many markets and food stores.

Of those cases with information about an eviction notice, the most frequent reason listed was for non-payment of rent (65%), followed by violation of lease terms (7%), and foreclosure (6%). In cases where the notice indicated non-payment of rent, the median amount demanded on the notice was $1,050 (mean = $1,555; range = $0 to $15,000). In 61% of cases, defendants owed between $501 and $2,000 according to the eviction notice. In 14% of cases, the amount was $500 or less, highlighting the financial vulnerability of many litigants.

KEY OUTCOMES AMONG SHRIVER FULL REPRESENTATION CASES

The remainder of this section highlights key outcomes of interest among cases provided full representation by the Yolo housing pilot project. A more detailed review of case events and outcomes can be found in Appendix A.

Some key findings include:

Answers were filed. To participate in the justice system—that is, to avoid defaulting on an unlawful detainer case—defendants must file an answer (or other response) to the complaint filed by the landlord. Among full representation cases, nearly all defendants (92%) participated in the judicial system either by filing an answer (71%) or other response (3%) or by settling outside of court (17%) or having the case dismissed (1%). Notably, only one default judgment was entered because the client failed to respond to the unlawful detainer complaint.

Cases were settled. Three fourths (75%) of Shriver full representation cases were resolved by settlement, 7% were dismissed by the plaintiff, and 7% were resolved through a trial or hearing (11% were resolved in some other way or were missing data).

Outcomes favored longer term housing stability. From the perspective of the tenants, being able to stay in one's home and avoiding the burden and disruption of a forced relocation is a noteworthy and positive outcome. However, in instances when a tenant must relocate, other factors—such as having additional time to move out, retaining neutral references from landlords, or retaining housing subsidies—can support one's ability to find new and affordable housing more quickly.

Possession of the Unit. At the end of the court case, tenants in 14% of cases were able to remain in the home, because they retained possession of the unit. In 79% of cases, the landlord was awarded possession and the tenants had to move out of the home. Although most tenants moved, there were very few (5%; *n*=21) instances of evictions.[50] In the majority of cases, tenants moved out of their homes as part of negotiated agreement.

[50] Evictions describe the situation where a defendant was ruled against in a court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement; this usually results with an unlawful detainer case viewable on their public record.

Table H40. Housing Stability Outcomes for Full Representation Clients by Case Resolution Method

Outcome	Case Resolution Method				
	Plaintiff Dismissal *N* (%)	Settlement *N* (%)	Trial *N* (%)	Other/ Missing *N* (%)	Total *N* (%)
Housing Stability					
Retained possession	6 (21%)	36 (12%)	10 (36%)	1 (2%)	53 (14%)
Relief from forfeiture	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Moved (not evicted)[a]	20 (69%)	220 (75%)	7 (25%)	7 (17%)	254 (65%)
Temporary stay of eviction[b]	2 (7%)	27 (9%)	3 (11%)	3 (7%)	35 (9%)
Evicted[c]	0 (0%)	10 (3%)	8 (29%)	3 (7%)	21 (5%)
Missing/unknown	1 (3%)	0 (0%)	0 (0%)	28 (67%)	29 (7%)
Total	29 (100%)	293 (100%)	28 (100%)	42 (100%)	392 (100%)

Note. Data obtained from the Shriver program services database (as of 10/01/15).
[a] Defendant moved as part of negotiated agreement or before unlawful detainer hearing or trial judgment.
[b] Court granted possession of the unit to the plaintiff (landlord), but postponed the eviction due to extreme hardship on behalf of the defendant. [c] Defendant was ruled against in court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement.

Other Case Outcomes for Defendants who Moved Out. Among full representation cases of the Yolo housing pilot project, 88% resulted in some sort of positive outcome that supported the tenant's longer term housing stability. These outcomes were most common when cases settled. Among full representation cases in which the tenant had to move:

- 76% had their move-out date adjusted
- 62% had their rental debt reduced or waived
- 28% retained their housing subsidy (e.g., Housing Choice Voucher)
- 54% had their unlawful detainer record masked from public view.
- 54% had their credit protected.

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Table H41. Outcomes among Full Representation Cases with Tenants who Moved

Outcome	Case Resolution Method				
	Plaintiff Dismissal *N* (%)	Settlement *N* (%)	Trial/ Hearing *N* (%)	Other/ Missing *N* (%)	Total *N* (%)
Physical Outcomes					
Move Out Date Adjusted	9 (41%)	214 (83%)	7 (39%)	7 (54%)	237 (76%)
Mean Number of Days to Move (*SD*)[a]	23 (*9*)	8 (*41*)	64 (*20*)	64 (--)	46 (*39*)
Financial Outcomes					
Pay Plaintiff's Attorney Fees	0 (0%)	29 (11%)	8 (44%)	3 (23%)	40 (13%)
Pay All Rent Owed	0 (0%)	41 (16%)	6 (33%)	2 (15%)	49 (16%)
Rental Amount Owed Reduced	8 (36%)	144 (56%)	6 (33%)	3 (23%)	161 (52%)
Rental Amount Owed Waived	0 (0%)	29 (11%)	2 (11%)	0 (0%)	31 (10%)
Payment Plan for Money Owed	0 (0%)	55 (21%)	0 (0%)	1 (8%)	56 (18%)
Preserved Housing Choice Voucher/Sec. 8[b]	2 (50%)	13 (30%)	0 (0%)	0 (0%)	15 (28%)
Received Any Positive Financial Outcome[c]	***10 (45%)***	***207 (81%)***	***8 (44%)***	***4 (31%)***	***229 (74%)***
Credit-Related Outcomes					
Neutral References from Landlord	5 (23%)	82 (32%)	3 (17%)	3 (23%)	93 (30%)
Not Reported to Credit Agencies	9 (41%)	149 (58%)	4 (22%)	5 (38%)	167 (54%)
Record Masked from Public View	14 (64%)	146 (57%)	4 (22%)	3 (23%)	167 (54%)
Received Any Positive Credit Outcome[d]	***15 (68%)***	***194 (75%)***	***6 (33%)***	***5 (38%)***	***220 (71%)***
Received Any Positive Outcome[e]	**16 (73%)**	**238 (93%)**	**10 (56%)**	**8 (62%)**	**272 (88%)**

Note. Data obtained from the Shriver program services database (as of 10/01/15).
N=310. Plaintiff dismissal *n*=22; Settlement *n*=257; Trial/hearing *n*=18; Other/missing *n*=13.
[a] Calculated as the number of days from complaint filing to move out date. SD=standard deviation, which could not be calculated for the other/missing column due to insufficient cell size. [b] Calculated out of the number of cases where the defendant(s) lived in subsidized housing (*n*=53). [c] Calculated from all monetary items, except where the litigant had to pay for the plaintiff's (landlord's) attorney fees or had to pay back all money owed. [d] Calculated from all credit-related outcomes. [e] Calculated from all monetary and/or credit-related outcomes, except where indicated above.

Brief Overview of Cross-Project Implementation

Who received services from the Shriver Housing Pilot Projects?

From the start of the Shriver program in October 2011, through October 2015, across all six pilot projects, 19,302 cases with low-income defendants[51] received assistance from a legal aid agency in housing matters. Over half of these cases (54%) were provided ***full representation*** by an attorney, and 46% received ***unbundled services***. Within these 19,302 cases across the six projects, approximately 55,521 tenants (includes household members not listed as defendants) were impacted by the Shriver legal services.[52]

DEMOGRAPHIC CHARACTERISTICS

The majority of Shriver clients were female (61%) and nonwhite (37% Hispanic/Latino, 28% African American). One third had a high school diploma or less, one fourth experienced disability, and nearly one fourth had limited English proficiency. Over half of Shriver clients had minors living in their households, and over one third received food subsidies. The average monthly income of clients was $1,147 (median = $1,000), well below the Federal Poverty Level.

CASE CHARACTERISTICS

Of those litigants who received full representation from a Shriver attorney, 96% were facing a landlord who was represented by counsel (1% were not, and 3% were missing this information). The most common reason for the eviction notice was non-payment of rent (75%). Very few notices (3%) indicated a violation of lease terms or nuisance conditions. In cases where the eviction notice indicated non-payment of rent, the average amount demanded was $1,812 (median = $1,200; range = $0 to $65,567). In 60% of cases, tenants owed between $501 and $2,000 according to the eviction notice. In 9% of cases, the amount was $500 or less, highlighting the financial vulnerability of many families.

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[51] Two of the six housing pilot projects provided legal aid services to landlords. In total, from October 2011 through October 2015, 66 landlords were helped. Data for these 66 individuals is presented separately in Appendix B.
[52] This number is likely an underestimate, as it only includes other household member entered into the program services database by the legal aid staff, and this information was not always available.

RENTAL COST BURDEN

The U.S. Department of Housing and Urban Development (HUD) considers a household to experience rental cost burden when more than 30% of the household income is devoted to rent. When 50% or more of the income is devoted to rent, the household is considered severely cost burdened. The National Low Income Housing Coalition (2016) estimated that 80% of California households at or below 30% of the area median income experience severe housing cost burden. Data from the Shriver program services database echo this finding. Across all six sites, roughly three quarters of Shriver clients experienced *severe* rental cost burden and only 10% had rental costs that are considered manageable.[53] Table H42 displays the average monthly household income, monthly rental amount, and proportionate rental cost burden for Shriver clients at each pilot project.

Table H42. Housing Affordability Among Shriver Clients

Project	Monthly Household Income[a]	Monthly Rental Amount[a]	Percentage of Cases at Each Level of Rental Cost Burden[b]		
	Mean (Median)	Mean (Median)	Below 30%: *Manageable*	30% to 49%: *Moderate*	50% or more: *Severe*
Kern	$1,089 ($1,000)	$679 ($650)	10%	24%	67%
Los Angeles	$1,200 ($1,000)	$877 ($850)	9%	18%	74%
San Diego	$1,179 ($960)	$986 ($950)	6%	17%	77%
Santa Barbara	$1,267 ($1,002)	$889 ($798)	11%	20%	69%
Sacramento	$1,037 ($897)	$741 ($729)	8%	21%	72%
Yolo	$1,081 ($893)	$717 ($693)	12%	23%	65%
Total	$1,147 ($981)	$866 ($825)	9%	19%	73%

Data source: program services database. During their intake interview, clients were asked about, and substantiated, their monthly household income and their monthly rental amount.
[a] Reported at the time of Shriver intake.
[b] Proportion of monthly household income devoted to rent.

[53] The 30 percent rule was designed to protect low-income households from extreme rental costs. However, some critics of the rule point out that it is an oversimplification of the problem of affordable housing. (https://www.huduser.gov/portal/pdredge/pdr_edge_featd_article_092214.html)

How did cases with Shriver representation proceed?

Across the clients who received full representation by a Shriver attorney at the six pilot housing projects, some consistent and noteworthy themes emerged:

Answers were filed. Tenants' access to justice depends on their ability to successfully file a written response to the unlawful detainer complaint within a short timeframe. Inability to do so usually results in a default and defendants never presenting their side of the case. Historically, in these cases, defaults are common. Shriver services addressed this need: Among those clients who received full representation, an answer (or other appropriate written response) was successfully filed in approximately 94% of cases.

Cases were likely to settle. Engaging more tenants in the legal system and providing them with counsel does not appear to have made the proceedings more combative or drawn-out. In fact, Shriver clients were most likely to end their case by settlement. Of those cases that received full representation, 70% resolved by settlement, 18% by landlord dismissal, and 5% by trial. (Data were missing for 6% of cases.)

Outcomes favored longer term housing stability. Outcomes of cases with tenants represented by Shriver counsel tended to involve elements supportive of longer term housing stability. Among cases that received full representation, tenants in 78% of cases ultimately moved out of their homes as a result of their unlawful detainer case and those in 16% stayed in the home (6% were unknown). Among those who moved out of their homes:

- 46% of cases involved an adjusted move-out date, allowing tenants more time to find replacement housing;
- 30% of cases resulted in a reduction in the back-owed rent to be paid by the tenant and 35% in a waiver of the debt (16% owed full repayment and 19% were missing data);
- 74% of cases ended with the unlawful detainer action masked from the public record,
- 53% ended with the unlawful detainer case not reported to credit agencies,
- 39% of cases ended with a neutral rental reference from the landlord.

Any of these elements alone—but more so when combined—provides tenants with increased opportunity to find alternate stable housing for themselves and their families.

DRAFT

Shriver Housing Pilot Projects

Random Assignment Study of Case Outcomes

An example Shriver case:
The Shriver project represented a family who had made it clear before they rented a unit in a large apartment complex that safety was their primary concern, since they had been crime victims at their last apartment. They were informed that the complex had a security gate and a security guard. They repeatedly complained to the manager about crime throughout the complex, inoperable security gates, and lack of locks on the windows, all of which they discovered shortly after moving in. The tenants complained about ongoing safety concerns, including having a gun waved in the wife's face in the complex and regularly hearing gun shots. When the manager ignored their requests they withheld rent, and the landlord moved to evict them.

At trial, in addition to the tenants' testimony about the criminal activity and their attempts to have the safety issues addressed, the Shriver-funded County Environmental Health Specialist testified that he issued a notice of the violations related to lack of window locks, but the landlord did not remedy the problem.

The court found that the landlord substantially breached the implied warranty of habitability by providing minimal and ineffective security measures at the complex. The court ordered the landlord to install locks on all windows and fix all security gates to the complex within 5 days. The court ordered a maintenance log for security gates as well as a log of all tenant security complaints, and police contacts at the complex. The court ordered rent reduced to $200 per month from the date the tenants first withheld rent until all repairs are made.

RANDOM ASSIGNMENT STUDY OF CASE OUTCOMES

Methodology and Analytic Approach

Though the housing pilot projects differed in their service structures and operational contexts (see individual project summaries), it is essential to investigate the broader impact of the Shriver program across jurisdictions. The fundamental question is, "What is the broad impact of providing funds to local agencies and Superior Courts to design and implement legal assistance projects for low-income individuals in unlawful detainer cases?" This section addresses this broader question by combining data across three (of six) projects and analytically comparing outcomes for litigants who received Shriver service with litigants who did not.

The study of case outcomes involved data from three housing pilot projects that undertook random assignment of litigants to one of two conditions: (1) full representation from a Shriver attorney or (2) no Shriver services (i.e., self-represented litigants, SRL). Data for the randomly assigned litigants at these sites were gathered from a review of their individual court case files. Analyses explored whether Shriver legal aid services impacted three general areas: litigants' participation in the justice system, court efficiency, and case events and outcomes.

Outcome Area #1: Participation in the Justice System

Analyses examined the relationship between Shriver representation and various indicators of litigants' participation in the justice system, such as the number of answers filed, the number of default judgments, and whether affirmative defenses were raised.

Outcome Area #2: Court Efficiency

Analyses examined case elements that are potentially indicative of court efficiency, including case age, the rate of resolutions by trial and by settlement, and the timing of the settlement.

Outcome Area #3: Unlawful Detainer Case Outcomes

The study investigated case outcomes related to short-term housing stability, such as tenants remaining in their homes and the amount of time provided for move-out, and those related to longer term housing stability, such as obtaining feasible financial arrangements, protected credit, and neutral landlord references.

RANDOM ASSIGNMENT

Random assignment protocols were conducted, for one month, at three housing pilot projects: Kern, Los Angeles, and San Diego. Low-income tenants who presented for assistance with an unlawful detainer case and who were facing an opposing party with legal representation were randomly assigned to either (1) receive full representation by a Shriver attorney or (2) receive no Shriver services (the "comparison group"). Across these three pilot projects, a total of 424 litigants were assigned. Overall, two thirds (66%, *n*=280) of litigants were assigned to receive full representation and one third (34%, *n*=144) were assigned to the comparison group.[54]

[54] The projects in Los Angeles and San Diego implemented a 2:1 assignment protocol, whereby for every two litigants assigned to receive full representation, one was assigned to the comparison group.

In general, random assignment protocols eliminate most sources of sampling bias and are therefore expected to yield samples that are generalizable. In this study, two sampling considerations are noteworthy: (1) Tenants with Section 8/Housing Choice Vouchers were omitted from the random assignment process, because the potential loss of a voucher due to lack of assistance constituted undue risk for the participant. (2) Litigants could be assigned to the comparison group only if they presented for assistance. Given the high number of unlawful detainer defendants who default without seeking help, the comparison litigants in the current study may or may not be representative of typical unrepresented defendants in unlawful detainer cases. They may be more involved in their case and therefore more likely to achieve certain outcomes than other, less motivated tenants.

Table H43. Random Assignment of Litigants to Study Groups (Number of Litigants Assigned)

Project	Study Group	
	Full Representation	**Comparison**
Kern	35 (54%)	30 (46%)
Los Angeles	117 (66%)	60 (34%)
San Diego	128 (70%)	54 (30%)
Total	**280 (66%)**	**144 (34%)**

To inspect the validity of the random assignment (i.e., to confirm whether the assigned study condition bore out in practice), analysis examined the representation status, as documented in the court case file, of litigants in both assigned groups. Among the 280 litigants assigned to receive full representation, there was indication that 31 participants did not receive this level of assistance. In particular, either the program services database indicated that the client did not receive representation, or the program services database had no record of the litigant and the court case file had no attorney on record. Because these 31 individuals did not receive the service being evaluated, they were removed from the analytic sample. Notably, across the three sites, when offered legal representation, a large majority (89%) of tenants accepted the assistance and participated in the process. The number of tenants who declined representation or did not follow through with appointments varied across the sites: 2 (2%) in Los Angeles, 11 (9%) in San Diego, and 18 (51%) in Kern.

Among the 144 litigants assigned to the comparison group, the court case file indicated that 10 litigants (6%) ultimately received assistance for their case from a non-Shriver attorney. Because these 10 individuals were not self-represented (as the comparison group is designed to reflect), they were excluded from the analytic sample in this report. These 10 litigants were all from Los Angeles County, where help with unlawful detainer cases was available (though not free) from another agency.[55] Notably, no litigants in Kern or San Diego counties were able to find legal representation for their cases in the absence of the Shriver pilot projects.

[55] These 10 litigants' legal assistance primarily came from the Eviction Defense Network in LA, which charges for service. San Diego and Kern counties did not have other equivalent resources.

After removing these 41 cases, the sample was composed of 383 tenants: 249 having received full representation from a Shriver attorney and 134 in the comparison group. These groups, shown in Table H44, constituted the analytic sample for this report.

Table H44. Analytic Sample

Project	Study Group	
	Full Representation	Comparison
Kern	17 (36%)	30 (64%)
Los Angeles	115 (70%)	50 (30%)
San Diego	117 (69%)	54 (32%)
Total	**249 (69%)**	**134 (31%)**

ANALYTIC APPROACH

Data for litigants were compiled across the three housing pilot projects that conducted random assignment to yield two general study groups: Shriver full representation clients and comparison litigants who did not receive Shriver service (self-represented litigants). This compilation increased the sample size and power of the subsequent statistical tests. Analyses then compared data for these two study groups to assess the impact of the Shriver service receipt on case outcomes.

Throughout this section, descriptive information is presented about the characteristics and outcomes of these unlawful detainer cases. In addition, whenever possible, differences between study groups were tested for statistical significance.[56] Categorical variables (e.g., whether an answer was filed, method of case resolution) were compared using chi-square analyses. If the omnibus chi-square test was significant, indicating that a significant group difference existed, individual pairwise comparisons were run to identify specific differences. Continuous variables (e.g., case age) were compared using Analysis of Variance tests (ANOVA) or Mann-Whitney U tests, depending on the distribution of the data. Posthoc pairwise comparisons were examined when applicable.

[56] When a result has less than a 5% probability of occurring by change ($p < .05$), the result is said to be statistically significant.

Unlawful Detainer Complaints

Unlawful detainer cases typically begin with a landlord filing a complaint against the tenant, which must list the landlord's demands. Table H45 shows the demands listed on complaints for the cases in each study group. The most common demands were for past due rent, forfeiture of rental agreement, and non-statutory damages. There were no differences between study groups in the proportion of cases with each demand on the complaint.

Table H45. Demands on Unlawful Detainer Complaint by Study Group

Demands on Complaint	Full Representation	Comparison
Past Due Rent	223 (90%)	115 (86%)
Attorney Fees	192 (77%)	86 (72%)
Forfeiture of Agreement	230 (92%)	119 (89%)
Damages (Holdover Rent)	237 (95%)	129 (96%)
Statutory Damages	3 (1%)	4 (3%)
Other	27 (11%)	20 (15%)

Data source: Court case file review
Full Representation *N*=249. Comparison *N*=134.

Non-payment of rent was the primary reason for the unlawful detainer actions, and, in most cases, defenses involved proving that either the tenant had paid the rent or was withholding rent due to a habitability problem and could pay the back-owed rent. The amount of past due rent and the amount of holdover rent demanded on the complaint is presented in Table H46. Amounts ranged widely, from less than $100 to nearly $10,000. (*Note*: Large amounts were due to multiple months of rent purportedly overdue, not to high rents.) The average amount demanded in full representation cases (mean = $1,873, median = $1,250) was similar to that in comparison cases (mean = $1,746, median = $1,283).[57]

Table H46. Amount ($) of Rent Demanded on UD Complaint by Study Group

	Past Due Rent		Holdover Rent	
	Full Representation	Comparison	Full Representation	Comparison
Mean (*SD*)	$1,873 (*1,688*)	$1,746 (*1,532*)	$1,967 (*1,578*)	$1,800 (*2,036*)
Median	$1,250	$1,283	$1,520	$1,225
Range	$0-$9,990	$16-$9,600	$4-$10,965	$15-$12,857

Data source: Court case file review
Full Representation *N*=219 for past due rent and *N*=245 for holdover rent.
Comparison *N*=111 for past due rent and N=*132* for holdover rent.
Note. Amount demanded was missing in Kern for 1 comparison case, in San Diego for 1 representation case and 3 comparison cases, and in Los Angeles for 3 representation cases.
SD = standard deviation. No significant differences were found between study groups.

[57] Given the skewed distribution, a nonparametric test was used. Mann-Whitney U = 11,913, p = .768

Outcome Area #1: Litigants' Participation in the Justice System

Did more litigants file a legal response to the UD complaint?

One of the first steps a tenant must take in order to defend an unlawful detainer case is to file an answer (or, rarely, another response, such as a demurrer, if the landlord's pleading is legally insufficient) to the landlord's complaint, generally within 5 days of service. Failing to file an answer typically results in the clerk entering a default judgment for the landlord. Thus, filing an answer indicates that tenants are successfully taking initial steps to participate in the justice system and provide their side of the case. Legal representation is expected to increase the likelihood of filing an answer or response, and thus decrease the likelihood of default.

Case file review data indicated that, across the three projects, 91% of litigants who received full representation filed an answer, compared with 73% of litigants in the comparison group (see Table H47). This difference was significantly different.[58] It is important to note that two of the three counties had existing self-help centers that provided assistance with preparing answers that was available to all unlawful detainer defendants, not just Shriver clients. Self-help centers did not, however, provide legal advice or representation.

Table H47. Response to Unlawful Detainer Complaint by Study Group

Response to UD Complaint	Full Representation	Comparison
Answer/Response Submitted *[sig.]*	226 (**91%**)	98 (**73%**)
Default Entered	19 (8%)	22 (16%)
Other (Dismissals)	4 (2%)	14 (10%)

Data source: Court case file review
Full Representation *N*=249. Comparison *N*=134.
Note. "Other" category included cases involving landlord dismissal or failure to prosecute. It is possible that tenants moved out upon receiving the UD complaint and the landlord dropped the case before a default could be entered.
Sig.=statistically significant difference existed between groups; as noted in bold.

Tenants can submit an amended answer that may better articulate their position to defend their case. An amended answer is filed after the initial answer, if the reviewing attorney finds other potential defenses that should be raised after the initial interview. Importantly, many defenses are waived if they are not raised in a defendant's answer, and, generally speaking, self-represented litigants may not have the expertise to identify these additional defenses. Analyses found that, of the 226 answers filed by full representation clients, 16% involved an amended answer, versus 7% of comparison cases. This difference was statistically significant[59] and was largely driven by San Diego. The San Diego housing pilot project accepted clients at every stage of the case—including after a default, trial, or eviction had occurred—which increased the likelihood of amending answers, whereas the Shriver projects in Los Angeles and Kern accepted clients at the start of their cases and therefore filed the initial answer.

[58] χ^2 (1) = 9.039, $p < .01$, Cramer's V = .157
[59] χ^2 (1) = 4.58, $p < .05$, Cramer's V = .119

Were litigants more likely to raise affirmative defenses?

In responding to an unlawful detainer complaint, tenants have the ability to raise affirmative defenses to support their side of the case. For instance, tenants may be purposefully withholding rent until a landlord remedies a habitability issue. Addressing affirmative defenses can also be important for the broader system. Several defenses are matters of public policy, including state statutes and federal regulations by the U.S. Department of Housing and Urban Development (HUD), related to fair housing. These include defenses pertaining to habitability, discrimination, rent control violations, a lack of reasonable disability accommodation, and negotiations/agreements in languages other than English. When an unlawful detainer case is effectively handled, enforcement of these policies can occur through action of the court and thereby alleviate pressure on other public agencies. For example, if the attorney(s) can work to remedy the issues, then other public agencies (e.g., City Building Inspector, HUD, Rent Control Board) are spared the effort, which can avoid costs.

There are several potential affirmative defenses that tenant may raise. However, it would likely be difficult for self-represented litigants to identify many of those issues—particularly legal issues such as inadequate notice or violations of rent control laws. Having an attorney could result in a more accurate depiction of the tenant's case. Case file review data were reviewed for mention of affirmative defenses, and the rates of defenses significantly differed between the study groups.[60] Among full representation cases, 84% raised at least one affirmative defense, compared with 60% of comparison cases (see Table H48).

Table H48 lists individual affirmative defenses that are possible in housing cases. The overall group difference in raising any defense appears to be largely driven by those related to habitability issues (65% full representation vs. 37% comparison), the landlord cancelling the original notice (42% full representation vs. 9% comparison), and a retaliatory eviction notice (41% full representation vs. 19% comparison). Los Angeles County has developed a form that details a more extensive list of possible defenses than the other two counties (these defenses are noted by two asterisks in Table H48). Los Angeles also has rent control laws, which neither San Diego nor Kern has. In LA, notable differences were also observed for defenses regarding a rent control violation (78% full representation vs. 24% comparison), defective notice (84% full representation vs. 28% comparison), and estoppel (45% full representation vs. 6% comparison).

[60] χ^2 (1) = 27.24, $p < .001$, Cramer's V = .267

Table H48. Cases with Affirmative Defenses by Study Group

Defense Raised	Full Representation	Comparison
Habitability	163 (65%)	49 (37%)
Tenant paid for repairs	19 (8%)	6 (4%)
Timely tender refused	10 (4%)	12 (9%)
Plaintiff waived, changed, or cancelled notice	105 (42%)	12 (9%)
Retaliatory eviction	102 (41%)	26 (19%)
Discrimination	49 (20%)	10 (7%)
Rent control violation*	90 (78%)	12 (24%)
Plaintiff accepted rent	24 (10%)	9 (7%)
Plaintiff committed acts of domestic violence**	2 (2%)	3 (6%)
Estoppel**	52 (45%)	3 (6%)
Defective notice**	96 (84%)	14 (28%)
No reasonable ADA accommodation**	8 (7%)	0 (0.0%)
Negotiations in other Language, Agreement in English**	15 (13%)	0 (0%)
Other	137 (56%)	47 (35%)
None (no defenses listed in case file)	39 (16%)	53 (40%)

Data source: Court case file review
Full Representation *N*=249. Comparison *N*=134.
*Rent control laws exist in Los Angeles County, but not in San Diego or Kern Counties.
**Systematically collected on the list in Los Angeles, but not on forms at the other two counties.
Note. Full representation cases were significantly more likely than comparison cases to raise at least one affirmative defense.

Outcome Area #2: Court Efficiency

Along with improving fairness in the unlawful detainer process, the Shriver pilot housing projects intended that their services would impact court efficiency by increasing the likelihood of negotiated settlements between parties, and thus saving the court resources necessary to hold a trial. Further, typically, the likelihood of post-settlement motions is lower than that of post-trial. When cases settle early, overall court congestion decreases.

How were cases resolved? Were there more settlements?

The proportion of cases resolved through various methods is presented in Table H49. Cases receiving full representation were most likely to resolve via negotiated settlement or stipulated judgment. Two thirds (67%) of full representation cases were resolved through settlement, as opposed to one third (34%) of comparison cases.[61] Very few (3%) full representation cases were resolved via trial, versus 14% of comparison cases. About 8% of full representation cases ended with a default, versus 26% of comparison cases (including seven cases in which the tenant filed an answer but did not appear at trial).

Roughly one quarter of cases in both groups (22% full representation, 26% comparison) ended with the landlord dismissing the case (including one comparison group case in which the landlord failed to prosecute and appeared to abandon the case). Preliminary data on a small

[61] Settlements and stipulated agreements include conditional dismissals.

subset of cases suggest that merit played a role in the dismissal rate. One project (Los Angeles) conducted a merit screen on its full representation cases. Of those cases deemed to have strong factual merit, 39% were dismissed, compared to 28% of the other cases.

The differences in resolution methods between the study groups were statistically significant.[62] Overall, relative to comparison cases, cases that received full representation from a Shriver attorney were significantly more likely to resolve via settlement and significantly less likely to resolve via trial or default.

Table H49. Case Resolution Method by Study Group

Resolution Method	Full Representation	Comparison
Stipulation or Settlement[a] *[sig.]*	162 (**67%**)	45 (**34%**)
Trial[b] *[sig.]*	8 (**3%**)	19 (**14%**)
Dismissal	54 (22%)	34 (26%)
Default *[sig.]*	19 (**8%**)	34 (**26%**)

Data source: Court case file review
Full Representation *N*=243. Comparison *N*=132.
Note: Case outcome data were missing for four LA representation cases that had not been resolved at the time of file review, and two Kern comparison cases.
[a]Settlements include conditional dismissals. [b]Most often bench trials.
Sig.=statistically significant difference found between study group, as noted in bold.

In general, the most common time for settlements to occur is on the date of the trial, typically when both parties and attorneys are present at the courthouse and can negotiate terms. However, notably, nearly one quarter (23%) of Shriver full representation cases reached a settlement *before* the trial date, compared to only one (2%) comparison case. The difference in the timing of settlements was significantly different across the study groups.[63]

Were cases resolved faster?

Case length was defined as the number of calendar days between the complaint filing and the judgment date. As shown in Table H50, all cases receiving full representation lasted, on average, 58 days (median = 51) and all those in the comparison group lasted, on average, 50 days (median = 37). This difference was statistically significant, such that, overall, full representation cases took, on average, approximately 8 days longer to resolve.[64] Differences in the case length among the individual projects were largely attributable to differences in court practices regarding the masking of cases.[65]

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[62] χ^2 (3) = 63.39, $p < .001$, Cramer's V = .410. Post hoc tests using Scheffe adjustment found a significant difference between groups in the percentage of cases resolved by settlement/stipulation ($p < .001$), trial ($p < .01$), and default ($p < .01$). There was no significant difference found in the percentage of cases resolved by dismissal.
[63] χ^2 (1) = 11.671, $p < .001$, Cramer's V = .264
[64] Given the skewed distribution, a nonparametric test was used. Mann-Whitney U = 11,411.5, $p < 0.01$
[65] Unlawful detainer cases are routinely masked—hidden from public view and not listed in the UD Registry—for 60 days. In some jurisdictions, like San Diego, the court adheres strictly to this timing. Thus, when negotiating the terms of a conditional dismissal, tenants will often have to move out within 60 days in order for the case to be dismissed (and other terms to be met) and to avoid being listed in the UD Registry. By contrast, in other jurisdictions, like Los Angeles, the court can allow the masking period to extend beyond 60 days, which allows a longer period of time for settlement terms to be met and the dismissal to occur without ramification.

Given the wide range of case lengths and the potential challenges that outlying values can present for analysis, case length was examined relative to the standard guidelines issued by the Administrative Office of the Courts. Recall that California's Judicial Branch endeavors to resolve 90% of unlawful detainer cases within 30 days and 100% within 45 days. Table H50 below shows the percentage of cases, by study group, resolved within 30, 45, and 60 days. In each instance, a statistically greater percentage of comparison cases were resolved earlier.[66]

Table H50. Case Length (in days) by Study Group

	Full Representation	Comparison
Mean (*SD*)	58.2 (33)	50.0 (43)
Median *[sig.]*	**50**	**37**
Range	10 - 206	6 – 309
Number of cases resolved within…		
< 30 days *[sig.]*	42 (**18%**)	34 (**27%**)
31 – 45 days *[sig.]*	67 (**28%**)	53 (**42%**)
46 – 60 days *[sig.]*	39 (**16%**)	17 (**13%**)
Over 60 days	92 (38%)	23 (18%)

Data source: Court case file review
Full Representation *N*=240. Comparison *N*=127.
Note: Case length could not be computed for 4 comparison cases in Kern, 4 representation case from LA, and 3 comparison cases in San Diego.
Sig.=statistically significant difference between study group, as noted in bold.

Examining the average case length across all cases may obscure some important differences related to case resolution method. For instance, while cases that end in default are likely to have the shortest case length, they are also likely to entail the most deleterious outcomes for tenants. Recall that the full representation group had more cases resolved via settlement and fewer resolved via trial or default, than did the comparison group. When looking at case lengths across study groups by case resolution method (Table H51), one statistically significant difference was found. Among those settled, full representation cases had a higher median case length (median = 56) than comparison cases (median = 37).[67] While full representation cases took longer to settle (perhaps due to more detailed negotiations), they still typically ended before the 60-day masking period concluded. No other significant differences were found between study groups within cases that were similarly resolved.

[66] Percentage of cases resolved within 30 days: χ^2 (1) = 4.35, p <.05, Cramer's V = .109
Percentage of cases resolved within 45 days: χ^2 (1) = 17.79, p <.001, Cramer's V = .220
Percentage of cases resolved within 60 days: χ^2 (1) = 15.79, p <.001, Cramer's V = .207
[67] Given the skewed distribution, a nonparametric test was used. Mann-Whitney U = 2,296.5, p < 0.01

Table H51. Case Length by Method of Resolution across Shriver and Comparison Cases

	Full Representation				Comparison			
	Settlement (*n*=160)	**Trial** (*n*=8)	**Dismissal** (*n*=54)	**Default** (*n*=16)	**Settlement** (*n*=43)	**Trial** (*n*=19)	**Dismissal** (*n*=33)	**Default** (*n*=32)
Mean (*SD*)	59.8 (30)	67.8 (34)	56.8 (40)	44.1 (39)	51.5 (39)	52.0 (36)	53.3 (59)	43.4 (31)
Median *[sig.]*	**56**	52	45	31	**37**	45	33	35
Range	20 – 204	40 – 126	10 – 206	19 – 177	25 – 189	31 – 197	6 – 309	8 – 134
Number of cases resolved within…								
<30 days	17 (11%)	0 (0%)	17 (31%)	7 (44%)	7 (16%)	0 (0%)	14 (42%)	13 (41%)
31-45 days	48 (30%)	3 (38%)	10 (19%)	6 (38%)	26 (60%)	11 (58%)	6 (18%)	10 (31%)
46-60 days	30 (19%)	2 (25%)	6 (11%)	0 (0%)	2 (5%)	7 (37%)	5 (15%)	3 (9%)
>60 days	65 (41%)	3 (38%)	21 (39%)	3 (19%)	8 (19%)	1 (5%)	8 (24%)	6 (19%)

Data source: Court case file review. *SD*=standard deviation.
Full Representation *N*=238. Comparison *N*=127.
Sig.=statistically significant difference found between study group, as noted in bold.

Outcome Area #3: Case Outcomes

In addition to benefitting court efficiency, increasing negotiated settlements between parties was key to the Shriver pilot projects' goal of improving cases outcomes for low-income tenants. In unlawful detainer cases, negotiated settlements provide more remedies than are available at trial and can benefit both parties. Trials generally only determine possession of the property and the time awaiting trial may accumulate more rent owed. Landlords who lose will not be able to regain their property, and tenants who lose will be forced to move in a few days and the judgment will be on their credit record. With a settlement, risk can be minimized for both parties and additional solutions are available, such as agreements to determine a set date to move, to provide credit protection, and to structure a payment plan, including dealing with rental security deposits, the return of which otherwise may be subject to further litigation in small claims court.

Analyses examined case outcomes relative to short-term housing stability such as how often tenants remained in their homes and, if they moved, how much time they had to move. Outcomes related to longer term housing stability included important financial and credit related impacts, such as reduced amount owed, payment plans, and credit protection that bear on tenants' ability to find replacement housing.

Were more tenants able to remain in their homes? If they had to move out, did they receive more time to do so?

Possession of the Property. In most instances when a landlord dismissed the case, the party awarded possession could not be ascertained. This is because two scenarios are possible that would yield different results: (1) Upon receiving the complaint, the tenant moves out, and the landlord dismisses the case because the unit has been vacated, or (2) In response to the complaint, the tenant remains in the unit and responds with numerous affirmative defenses, and the landlord dismisses the case to avoid complicated and expensive legal battles. As a result, the award of possession remains "unknown" for approximately one quarter of the cases in each study group (Table H52).

Of the remaining three quarters of cases that were not dismissed and for which the award of possession could be ascertained from the court case file, nearly all of them resulted in the landlord obtaining possession of the unit. However, Shriver full representation clients were significantly more likely to retain possession of the unit than were comparison clients. Specifically, tenants retained possession of the unit in 13 (5%) full representation cases and one (1%) comparison group case, a statistically significant difference.[68]

Table H52. Award of Possession by Study Group

Possession Awarded to…	Full Representation	Comparison
Landlord	179 (74%)	98 (75%)
Tenant *[sig.]*	13 (**5%**)	1 (**1%**)
Unknown (Dismissals)[a]	50 (21%)	32 (24%)

Data source: Court case file review
Full Representation *N*=242. Comparison *N*=131.
Note. Data for possession was missing for 2 comparison cases in Kern, 4 representation cases in Los Angeles, and 3 representation cases and 1 comparison case in San Diego.
Sig.=statistically significant difference found between study group, as noted in bold.
[a] Possession was typically unknown in cases that were dismissed by the landlord.

Table H53 displays possession by case resolution method within each study group. In cases that were resolved through a trial or default, and when possession was known, the landlord obtained possession in all cases, regardless of Shriver service receipt. In 91% of cases resolved via dismissal, the possession was not known. However, in the seven dismissed cases with possession data, five ended with the landlord obtaining possession and two ended with the tenant retaining possession—and both of these tenants were receiving full representation by a Shriver attorney.

Though very low, the rate of tenant possession was highest among cases that were settled. Across all cases resolved by settlement, 95% ended with the landlord obtaining possession and 5% with the tenant retaining possession. Among settled cases, ten tenants (6%) in the full representation group retained possession, as opposed to one tenant (2%) in the comparison group. When taking case resolution method into account, this difference in the percentage of cases resulting in landlord possession was no longer significantly different across study groups.[69] That is, retaining possession was more likely for tenants who settled their cases, and this was true for litigants with representation and those without.

[68] χ^2 (1) = 4.587, $p < .05$, Cramer's V = .129
[69] χ^2 (1) = 1.085, $p = .298$

Table H53. Award of Possession by Case Resolution Method

Possession Awarded to…	Settlement/ Stipulation	Trial	Dismissal	Default
Full Representation	(*n*=159)	(*n*=8)	(*n*=54)	(*n*=19)
Landlord	149 (94%)	8 (100%)	3 (6%)	19 (100%)
Tenant	10 (6%)	0 (0%)	2 (4%)	0 (0%)
Unknown	0 (0%)	0 (0%)	49 (91%)	0 (0%)
Comparison	(*n*=44)	(*n*=19)	(*n*=34)	(*n*=34)
Landlord	43 (98%)	19 (100%)	2 (6%)	34 (100%)
Tenant	1 (2%)	0 (0%)	0 (0%)	0 (0%)
Unknown	0 (%)	0 (0%)	32 (94%)	0 (0%)
Total	(*n*=203)	(*n*=27)	(*n*=88)	(*n*=53)
Landlord	192 (95%)	27 (100%)	5 (6%)	53 (100%)
Tenant	11 (5%)	0 (0%)	2 (2%)	0 (0%)
Unknown	0 (0%)	0 (0%)	81 (92%)	0 (0%)

Data source: Court case file review
Note: Data for possession was missing for 4 representation and 4 comparison cases in Kern, 4 representation cases in LA, and 3 representation and 1 comparison case in San Diego.

Time to Move Out. Among cases in which the landlord obtained possession, the time the tenant had to move out of the unit was examined. Time to move out was defined as the number of days from the complaint filing date to the date on which the tenant was ordered to move out of the property. Among full representation cases, the average number of days to move was 85 (median = 79). Among comparison cases, the average time to move was 74 days (median = 68). The difference between groups was statistically significant; full representation clients had almost 2 weeks longer to move out than did comparison cases (see Table H54).[70] As with case length, differences in the time from complaint filing to move-out among the individual projects were largely attributable to differences in court practices regarding the masking of cases.[71]

[70] Given the skewed distribution, a nonparametric test was used. Mann-Whitney U = 2,829.0, $p < .01$

[71] Unlawful detainer cases are routinely masked—hidden from public view and not listed in the UD Registry—for 60 days. In some jurisdictions, like San Diego, the court adheres strictly to this timing. Thus, when negotiating the terms of a conditional dismissal, tenants will often have to move out within 60 days in order for the case to be dismissed (and other terms to be met) and to avoid being listed in the UD Registry. By contrast, in other jurisdictions, like Los Angeles, the court can allow the masking period to extend beyond 60 days, which allows a longer period of time for settlement terms to be met and the dismissal to occur without ramification.

Table H54. Days to Move Out by Study Group

	Full Representation	Comparison
Mean (*SD*)	85.3 (*36.1*)	73.5 (*36.3*)
Median *[sig.]*	**79**	**69**
Range	6-313	28-254

Data source: Court case file review
Full Representation *N*=148. Comparison *N*=52.
Note: Days to move=number of days from complaint filing to move-out. Analysis includes only cases in which the landlord obtained possession and for which dates of complaint filing and move-out were known. Days to move out could not be computed for 6 representation and 9 comparison cases in Kern, 9 representation and 12 comparison cases in Los Angeles, and 11 representation and 18 comparison cases in San Diego.
Sig.=statistically significant difference between study groups, as noted in bold.

Were there differences in other case outcomes that support tenants' ability to rent in the future, such as monetary awards, financial obligations, and credit protection?

Given that the majority of tenants ultimately had to move out of their homes, and their short-term housing stability was thus interrupted, the study examined how Shriver services may have impacted their longer term housing stability. In particular, analyses explored other case outcomes related to issues that could support tenants' ability to successfully transition to new housing. This investigation involved a review of the judgment terms for all cases that had outcome information in the case file. Three types of case outcomes were coded:

- *Monetary awards,*[72] including sums of money being awarded to either the landlord (tenant to pay) or the tenant (landlord to pay);
- *Financial outcomes*, including the tenant receiving a temporary stay of eviction (generally due to financial hardship), having their relocation costs covered, or being able to structure a payment plan to repay back-owed rent over time;
- *Credit outcomes*, including the eviction case and tenant's delinquent rent not being reported to credit agencies, the landlord being required to provide a neutral reference for the tenant, and the unlawful detainer case being hidden from public view.[73]

Case outcomes were coded for all cases with available data. Outcomes were not mutually exclusive, and a single case could involve multiple outcomes. Indeed, negotiated settlements typically involved terms with some benefit for both the landlord and the tenant.

[72] The term "monetary award" is used in this section to denote when a plaintiff or defendant is ordered to pay or receive an amount of money from the opposing party. This can include a payment or a reduction/waiver of money owed. While the term "award" is less befitting of settlement terms, relative to judgments by trial or default, this language is used here across all case resolution types.
[73] Unlawful detainer cases are routinely "masked" from public view for 60 days. If a case is dismissed while masked, it will not be listed in the Unlawful Detainer Case Registry. However, if it is not dismissed, the case will remain out of the registry only if it is "sealed" as part of the orders. One of the three courts (Los Angeles) ordered cases to be sealed, so it was a possible case outcome for litigants at just one site.

Monetary awards. Table H55 shows the percentage of cases with money awarded to the plaintiff and those with money awarded to the defendant. Overall, roughly half of all cases involved money awarded to the landlord, most often past due rent and the security deposit, and the difference between study groups (56% of full representation and 48% of comparison) was not significant.[74] Further, very few cases resulted in money awarded to the defendant. Ten full representation (4%) and seventeen comparison cases (13%) resulted in the landlord covering the defendant's costs and fees. This difference was statistically significant.[75]

California law stipulates that tenants are returned their security deposit if there is just normal wear and tear on the property and there is no delinquent rent. Because nearly all of the unlawful detainer complaints involved a claim of delinquent rent, the return of the security deposit was considered a monetary award to the tenant. In total, there were eight cases in which the security deposit was returned to tenant—five full representation cases and three comparison—all of which had past due rent requested on the complaint.

Table H55. Monetary Awards by Study Group

Type of Award	Full Representation	Comparison
Money Awarded to Plaintiff		
Past due rent	89 (36%)	54 (41%)
Holdover damages	22 (9%)	22 (17%)
Attorney fees	42 (17%)	33 (25%)
Costs	36 (15%)	42 (32%)
Security deposit	49 (44%)	14 (28%)
Other	42 (17%)	17 (13%)
Money Awarded to Defendant		
Defendant costs and fees *[sig.]*	10 (**4%**)	17 (**13%**)
Repairs	0 (0%)	0 (0%)
Statutory damages	0 (0%)	0 (0%)
Relocation costs	3 (1%)	0 (0%)
Attorney fees	0 (0%)	0 (0%)
Return deposit	5 (2%)	3 (2%)
Other	4 (2%)	1 (1%)

Data source: Court case file review
Full Representation *N*=245. Comparison *N*=132.
Sig.=statistically significant difference found between study group, as noted in bold.

As described earlier, the majority of unlawful detainer cases involved a demand for past due rent. The landlord could also demand additional types of payments on the unlawful detainer complaint, such as holdover damages and attorney's fees. Table H56 compares the percentage of cases with each type of demand on the complaint with the percentage of cases with each type awarded to the landlord at case closure. These percentages are computed out of the number of cases with each type of payment demand.

[74] χ^2 (1) = 1.70, p = .192
[75] χ^2 (1) = 9.99, p < .01, Cramer's V = .163

Generally, full representation cases and comparison cases had comparable levels of specific demands on the complaints (e.g., 90% versus 86% were demanded to pay back-owed rent, 77% versus 72% to pay holdover damages). In both groups, fewer defendants were ordered to pay than the number from whom payment was originally demanded. However, overall, full representation cases tended be less likely to be ordered to pay than comparison cases. Among cases that demanded past due rent, 40% of full representation and 47% of comparison cases were ordered to pay some or all past due rent to the landlord. Although this difference was not statistically significant,[76] monetary awards for holdover damages,[77] attorney fees,[78] and other costs[79] occurred for significantly fewer full representation cases than comparison cases.

Table H56. Types of Payments Demanded by Plaintiff on Complaint and Types Awarded to Plaintiff at Case Closure by Study Group

Type of Payment	Full Representation		Comparison	
	Demanded	Awarded	Demanded	Awarded
Past Due Rent	223 (90%)	89 (40%)	115 (86%)	54 (47%)
Holdover Damages	192 (77%)	22 **(11%)**	86 (72%)	22 **(26%)**
Attorney Fees	230 (92%)	42 **(18%)**	119 (89%)	33 **(28%)**
Costs	237 (95%)	36 **(15%)**	129 (96%)	42 **(33%)**

Data source: Court case file review
Full Representation *N*=245. Comparison *N*=132.
Sig.=statistically significant difference between study groups, as noted in bold.

As shown above, a subset of defendants were ordered to pay monies that were originally demands on the unlawful detainer complaint. Of those litigants who were ordered to pay, were they held liable for the entire amount owed? To address this question, the total amount demanded on the unlawful detainer complaint was compared to the total amount awarded to the plaintiff at case closure. *Total amount demanded* was calculated by adding amount of past due rent, cumulative holdover damages (i.e., daily damages multiplied by the number of days from complaint to judgment), and if demanded, attorney fees.[80] *Total amount awarded* was the sum of all monies ordered to be paid (or forfeited) to the landlord by the defendant, as listed in the case file.

The total amount demanded was compared to the total amount awarded to assess whether the defendants were paying demanded amounts in full or in part (see Table H57). A substantive proportion of cases in both groups (42% of full representation and 38% of comparison) resulted in the defendant paying nothing. Most of these cases were dismissed, so it possible that the landlord filed a civil suit (i.e., not an unlawful detainer case, because possession was not at

[76] χ^2 (1) = 1.54, p = .214
[77] χ^2 (1) = 8.89, p < .01, Cramer's V = .179
[78] χ^2 (1) = 4.17, p < .05, Cramer's V = .109
[79] χ^2 (1) = 15.06, p < .001, Cramer's V = .203
[80] Because an amount for attorney fees was not listed on the complaint, this amount was estimated by using the amount ordered to pay for attorney fees. Many case outcomes involved a lump sum award that did not specify amounts for rent, holdover damages, or attorney fees. In these cases, the median attorney fee awarded for those cases with data ($500) was used.

issue) to claim the money owed. Yet, many of these cases had the amount waived without a dismissal. Defendants in 16% of full representation cases had their amount reduced, versus 12% of comparison cases. A small number of cases in both groups were ordered to pay the full amount demanded (2% and 4%, respectively). A notable number of cases (13% of full representation and 26% of comparison cases) involved monetary awards to the landlord that exceeded the original amount demanded. (*Note*. In about one quarter of cases, the comparison between amount demanded and amount awarded was not possible because information about the dollar amounts for one or both time points was not available.)

Table H57. Amount Awarded Relative to Amount Demanded by Study Group

Amount Ordered Paid by Defendant Relative to Amount Demanded	Full Representation	Comparison
No Payment: Amount demanded was waived	48 (20%)	16 (12%)
Dismissed Payment: Amount demanded waived via Dismissal	54 (22%)	34 (26%)
Reduced Payment: Amount awarded less than amount demanded	39 (16%)	16 (12%)
Full Payment: Amount awarded equal to amount demanded	4 (2%)	5 (4%)
Additional Payment: Amount awarded more than amount demanded	33 (13%)	34 (26%)
Unable to Determine[a] One/Both Amounts	67 (27%)	27 (20%)

Data source: Court case file review
Full Representation *N*=245. Comparison *N*=132.
[a] One or both amounts was not able to be computed, so comparison was not possible

Cases were further categorized into three groups based on the defendant being ordered to make no/dismissed payments (42% of full representation and 38% of comparison cases), reduced payments (16% of full representation and 12% of comparison cases), or full/additional payments (15% of full representation and 30% of comparison cases). Analyses compared the likelihood these outcomes between full representation and comparison cases, and a statistically significant association was found.[81] In particular, defendants in comparison cases more often were ordered to repay the entire debt or additional amounts, relative defendants with full representation.

In considering whether defendants were ordered to pay back monies in full or in part, it is important to take the amount demanded into account. For instance, having a $200 debt waived is substantively different than having a $6,000 debt waived. Cases were categorized by the amount demanded on the unlawful detainer complaint: those with a demands for less than $2,000 (29% of full representation and 40% of comparison cases); those with demands for amounts between $2,000 and $4,000 (41% of full representation and 33% of comparison), and those with demands for more than $4,000 (28% full representation, 22% comparison cases). The cut points for these categories divided the cases into three groups with roughly equivalent size and, with an assumed rent of approximately $1,000 a month, the categories represent tenants with less than 2 months, 2 to 4 months, and more than 4 months of back-owed rent.

[81] χ^2 (2) = 9.25, $p < .01$, Cramer's V = .181

Table H58 shows outcomes for Shriver full representation and comparison cases by the amount demanded on the unlawful detainer complaint. Regarding monetary awards, regardless of Shriver services, there was a statistically significant association between the amount demanded and likelihood of having the debt waived or reduced.[82] In particular, compared to cases with less than $2,000 demanded, cases with more than $4,000 demanded were more likely to have their debt amount reduced (38% versus 6%), less likely to have their debt waived (28% versus 50%), and less likely to repay it in full (14% versus 25%).

Next, consider the impact of full representation. Among cases with less than $2,000 demanded, fewer defendants with representation were ordered to pay the debt in full, than those in comparison cases (17% vs. 34%). Among cases with between $2,000 and $4,000 demanded, defendants with representation more often had their debt waived (46% vs. 31%) and less often were ordered to repay the entire amount (28% vs. 37%), relative to those in the comparison group. Among cases with more than $4,000 demanded, there were no substantive differences by representation status.

Table H58. Case Outcomes by Total Amount Demanded on Complaint

	Total Amount Demanded on the Unlawful Detainer Complaint					
	Less than $2,000		**$2,000 - $4,000**		**More than $4,000**	
	Full Representation (*n*=71)	**Comparison** (*n*=53)	**Full Representation** (*n*=102)	**Comparison** (*n*=44)	**Full Representation** (*n*=69)	**Comparison** (*n*=29)
Monetary Awards ***Amount demanded was…***						
Waived/dismissed	35 (50%)	27 (51%)	47 (46%)	14 (31%)	19 (28%)	8 (28%)
Reduced	4 (6%)	3 (6%)	9 (9%)	2 (5%)	26 (38%)	11 (38%)
Paid in full or more	12 (17%)	18 (34%)	18 (28%)	16 (37%)	7 (10%)	5 (17%)
Unable to determine	20 (28%)	5 (9%)	28 (27%)	12 (17%)	17 (25%)	5 (17%)
Financial and Credit Outcomes						
Repayment plan	11 (15%)	3 (6%)	15 (15%)	0 (0%)	18 (26%)	4 (14%)
Not reported to credit agencies	10 (14%)	0 (0%)	19 (19%)	1 (2%)	10 (14%)	0 (0%)
Neutral credit references	21 (30%)	3 (6%)	33 (32%)	4 (9%)	25 (36%)	1 (3%)
Record sealed	11 (15%)	8 (15%)	28 (27%)	4 (9%)	11 (16%)	4 (14%)

[82] χ^2 (4) = 69.30, $p < .001$, Cramer's V = .432

FINANCIAL AND CREDIT OUTCOMES

A minority of cases involved other financial outcomes, and Shriver full representation cases were more likely to result in these outcomes than were comparison cases. As seen in Table H59, 22% of full representation cases resulted in at least one positive financial outcome for the defendant, versus 9% of comparison cases, and this was a statistically significant difference.[83] Primarily, this finding involved the establishment of payment plans (i.e., the ability to pay back-owed rent in installments), and majority of these cases were in San Diego. A payment plan can be a positive outcome for both parties, in that it can increase tenants' ability to pay landlords in manageable increments, when the demand of a large lump sum judgment would not be possible. Very few cases (2% in any group) involved a temporary stay of eviction or return of the security deposit.

Nearly half (45%) of full representation cases received at least one positive credit outcome, versus 17% of comparison cases, which was a statistically significant difference.[84] The parties agreed not to report the unlawful detainer case to credit agencies in 16% of full representation cases and 1% of comparison cases, and the landlord agreed to provide neutral references in 33% of full representation cases and 6% of comparison cases. These credit outcomes were possible in all courts, but the differences below appear to be driven by cases at the San Diego project. In Los Angeles, the court allowed the parties to agree to seal the unlawful detainer case. This agreement meant that the case would not show up on the tenant's credit record, nor would the tenant appear on a list of individuals who had been previously evicted (UD Registry), both of these actions can support the tenant's ability to find other housing. In Los Angeles, parties agreed to seal the case in 20% of cases with full representation and 12% of comparison cases.

Table H59. Other Financial and Credit Outcomes by Study Group

Case Outcome	Full Representation	Comparison
Financial Outcomes		
Temporary stay of eviction[a]	6 (2%)	2 (2%)
Relocation costs	1 (<1%)	0 (0%)
Repayment plan	44 (18%)	7 (5%)
Return security deposit	5 (2%)	3 (2%)
Any Positive Financial Outcome *[sig.]*	53 **(22%)**	12 **(9%)**
Credit Outcomes		
Not reported to credit agencies	39 (16%)	1 (1%)
Neutral credit references	80 (33%)	8 (6%)
Record sealed	50 (20%)	16 (12%)
Any Positive Credit Outcome *[sig.]*	**111 (45%)**	**22 (17%)**

Data source: Court case file review
Full Representation *N*=245. Comparison *N*=132.
[a] Due to financial hardship on tenants.
Sig.=statistically significant difference between study groups, noted in bold.

[83] χ^2 (1) = 9.456, p <.01, Cramer's V = .158
[84] χ^2 (1) = 30.82, p <.001, Cramer's V = .286

As shown earlier in Table H58, the occurrence of other financial and credit-related outcomes differed for cases by the total amount demanded on the unlawful detainer complaint. Cases with more than $4,000 demanded more often resulted in a payment plan (26% full representation, 14% comparison) than did cases with less money demanded (15% and 6%, respectively). The frequency of positive credit outcomes did not appear to differ by the amount demanded on the complaint. However, these outcomes did differ between the full representation and comparison groups in each of the three categories. In particular, defendants with full representation more often succeeded in not having the unlawful detainer case reported to credit agencies and receiving neutral rental references than did defendants in the comparison group.

Case outcomes were also impacted by the method of case resolution. Settled cases, especially those with full representation, tended to involve more positive outcomes for defendants. As shown in Table H60, defendants received any kind of positive financial or credit-related outcome only when their case was settled. This result was true for cases with and without representation. However, settlements reached by a Shriver attorney were more likely to involve a positive credit outcome for tenants than were settlements in the comparison group (68% vs. 49%), a statistically significant difference.[85]

Table H60. Money Awards, Financial Outcomes, and Credit Outcomes by Method of Case Resolution by Study Group

	Full Representation		**Comparison**	
Case Outcomes	**Settlement/ Stipulation** (*n*=162)	**Trial** (*n*=8)	**Settlement/ Stipulation** (*n*=45)	**Trial** (*n*=19)
Tenant payment waived	38 (23%)	1 (13%)	8 (18%)	4 (21%)
Tenant payment reduced	42 (26%)	2 (25%)	7 (16%)	0 (0%)
Tenant payment in full	32 (20%)	4 (50%)	21 (47%)	12 (63%)
Unable to determine amounts	50 (31%)	1 (13%)	9 (20%)	3 (16%)
Any positive financial outcome for tenant[a]	53 (33%)	0 (0%)	11 (24%)	0 (0%)
No positive financial outcome for tenant	109 (67%)	8 (100%)	34 (76%)	19 (100%)
Any positive credit outcome for tenant *[sig.]*	110 (**68%)**	0 (0%)	22 (**49%)**	0 (0%)
No positive credit outcome for tenant	52 (32%)	8 (100%)	23 (51%)	19 (100%)

Data source: Court case file review.
Note. Cases resolved through a dismissal or default are not shown because they typically do not result in monetary awards or financial/credit outcomes. Court files for cases ending in default contained just the clerk's default, which does not involve the determination of money owed. Landlords must file a separate action for collection of rent rather than taking a judicial default in the counties studied.
[a] Positive financial outcomes were primarily driven by tenants having an option of a payment plan to repay past rent owed. Almost 90% of cases with a positive financial outcome were due to a payment plan.
Sig.=statistically significant difference between study groups, as noted in bold.

[85] $\chi(1) = 5.510$, $p < .05$. Cramer's V = .163

Summary

At three of the pilot projects, eligible litigants were randomly assigned to receive either full representation by a Shriver attorney (*n*=249) or no Shriver services (comparison; *n*=134). Court case files were reviewed to gather data regarding events and outcomes of these cases, and analyses compared the two study groups.

As intended, random assignment appeared to create equivalent groups, as full representation and comparison cases were similar in terms of the demands on the unlawful complaint. Nearly all cases involved a demand for past due rent, holdover rent, and forfeiture of the lease agreement. About three quarters also demanded that the defendant pay the plaintiff's attorney fees. The average amount of past due rent demanded was around $1,800 (median = $1,275).

Findings demonstrated that, relative to cases with self-represented defendants, cases with Shriver full representation for defendants had the following impacts:

Increased Litigant Participation in the Justice System

- More full representation cases successfully filed an answer/response to the unlawful detainer complaint (91%) than did comparison cases (73%), resulting in a lower rate of default (8% and 16%, respectively).
- Tenants with full representation (84%) more often raised affirmative defenses in their cases, versus those in comparison cases (60%). Raising issues of habitability, rent control violations, and ADA accommodations with the court not only enables tenants to clearly present their case, but also allows the issues to be remedied as part of the unlawful detainer case and therefore alleviates pressure on other publicly-funded agencies.

Increased Court Efficiency

- Full representation was associated with more settlements and fewer trials, which results in considerable resources saved for the court.
  - 67% of full representation cases settled, versus 34% of comparison cases
  - 3% of full representation cases went to trial, versus 14% of comparison cases
- Of those cases that settled, 23% of full representation cases settled before the trial, versus 2% of comparison cases.
- Case length was shorter for comparison cases (50 days) than for full representation cases (58 days). However, case age is intertwined with resolution method (e.g., fewer full representation cases defaulted; defaults occur faster than settlements) and is impacted by local masking statutes (60 days).

Improved Outcomes Supporting Tenants' Long-term Housing Stability

- Very few cases ended with the defendant retaining possession of the property, though this result occurred more often among those with full representation cases (5%; *n*=13) than among comparison cases (1%; *n*=1).
- Across both study groups, three quarters of cases ended with the defendant moving out of the home, most often as part of a negotiated settlement. Defendants in full

representation cases received, on average, 2 weeks longer to relocate than did those in comparison cases, allowing them more time to find alternate housing.

- At case closure, defendants in full representation cases were less often than those in comparison cases ordered to pay holdover damages (11% vs. 26%), attorney fees (18% vs. 28%), and other costs (15% vs. 33%). However, the proportion of full representation cases ordered to pay some or all past due rent (40%) was similar to that of comparison cases (47%).
- The amount of money awarded to the plaintiff (to be paid by the defendant) often differed from the amount demanded by the plaintiff on the complaint.
  - 42% of full representation and 38% of comparison litigants had the debt waived.
  - 16% of full representation and 12% of comparison cases involved a reduction of the debt owed.
  - 15% of full representation and 30% of comparison cases ended with the defendant ordered to repay the entire debt amount or more.
- The amount awarded differed by the amount demanded, within both study groups. Defendants were more likely to have their debt waived when they owed less than $2,000, and defendants were more likely have their debt reduced when they owed more than $4,000.
- Full representation cases were more likely than comparison cases to result in other financial or credit-related benefits for the defendants that supported their ability to secure alternate housing and maintain stability for their households.
  - 22% of full representation cases resulted in defendants receiving either a payment plan for debt owed, a temporary stay of eviction, return of security deposit, or payment of relocation costs, versus 9% of comparison cases.
  - 45% of full representation cases resulted in defendants having their case not reported to credit agencies, their case sealed, or a neutral reference from the landlord, versus 17% of comparison cases.

Methodological Considerations and Limitations

With three of the six pilot projects implementing random assignment of litigants to receive service, this study of case outcomes can be considered methodologically rigorous. However, even with random assignment protocols, the practicalities of field-based data collection can involve potential bias. In the current study, litigants could be assigned to the comparison group only if they presented for assistance. Given the high number of unlawful detainer defendants who default without seeking help, the comparison litigants in the current sample may not be representative of typical unrepresented tenants in unlawful detainer cases. They may be more involved in their case and therefore more likely to achieve certain outcomes than other, less motivated tenants. In addition, excluding litigants with Section 8 vouchers from the random assignment may have impacted results. Anecdotally, Shriver attorneys felt that, as a whole, Section 8 cases were some of the best examples of the benefits of their services.

Shriver Housing Pilot Projects

Litigant Perceptions

An example Shriver case:
The tenants complained about extensive mold throughout the master bathroom and the children's bathroom for 18 months. The landlord waited a year before inspecting the unit for the first time. He then failed to take any action to remedy the mold infestation. They had lived in the unit for 7 years and had always paid rent on time, but withheld for one month based on the landlord's failure to make repairs.

The landlord began eviction proceedings, and the Shriver project stepped in to represent the tenant. They arranged for an inspection by the County Health Department. At trial, the inspector testified that there was extensive mold that needed to be addressed by a mold specialist. The landlord tried to establish that the mold was caused by the tenant's "bathing habits," but testimony showed that the tenants had re-painted eight months earlier, and that the extensive mold infestation would not normally have reappeared in eight months, and was probably due to a leak. The judicial officer reduced rent for May and June and ordered the landlord to hire a mold specialist to conduct testing; if the mold is determined to be hazardous, then the landlord must repair it and rent will be reduced pending completion of the repairs. The landlord was ordered to bring evidence of the renovations at a court date scheduled one month out.

Litigant Perceptions at Case Closure

To understand litigants' experience of the unlawful detainer process and their perceptions of Shriver services, telephone interviews were conducted with a sample of litigants at two points in time. Litigants were invited to participate in an interview if they were part of the random assignment protocol at the Kern or San Diego housing pilot projects. The first interview occurred, on average, 1 month after the housing case had closed, and the second interview occurred, on average, 1 year later. This section presents findings from the case closure interviews; the next section describes the 1-year follow-up interviews. The interviews sought to collect litigants' perceptions of procedural justice and fairness, their satisfaction with the goals and outcomes of their case, and the impact the case had on their lives.

Methodology

Sample

All litigants who were randomly assigned to study groups at the San Diego and Kern projects[86] were eligible for a case closure interview and efforts were made to reach all of them. Contacting litigants for an interview was challenging for researchers and legal aid staff, due to the general housing instability that is characteristic of tenants at the end of an unlawful detainer cases. In total, 127 litigants completed a case closure interview, yielding response rates of 40% among full representation cases, 70% among Shriver self-help cases (Kern only), and 49% among comparison cases (Table H61).

Table H61. Proportion of Litigants Interviewed at Case Closure

Project	Total Randomly Assigned *N*	Case Closure Interview *N* (% of total)
San Diego		
Full representation	128	57 (45%)
Comparison	54	22 (41%)
Kern		
Full representation[a]	35	8 (23%)
Shriver self-help	30	21 (70%)
Comparison	30	19 (63%)
Total		
Full representation	163	65 (40%)
Shriver self-help	30	21 (70%)
Comparison	84	41 (49%)

Shriver full representation was available, at both projects, to income-eligible clients facing an

[86] Litigants at the Los Angeles project were not interviewed because the random assignment protocol occurred in LA 2 years after the initial random assignment at the other sites. The study timeline could not accommodate follow-up on these cases.

opposing party with legal counsel. Shriver self-help services were offered only in Kern, for income-eligible litigants facing an opposing party who was not represented—thus, these cases involved two self-represented parties. Shriver self-help included a consultation with an attorney, sometimes in combination with facilitated mediation and/or referral to social services. The comparison group, from both projects, received no Shriver legal aid services.

Case closure interviews were conducted over the phone, approximately 1 month after the end of the unlawful detainer case. Interviewees were asked about their demographic characteristics (Table H62). The majority of litigants in each group were female (although a third of the Shriver self-help group was missing this information). Sizable proportions of each group (34%-52%) did not self-report their race/ethnicity. However, taking these missing data into account, approximately half of the litigants in the full representation and comparison groups were African American or Hispanic/Latino, and one third were White. Among Shriver self-help clients, 29% were White, 14% African American, and 14% Hispanic/Latino.

Table H62. Demographic Characteristics of Interviewed Litigants

Characteristic	Full Representation *N* (%)	Shriver Self-Help *N* (%)	Comparison *N* (%)
Gender			
Female	37 (57%)	11 (52%)	26 (63%)
Male	21 (32%)	3 (14%)	13 (32%)
Missing/unknown	7 (11%)	7 (33%)	2 (5%)
Race/Ethnicity[a]			
Black/African American	20 (31%)	3 (14%)	8 (20%)
Latino/Hispanic	13 (20%)	4 (14%)	12 (29%)
White	21 (32%)	6 (29%)	14 (34%)
Missing/unknown	22 (34%)	11 (52%)	17 (42%)
Education			
Less than high school diploma	8 (12%)	3 (14%)	1 (2%)
High school degree or GED (only)	7 (11%)	9 (43%)	7 (17%)
Any postsecondary education	16 (25%)	2 (10%)	28 (68%)
Missing/unknown	34 (52%)	7 (33%)	5 (12%)

Data source: Case closure interviews.

Full representation *N*=65; Shriver self-help *N*=21; Comparison *N*=41.

[a]Respondents could indicate more than one race/ethnicity. Therefore, percentages do not sum to 100%.

Analytic Approach

Interview data were examined by level of service. That is, full representation clients were combined across both projects, comparison clients were combined across projects, and Shriver self-help clients constituted a third group. When statistical comparisons were possible, bivariate tests (such as chi-square and t-tests) were conducted to compare the study groups. When small sample sizes precluded significance testing, frequencies are shown.

Findings

SATISFACTION WITH CASE OUTCOMES AND PERCEIVED FAIRNESS OF THE LEGAL SYSTEM

Litigants were asked about their satisfaction with their case outcomes and their perceptions of fairness and procedural justice with regard to their case.

Satisfaction with Case Outcomes

Interviewees were asked if what was ordered or agreed to in their case was *about what they expected*, *a lot better, somewhat better, somewhat worse,* or *a lot worse* than what they expected. The Shriver self-help group had the most positive perceptions of their case outcomes. Nearly two-thirds of this group felt their case ended better than expected, with 43% thinking it was *a lot better.* Nineteen percent felt the outcomes were worse than expected. Of the full representation group, half felt their case outcomes were better than expected, with 30% thinking indicating *a lot better.* By contrast, 24% felt their case outcomes were worse than expected. Litigants in the comparison group had, comparably, the most negative perception of their case outcomes, although the perceptions within the group were balanced: 39% felt their outcomes were better than expected and 37% felt they were worse. One quarter of the interviewees in the full representation and comparison groups felt the case outcomes were about what they expected, as compared to 19% of the Shriver self-help group. These differences, shown in Table H63, were notable but were not statistically significant.[87]

Table H63. Outcomes and Litigant Expectations

Overall, what was ordered or agreed to was…	Full Representation	Shriver Self-Help	Comparison
A lot better	19 (30%)	9 (43%)	5 (13%)
Somewhat better	13 (21%)	4 (19%)	10 (26%)
About what I expected	16 (25%)	4 (19%)	10 (26%)
Somewhat worse	3 (5%)	1 (5%)	5 (13%)
A lot worse	12 (19%)	3 (14%)	8 (21%)

Data source: Case closure interviews.
Full representation *n*=63 (2 responses unknown); Shriver self-help *n*=21; Comparison *n*=38 (3 responses unknown).

Litigants' satisfaction with the case outcomes was assessed with one item: "*How satisfied are you with how your case turned out?"* Responses were on a 5-point Likert scale, with 1 being *very dissatisfied* and 5 *very satisfied*. Shriver full representation clients' ratings of satisfaction with their case outcomes was statistically higher than the comparison group ratings (Shriver self-help clients' ratings did not differ from either of the other groups).[88] As shown in Table H64, full representation clients had an average satisfaction rating of 3.6**,** compared with 3.3 for the Shriver self-help group, and 2.6 in the comparison group.

[87] F (2, 119) = 1.994, *p*=.141.
[88] F (2, 114) = 3.178, *p*=.045

Perceptions of Fairness in the Legal Process

Fairness was assessed using a 4-item scale adapted from Frazer (2006) that included statements such as "*My case was handled fairly by the court"* and "*My legal rights were taken into account*." Interviewees were asked to rate how much they agreed with each statement on a 5-point scale, from 1 (*strongly disagree)* to 5 (*strongly agree).* A scale score was calculated by averaging across the items.[89] Higher scores indicate greater perceived fairness with court proceedings. Full representation clients had a mean score of 3.9, Shriver self-help clients had a mean score of 3.7, and the comparison group had a mean of 3.5. No significant differences existed between groups.[90]

Table H64. Satisfaction with Case Outcomes, Perceptions of Fairness, and Perceptions of Procedural Justice by Study Group

Perceptions	Full Representation	Shriver Self-Help	Comparison
Satisfaction with Case Outcomes			
Mean (*SD*) *[sig.]*	**3.6** (1.7)	3.3 (1.7)	**2.6** (1.6)
Median	4	3.5	2.0
Range	1– 5	1 – 5	1 – 5
Fairness of Legal Process			
Mean (*SD*) *[ns]*	3.9 (1.2)	3.7 (1.5)	3.5 (1.2)
Median	4.0	4.0	4.0
Range	1 – 5	1 – 5	2 – 5
Procedural Justice			
Mean (*SD*) *[ns]*	3.8 (1.2)	3.6 (1.7)	3.9 (1.0)
Median	4.3	4.4	4.0
Range	1 – 5	1.13 – 5	1 – 5

Data source: Case closure interviews.
Satisfaction: Full representation *n*=65; Shriver self-help *n*=21; Comparison *n*=41. Fairness: Full representation *n*=50; Shriver self-help *n*=19; Comparison *n*=33. Procedural Justice: Full representation *n*=37; Shriver self-help *n*=9; Comparison *n*=25.
Note. *Sig*.=statistically significant difference between study groups, as indicated by bold font. *ns*=no significant difference between study groups.

Perceptions of Procedural Justice

Perceptions of procedural justice were assessed by an 8-item scale adapted from the Specific Procedural Justice Scale (Bornstein, Tomkins, & Neeley, 2011) that included items such as "*The judge listened to what I had to say"* and "*I was treated the same as others in the same position*." Interviewees rated their agreement with each statement on the same 5-point scale used for the fairness scale. A scale score was calculated as a mean across the items.[91] Higher scores indicate greater perceived procedural justice. Full representation

[89] Mean scores were calculated for litigants who answered at least 75% (3 out of 4) of scale items.
[90] F (2, 120) = 1.014, p=.366
[91] Mean scores were calculated for litigants who answered at least 63% (5 out of 8) of scale items.

clients had an average score of 3.8, Shriver self-help clients had an average score of 3.6, and comparison cases had an average of 3.9. No significant difference existed between groups.[92]

MOVING FROM PRIMARY RESIDENCE AND SUBSEQUENT RESIDENTIAL MOBILITY

Interviewees were asked if, at the beginning of their case, they wanted to move out of their home and if, at the end of the case, they had to move out. As shown in Table H65, within each group, about 60% of litigants wanted to stay in their homes at the start of their case. At the end of the case, 83% of the full representation group and 85% of the comparison group had to move, versus 67% of the Shriver self-help group. Having to move may or may not have been associated with a formal eviction (i.e., being locked out by the Sheriff), as the majority of settled Shriver cases tended to include move-out as a negotiated term.

Table H65. Litigants Moving out of Home

	Full Representation	Shriver Self-Help	Comparison
Wanted to Move at Case Start			
Yes	23 (35%)	6 (29%)	14 (34%)
No	39 (60%)	13 (62%)	25 (61%)
Neutral	2 (3%)	2 (10%)	2 (5%)
Had to Move at Case Closure			
Yes	54 (83%)	14 (67%)	35 (85%)
No	11 (17%)	7 (33%)	6 (15%)
Missing/unknown	0 (0%)	0 (0%)	0 (0%)

Data source: Case closure interviews.
Full representation *n*=65; Shriver self-help *n*=21; Comparison *n*=41.

Residential Mobility among Tenants Who Moved Out

Litigants who reported that they had to move were asked where they went upon leaving their home. One quarter of the full representation group and the Shriver self-help group moved directly into a new rental unit, versus 20% of the comparison group. Moving into another rental property—presumably, with a lease and secure space—is likely an indicator of housing stability.

In contrast, as seen in Table H66, roughly one third of each group indicated that they stayed with friends or family (29% of full representation, 29% of Shriver self-help, 33% of comparison groups). Importantly, moving in with friends/family is typically not considered a stable housing situation. When individuals move in with friends or family because they cannot afford their own space, this condition is typically referred to as being "doubled up for economic reasons" (as opposed to roommates who live in a sufficient space to accommodate them). This scenario can relate to overcrowded conditions, be a precursor to homelessness, and may create potential eviction risk for the renter of the space if the occupancy exceeds what the lease allows.

[92] $F(2, 119) = .176$, $p=.839$.

Studies have linked eviction to homelessness (Crowley, 2003; Holl, van den Dries, & Wolf, 2016; Houseman, 2014). Notably, at case closure, four (6%) full representation interviewees and two (5%) comparison interviewees reported being homeless (e.g., living in a shelter, abandoned building, or outside). Another 12 (19%) full representation and nine (22%) comparison litigants said they moved to a hotel or motel, which does not constitute stable or long-term housing. In addition, several litigants in each group reported being still unsure where they would go (3%-5%). Thus, these individuals could also be considered homeless. Together, these responses suggest that 28% of the full representation group and 32% of the comparison group were essentially homeless at the end of their unlawful detainer case. It is important to consider that these figures may very well be underestimates, in that litigants who became homeless after case closure would have been the most difficult to locate for an interview.

Table H66. Living Situation at Case Closure

Upon case closure, tenant moved to…	Full Representation	Shriver Self-Help	Comparison
New Rental	17 (26%)	5 (24%)	8 (20%)
Friends/Family	19 (29%)	7 (33%)	12 (29%)
Motel/Hotel	12 (19%)	0 (0%)	9 (22%)
Shelter/Outside/Homeless	4 (6%)	0 (0%)	2 (5%)
Subsidized Housing/Supported Living Env.	0 (0%)	0 (0%)	2 (5%)
Other (Uncertain/Still looking)	2 (3%)	1 (5%)	2 (5%)
Unknown/declined to answer	11 (17%)	8 (38%)	6 (15%)

Data source: Case closure interviews.
Full representation *n*=65; Shriver self-help *n*=21; Comparison *n*=41.

Interviewees were asked if they still lived in the same place to which they moved when their case ended. Recall that interviews were conducted, on average, 1 month after case closing; thus, moving multiple times during this period may be indicate housing instability. One quarter (24%; *n*=10) of comparison litigants were no longer living in the same place, whereas 11% (*n*=7) of full representation clients and one (5%) Shriver self-help client had moved again.[93]

Of the 18 litigants who moved a second time, five obtained a new rental—three of whom were in the full representation group. Most of the comparison group (70%; *n*=7) had moved in with friends and family. All of those seven litigants were transitioning from other unstable housing situations: three had been staying with other friends/family, one had been living in a shelter or outside, one had stayed in a motel and a car, and one had been living at a training center.

[93] $\chi^2 = 5.681$, $p=.058$

Table H67. Residential Mobility between Case Closure and Interview

	Full Representation	Shriver Self-Help	Comparison
Did tenant move again before interview?			
Yes	7 (11%)	1 (5%)	10 (24%)
No	47 (72%)	10 (48%)	23 (56%)
Unknown/declined to answer	11 (17%)	10 (48%)	8 (20%)
Of those who moved again, they moved to…			
New Rental	3 (43%)	1 (100%)	1 (10%)
Friends/Family	2 (29%)	0	7 (70%)
Other	2 (29%)	0	2 (20%)

Data source: Case closure interviews.
Full representation *n*=65; Shriver self-help *n*=21; Comparison *n*=41.

IMPACTS OF THE UNLAWFUL DETAINER CASE FOR LITIGANTS

Litigants were asked an open-ended question about how their unlawful detainer case had impacted their lives. Overall, litigants overwhelmingly reported that the case had negatively impacted them. Across groups, there were 96 responses that described negative impacts and 35 reflective of beneficial impacts (16 interviewees said the case had no impact on their life). The most common themes are listed in Table H68.

Themes that emerged across the groups included having nowhere to go (and being homeless), enduring financial hardship or loss of a job, suffering general stress, having bad credit (and difficulty finding housing), and having problems with transportation. One quarter of comparison litigants felt they had nowhere to go at the end of their case, versus 15% of full representation clients. Twenty percent of comparison litigants endured financial hardship, opposed to 10% of full representation clients. One quarter of Shriver self-help clients suffered general stress as a result of the case, and 14% struggled with bad credit and difficulty finding housing. By contrast, seven litigants (11%) who received full representation reported feeling vindicated or coming to a resolution with their landlord, compared to one litigant in the other groups. Four (19%) self-help litigants reported moving to a better place, versus 5% or fewer of the other two groups.

Table H68. Case Impact on Litigants' Lives by Study Group

Response Themes	Full Representation	Shriver Self-Help	Comparison
Nowhere to go/Homeless	9 (15%)	2 (10%)	9 (26%)
Financial hardship/Job loss	6 (10%)	2 (10%)	7 (20%)
General Stress	5 (8%)	5 (24%)	4 (11%)
Bad credit/Difficulty finding housing	4 (7%)	3 (14%)	3 (9%)
Transportation problems/School changes	3 (5%)	2 (10%)	2 (6%)
Vindication/Resolution with landlord	7 (11%)	1 (5%)	1 (3%)
Moved into a better place	3 (5%)	4 (19%)	1 (3%)

Data source: Case closure interviews.
Full representation *n*=61 (4 unknown responses); Shriver self-help *n*=21; Comparison *n*=35 (6 unknown responses).

Themes were also compared across litigants who were ordered to move at the end of their case (whether by court order or stipulation) and those who did not have to move (Table H69). Among those who had to move, 19% felt they had nowhere to go, 11% endured financial hardship, and 11% suffered general stress. Few (4%) reported feeling resolution with the landlord or having moved to a better place. By contrast, of those who did not have to move, 23% felt vindication or resolution with their landlord and 18% moved to a better place.

Table H69. Case Impact on Litigants' Lives by Award of Possession

Response Themes	Had to Move	Did Not Have to Move[a]
Nowhere to go/Homeless	20 (19%)	0 (0%)
Financial hardship/Job loss	12 (11%)	3 (9%)
General Stress	12 (11%)	2 (9%)
Bad credit/ Difficulty finding housing	9 (9%)	1 (5%)
Transportation problems/School changes	7 (7%)	0 (0%)
Vindication/Resolution with landlord	4 (4%)	5 (23%)
Moved into a better place	4 (4%)	4 (18%)

Data source: Case closure interviews.
Had to Move *n*=105; Did Not Have to Move *n*=22.
[a]Although these litigants report not being forced to move, most of them chose to.

Other Services Received by Litigants

Litigants were asked if they sought any government or community services or resources to help them with their situation during their housing case, followed by a question about their success in getting the resources or services they sought. Thirty-two percent of interviewees in the full representation group reported seeking social services such as housing assistance, financial assistance, and medical assistance; of those who sought services, 29% received them. Similarly, 33% interviewees in the Shriver self-help group sought social services; of those, 57% received them. (Recall that part of Shriver self-help was connection with the social services coordinator in the Kern project.) Relative to the Shriver groups, a higher proportion of comparison group litigants sought social services: 42% of interviewees in the comparison group sought services and of those, 41% received them. Across groups, of those who sought services, between 43% and 67% were not successful in accessing them.

Table H70. Services Requested and Received by Litigants

	Full Representation	Shriver Self-Help	Comparison
Did you seek services?			
Yes	21 (32%)	7 (33%)	17 (42%)
No	44 (68%)	13 (62%)	24 (59%)
Declined to answer	0	1 (5%)	0
Did you receive those services?			
Yes	6 (29%)	4 (57%)	7 (49%)
No	14 (67%)	3 (43%)	10 (59%)
Unsure	1 (5%)	0%	0%

Data source: Case closure interviews.
Full representation *n*=65; Self-help *n*=21; Comparison *n*=41.

Summary

One hundred and twenty-seven litigants from San Diego and Kern Counties, who were randomly assigned to study groups, were interviewed approximately 1 month after their unlawful detainer case had closed. This sample included clients who had received Shriver full representation, those who had received Shriver self-help services (Kern only), and litigants who had received no Shriver services (comparison). Across groups, there were twice as many female as male litigants. Of those who provided information about race, over half were White.

When asked about their perceptions of how their unlawful detainer case ended, over half of Shriver clients—both full representation and self-help—felt that their cases outcomes were better than they had expected, versus just over one third of comparison litigants. When asked to rate their satisfaction with their case outcomes, full representation clients' reported being marginally satisfied (a mean score of 3.6 on a 5-point scale), and their ratings were significantly higher than those of comparison litigants. On average, litigants in all groups perceived modest levels of fairness in the legal process (mean scores = 3.5-3.9 on a 5-point scale) and of procedural justice (mean scores = 3.6-3.9 on a 5-point scale), and there were no significant differences in these perceptions among the groups.

Approximately two thirds of each group wanted to stay in their homes. However, consistent with earlier data from the program services database and court case files, the majority of litigants ended up moving out at the end of their unlawful detainer case. A larger proportion of the full representation group and comparison group (approximately 85%) had to move as part of the court order or stipulation, as compared to 67% of the Shriver self-help group. Of those litigants forced to move, one quarter of the full representation and Shriver self-help groups moved directly into a new rental unit, versus one fifth of the comparison group. By contrast, a sizable proportion of all three groups appeared poised to suffer acute housing instability. This finding was demonstrated by approximately one third of litigants moving in with friends or family, roughly one fifth of the full representation and comparison groups moving to a hotel/motel, another 5% of these two groups going to a shelter or the street, and another 5% of all three groups feeling uncertain about where they would go. Indeed, this instability became further apparent, especially for the comparison group. At the time of the interview (approximately 1 month after the case ended), one quarter of the comparison group litigants had moved a second time, versus 9% of full representation and 5% of self-help clients.

When asked about how the unlawful detainer case had influenced their lives, litigants related several negative impacts. Not surprisingly, many reported stress, anxiety, and hardship associated with the case, including having nowhere to go (and being homeless), enduring financial hardship or loss of a job, suffering general stress, having bad credit (and difficulty finding housing), and having problems with transportation. However, a minority of litigants (most of whom had received Shriver full representation) reported some positive impacts of the case closure, including feeling vindicated or having reached resolution with the landlord and having moved to a better place.

Litigant Perceptions 1 Year After Case Closure

The 1-year follow-up interview study sought to gain a deeper understanding of the lives of unlawful detainer litigants after their cases had resolved. Forced relocation can impact many areas of people's lives, including employment, education, healthcare, and social networks. Litigants were asked about their experiences in these areas, services they sought and received since their case ended, and reflections of the impact of the unlawful detainer case on themselves and others. Because of the small sample size, and the challenges inherent in locating tenants who moved, these findings may not generalize to all unlawful detainer litigants. However, they provide some insight into the circumstances of low-income people experiencing forced relocation.

Methodology

Sample

Respondents for the follow-up interview were recruited from the 127 litigants who completed a case closure interview (see previous section). Multiple attempts were made to reach litigants using any contact information available, including U.S. postal mail, telephone, text, and email. When all of the existing contact information was exhausted, interviewers turned to internet searches in a final attempt to connect with participants. In total, 66 individuals were interviewed at the 1-year follow-up point—specifically, 45 litigants who had received Shriver services[94] (either full representation or Shriver expanded self-help; "Shriver Services") and 21 litigants who did not receive Shriver services ("comparison"). As shown in Table H71, this sample constituted a response rate among the case closure interviewees of approximately 50%.

Table H71. Number of Study Participants That Were Interviewed

Project	Randomly Assigned *N*	Case Closure Interview *N*	Follow-Up Interview *N* (% of case closure interview)
San Diego			
Shriver clients	128	57	29 (51%)
Comparison	54	22	12 (55%)
Kern			
Shriver clients[a]	65	29	16 (55%)
Comparison	30	19	9 (47%)
Total			
Shriver clients	193	86	45 (52%)
Comparison	84	41	17 (41%)

[a] Due to small sample sizes at follow-up, full representation and Shriver self-help clients were combined into a single group of Shriver clients.

[94] Due to small sample sizes—in particular, only six litigants who received Shriver self-help were located—litigants who received any form of Shriver service (full representation or self-help) were combined for analysis.

Follow-up interviews were conducted over the phone and happened, on average, 52 weeks after the litigant's case had closed (range = 28 to 63 weeks). Similar to the Shriver service population broadly, the majority (76%) of the interview sample were women.

Analytic Approach

Follow-up interview data were analyzed qualitatively to identify main emergent themes among respondents. Some questions elicited complex answers, such as the one asking about the case's impact on the litigant's life, and responses were organized by theme(s). Content analysis was also used to categorize some information. For example, respondents were asked a series of questions about their service needs across different areas. Based on their answers, each litigant was categorized as having a need or not, having received service or not, and so forth. Frequencies were used to display results. The small sample sizes precluded significance testing.

The 1-year interview questions were not direct follow-up inquiries to the case closure interview—that is, the interview studies were separate explorations, not two parts of a longitudinal study. This reason, and a retention rate that is likely biased in favor of more stable respondents at 1 year, precluded the ability to analyze data from the two interviews together.

Findings

Living Situation

Of the litigants reached for a follow-up interview, all but one had to move out of their home at the end of their unlawful detainer case (Table H72). At 1 year later, among those who were interviewed, 71% of the previous Shriver clients were living in a new rental unit, versus 43% of the comparison group. Shriver clients' ability to find a new rental property may be due to the elements of their unlawful detainer case that were supportive of their longer term housing stability, such as protected credit and masked court records.

Table H72. Living Situation Among Litigants Reached at Follow-Up Interview

Living Situation	Shriver Clients	Comparison
Result of case judgment		
Moved	44 (98%)	21 (100%)
Stayed in home	1 (2%)	0 (0%)
At case closure, relocated to…		
Another rental unit	16 (36%)	6 (29%)
Family/friends	21(47%)	10 (48%)
Homeless	4 (9%)	1 (5%)
Other	3 (7%)	4 (19%)
At follow-up interview, living in…		
Rental unit	32 (71%)	9 (43%)
Family/friends	10 (22%)	10 (48%)
Homeless	2 (4%)	1(5%)
Other	1 (3%)	1(5%)

Note. Data source: 1-year follow-up interview.
Shriver clients *N* = 45; Comparison *N* = 21.

One in five Shriver clients (22%) was living with friends/family at follow up, versus half (48%) of comparison litigants. As described in the previous section, being "doubled up" for economic reasons constitutes unstable housing and can be a precursor to homelessness. A small proportion of both groups reported being homeless at 1 year (two Shriver clients and one comparison litigant). This proportion may be small because most litigants had found alternate living arrangements by 1 year after their case closed, or because those who were homeless were unable to be located for an interview.

Forced Relocation

Between the case closure and follow-up interviews, litigants moved an average of 2 times. Number of moves for the Shriver group ranged from 0 to 8, with 76% moving once or twice. Number of moves for the comparison group ranged from 1 to 4, with 81% moving once or twice.

When asked about their relocation, the majority (80%; *n*=53) of interviewees reported not having any housing options other than the one they found. For those who felt they did have another option, it was typically family and sometimes out of state. Many individuals explained their income was too low to afford anything else, and several respondents were recently unemployed and had no income. Other obstacles to obtaining a new rental included experiencing difficulty saving for the deposit in time for the move-out and having an eviction judgment on their record (mentioned by two Shriver clients and three comparison). Finally, a few people discussed transportation issues. One explained, "Even if I did find something affordable, it's hard to get around. Gas is too expensive." When asked about alternative housing options, one respondent explained, "None. I tried some of the places around here and no matter what I did, I couldn't get in. I told them I was a diabetic with my own funds and could pay once a month. Now that my car has been stolen, I can't get around." This individual's car was recovered by police, but towed before she could get to it, and she was unable to pay the tow and impound fees. A chronic lack of resources was a common theme throughout the interviews.

None of the respondents reported being forcibly removed from the home (i.e., locked out by the Sheriff). One interviewee came close and explained, "The sheriff came to force the eviction but we were mostly moved out and handing over the keys." This individual added that, "The sheriff said this was the nicest he'd seen a house after an eviction." A few people indicated that their eviction notices were posted or given to them by the sheriff or police. One person reported, "I left before the actual lockout."

Interviewees described their reasons for moving (before being forcibly evicted). Of these, two litigants described moving because of habitability issues, such as "mold and mildew" and "roaches and bugs." One litigant explained, "The landlord found out I called a housing inspector, because I was on oxygen and smelled leaking gas," and felt that this complaint had prompted the eviction notice. A few people moved due to interpersonal issues. For example, one litigant explained that the management did not like her and another reported that his landlord was rude. Three interviewees decided to move after the threat of eviction, and two left due to foreclosure. Four people reported financial problems, including loss of employment, and not being able to pay their rent on time. There were also a few other, case-specific reasons. For example, one tenant explained that, "A new company bought the apartments from the previous owner, and without

any written information on who the new people were, a representative put eviction notices on everybody's door for nonpayment."

Affordable Housing

Across all 66 litigants, when asked if they were able to find affordable housing, one in five (20%; *n*=13) respondents said they did. The remainder were unable to locate affordable housing and those who were renting described being rent-burdened. Options that were more financially affordable tended to come with different social costs. Some interviewees explained that the only housing they could afford without substantial cost burden was in a "bad part of town" or a "crime-ridden area."

At the time of the follow-up interview, only one interviewee was receiving subsidized housing assistance or Section 8. (Recall that current Section 8 recipients were excluded from random assignment.) Since case closure, 26% (*n*=17) had applied for Section 8 or were on a waiting list. One was told that the waiting list would not reopen for additional names for another 2 years. Many litigants had already been on the waiting for long periods of time, some as long as 6 years.

EMPLOYMENT & FINANCIAL STATUS

Employment Status. At the time of their housing case, all litigants were screened for financial eligibility for Shriver services before being randomly assigned. Thus, all litigants in both study groups could not have an income of over 200% of the Federal Poverty Level. At the time of the follow-up interview, respondents were asked about their current employment status. Across all 66 interviewees, 39% (*n*=26) were not employed, 32% (*n*=21) were employed full-time, 15% (*n*=10) were employed part-time or temporarily, 11% (*n*=7) reported being on work disability, and 3% (*n*=2) were retired. Employment status by study group is shown in Table H73.

Interviewees were also asked if they had lost a job, started a job, or received unemployment compensation since their housing case had closed. Across all interviewees, 21% (*n*=14) reported they had lost a job, 38% (*n*=25) reported starting a new job, and 17% (*n*=11) reported receiving unemployment compensation.

Table H73. Employment Status of Follow-Up Interviewees

Employment	Shriver Clients	Comparison
Current Employment Status		
Employed, full-time	16 (36%)	5 (24%)
Employed, part-time/temporary	6 (13%)	4 (19%)
Unemployed	16 (36%)	10 (48%)
On disability	5 (11%)	2 (10%)
Retired	2 (3%)	-
Employment Changes since Case Closure		
Lost a job	10 (22%)	4 (19%)
Started a new job	18 (40%)	7 (33%)
Received unemployment	9 (20%)	2 (10%)

Data source: 1-year follow-up interview.
Shriver clients *N* = 45; Comparison *N* =21.

Public Assistance. Each county in California participates in federal public assistance programs, including the Welfare to Work program, which assists recipients in obtaining employment; Women, Infants and Children (WIC) program, which provides supplemental foods, health care referrals, and nutrition education to pregnant women and children age 5 and younger; and Temporary Assistance to Needy Families (TANF), which provides cash assistance to low-income parents with dependent children. Of the litigants interviewed at follow-up, 21% (*n*=14) reported receiving one or more of these types of assistance, including 18% (*n*=8) of the Shriver clients and 29% (*n*=6) of the comparison group.

The federal Supplemental Nutrition Assistance Program (SNAP; "food stamps") is also organized on a local level and named "CalFresh". Two thirds of interviewees (65%; *n*=43) were receiving these benefits at the time of the interview, including 64% (*n*=29) of the Shriver clients and 67% (*n*=14) of the comparison group.

HEALTH & INSURANCE

A 2010 Gallup health study of over 200,000 adults found that individuals with an annual income of less than $24,000 experienced inferior mental and physical health compared to those with higher incomes. In the associated report, Mendes (2010) noted that, "Low-income Americans are more likely than their high-income counterparts to say they have been diagnosed with each of the chronic conditions Gallup asks about. The differences are largest for depression, high blood pressure, and diabetes."

Litigants were asked about any chronic health conditions or major illnesses since their unlawful detainer case had closed. Half (*n*=32) reported no major health problems. Nine percent (*n*=6) mentioned stress and anxiety as a major health problem, 11% (*n*=7) reported being diabetic, and 9% (*n*=6) reported back pain. Other major health problems mentioned by one or two respondents included asthma, broken bones, chronic pain, high blood pressure, neuropathy, seizure disorder, bone spurs, heart problems, depression, arthritis, sciatica, and glaucoma. Fourteen interviewees reported receiving disability payments for their health condition.

Healthcare can be a substantial cost for low-income people and, when provided to people who cannot pay for it, for the healthcare system generally. When asked about medical insurance, respondents reported having publicly-funded insurance (65%; *n*=43), private insurance (21%; *n*=14), or no coverage (9%; *n*=6); and 3 did not answer the question. Across both groups, 24% (*n*=16) of respondents reported going to the emergency room since their case closed; of these, 11 had public insurance, 4 had private insurance, and 1 had no insurance. Nine percent (*n*=6) reported visiting urgent care; of these, 5 had public insurance and 1 had private insurance.

CRIMINAL JUSTICE INVOLVEMENT

Using data from the National Crime Victimization Survey, research from the U.S. Department of Justice indicates that violent victimization is more than twice as likely for individuals living in households at or below the Federal Poverty Level than those in high-income households (Harrell, Langton, Berzofsky, Couzens, & Smiley-McDonald, 2014). Findings also show that between 2008 and 2012, individuals in low-income households reported violence to police at higher rates and

had higher rates of firearm-involved violence than higher-income households. Similarly, Heller, Jacob, and Ludwig (2011) posit, "Criminal offending and victimization are disproportionately concentrated among disadvantaged people living in economically distressed areas" (p. 419). Research does not indicate that poverty is necessarily a predictor of involvement in the criminal justice system, but that those with the least financial resources are less able to avoid sanction and incarceration (Lyons & Walsh, 2010).

Despite their relative level of economic hardship, interviewees rarely reported involvement with the criminal justice system in the year since their housing cases closed. Of the 66 interviewees, 6% (*n*=4) reported being arrested and 3% (*n*=2) reported spending time in jail. One respondent was on probation and eight (12%) reported having had contact (investigations only) with Child Protective Services during this time.

WHAT SERVICES WERE NEEDED AND/OR UTILIZED?

Interviewees were asked about the various services they had received since their cases closed. Over two thirds (68%; *n*=45) reported receiving "healthcare services." These services included regular check-ups; appointments for chronic conditions, such as congestive heart failure and diabetes; pregnancy care; emergency care; and healthcare services received in the home. Fifteen interviewees reported having received mental health services, and one respondent reported receiving treatment for alcohol or drug use. Two respondents reported receiving legal services beyond their housing cases, including one for child support. Three respondents reported receiving publicly-funded transportation services. Two respondents were military veterans or living with a military veteran and received Veterans Affairs services. Table H74 shows the percent of litigants in each study group that received services.

Table H74. Services used Since Case Closure

Services	Shriver Clients	Comparison
Healthcare Services	33 (73%)	12 (57%)
Mental Healthcare	9 (20%)	6 (29%)
Legal Services	1 (2%)	1 (5%)
Veterans Affairs Services	1 (2%)	1 (5%)
Transportation Services	1 (2%)	2 (10%)

Data source: 1-year follow-up interview.
Shriver clients *N* = 45; Comparison *N* = 21.

WHO IN THE HOUSEHOLD WAS IMPACTED BY THE RELOCATION?

Interviewees were asked about others in the household who may have been impacted during the unlawful detainer case, and family members—most often children—were frequently mentioned. Nearly half (*n*=31) reported that children in the household were impacted by the move, and another 20% (*n*=13) reported that "sons" and "daughters" in the household had been impacted, but age was not ascertained (so, in some cases, these may have been other adults in the household). One in three litigants (*n*=22) said no one else was impacted.

WHAT IMPACT HAS THIS CASE HAD ON LITIGANTS' LIVES?

Interviewees were asked, "Overall, how has this case impacted your life?" Statements were extracted from all interviews, by an analyst who was blind to the study group membership of each litigant, and coded.

The majority of interviewees in both study groups gave generally negative comments about the impact of the unlawful detainer case on their lives (see Table H75). Specifically, nearly two thirds (63%) of Shriver clients and 82% of the comparison group shared negative perceptions. Some reported that their mental health had been impacted by the case, as indicated by their increased stress, anxiety, and/or depression, describing the experience as "traumatic" and "devastating." A few individuals expressed a sense of hopelessness, others were concerned about the lack of stability, fear about where they would go, and worry about how to care for their families.

Although a minority of both groups offered generally positive comments, the proportion of litigants with a positive perspective was twice as high among previous Shriver clients (37%) as among the comparison group (18%). These positive perceptions had more to do with the legal aid services they received than about the case itself. When asked about their unlawful detainer case, previous Shriver clients consistently mentioned the impact of having an attorney and the feeling that they were not alone, and others talked about what might have happened if they did not have legal aid. They also explained what they had learned about the process and housing laws. Finally, some saw the case as the impetus for a new start. One person explained that it was motivation to "better my life." Comments from the litigants' interviews are listed below.

Table H75. Case Impact on Lives of Litigants

Valence of Comments	Shriver Clients	Comparison
Generally Positive	15 (37%)	3 (18%)
Generally Negative	26 (63%)	14 (82%)

Data source: 1-year follow-up interview.
Shriver clients *N* = 41, Comparison *N* = 17.
Note. Eight control group respondents are not included in the counts above because they refused to answer, said the case had no impact, or gave ambiguous answers.

Below is a sample of statements made by litigants during the follow-up interview, chosen as generally representative of what was being reported by all 66 respondents. Some statements have been altered slightly for purposes of clarity.

Comments from Shriver Clients

<u>Generally Positive Impact</u>:

I would say it gave me the freedom to sleep easily knowing the law was on my side. The attorney that handled my case was very helpful and answered all of my questions.

I'd say it made it for the better. If it wasn't for the court giving us more time to move out, we wouldn't have found our house in [another state].

I think it was fabulous because I didn't have to worry about it going on my record. It was a positive thing considering what could have happened. I would recommend it to anyone and not just let landlords do whatever they want to. Nine times out of 10 people just take it.

It helped me out a lot. It was a great help. Without the service I would have ended up in court paying the amount they wanted. I didn't have to pay the fees that the landlord wanted.

It motivated me to better my life. It was motivating between the legal process and the homeless center…to get my life in order for me.

Positive. I am in a better place right now. Not in the roach infested, slumlord place.

When it started I was terrified. It was the most awful feeling in the world. Once I went to legal aid, it gave me a sense that I wasn't alone. I felt like a person.

It gave me a broader knowledge of what my rights are as a renter. I know that if I had any concerns with paying rent, what I can and can't do if things don't get done in a timely manner by the landlord. When you've given them proper notification, then what steps can be taken as far as whether you should pay rent for that time.

Generally Negative Impact:

It affected my whole world. I felt loss of self because of being homeless. I have less confidence and feel stuck.

I feel like I'm in a bucket of crabs. Every time I take two steps up, something pulls me back down.

It made my depression and anxiety worse. It's hard for me to trust people that I am trying to rent from. I had to step down to a small apartment and had to give my dog to another household.

It put me into depression. I was [in former place] for 21 years. I lost a lot - had to give up cats, birds. The dog was put down. I sold off furniture to downsize for a rinky-dink new place.

It's taken a really big toll on our lives. Our lives have been nothing but stress and chaos since the first case. I think from the start from the first case the system wasn't there for us. The first housing was a foreclosure and we weren't responsible.

The move presented an economic hardship in having to relocate and refurnish a new apartment with beds, etc., so children will have a bed to sleep in. It was too expensive to move the furniture.

It was pretty devastating. It shook my life up. I lived in my housing for seven years.

I went through a lot, but I got through it. A lot of stress and worries.

Comments from Comparison Litigants

Generally Positive Impact:

It's gotten me to refocus and rethink some things. I grew and learned from it.

I didn't realize until after I moved that it affected me a lot. I started getting better when we moved. My seizures started going down. Before I was getting them frequently. My daughter does not get as many skin flare ups. I do miss a bigger space to put my stuff in, but I would give that up to help my health.

Generally Negative Impact:

It was a learning experience for sure. It's all been self-inflicted. Now, I'm making sure it doesn't happen again and thinking about other people in the family because everyone suffers.

I stress out every day. It's been very hard…wish I could win the lottery. I play every day.

The stability of my life and family was torn apart. My son blamed me. My wife, it worsened her mental health problems. It tore my mind apart. It tore my confidence up. I was suicidal. But thank God. I am coming back. I am still here and I am still living.

It left me pretty shaken, but I'm hanging in there like anyone else. This was the first time I had an eviction or a case like that.

It made it hard. It's made it difficult to find housing for my family. It's tainted our reputation. We received a bad reference from a previous landlord and it's been really hard.

It's very traumatic being accused of something that you didn't do. We couldn't get our mail. You can't put in a change of address card when you live at a motel.

At the end of the interview, respondents were asked to rate the impact the case had on their lives on a scale from 1 ("generally positive") to 5 ("generally negative)," with 3 being "neither positive nor negative." Shriver clients had a mean score of 2.7, versus the comparison group's mean score of 3.4, indicating that Shriver clients tended to feel more positively about their circumstances related to their housing case.

Summary

Several months after their unlawful detainer case, of the 66 litigants who were interviewed, nearly all described fairly stressful and unstable life circumstances, including low financial security, considerable health concerns, and a general and chronic lack of resources. This result was true for litigants in both study groups. Where the groups differed the most was their living situations: Overall, of the 66 litigants interviewed 1 year after their case ended, Shriver clients reported having more stable housing situations than their comparison counterparts.

All interviewees except for one had moved out of their residence at the end of their housing case. One year later, 71% of Shriver clients had obtained a new rental unit, compared to 43% of litigants who did not receive Shriver services. Though a notable proportion of litigants were either homeless or unstably housed, this was the case for twice the proportion of comparison litigants than Shriver clients. One quarter of the Shriver clients were in this situation, with 22% living with friends/family and 4% homeless. By contrast, 53% of the comparison group were unstably housed, with 48% doubled up with friends/family and 5% homeless.

The increased housing stability for Shriver clients may be a result of the work of the Shriver legal aid attorneys by negotiating terms such as protecting credit records, keeping the court cases off the public record, and obtaining neutral references from landlords. Together, these elements make it easier for tenants for find replacement housing.

It was evident from the interviews that the circumstances related to possible eviction and the court process were stressful for almost everyone. When asked about the impact of the case on their lives, 63% of Shriver clients relayed negative perceptions, versus 82% of the comparison

group. Litigants in both groups reported that the case negatively impacted their mental health, including increases in depression and anxiety, and that they suffered from the lack of stability and stress of having nowhere to go. Being forced to move not only impacted the litigant, but also others in the household, most notably dependent children.

A minority of litigants in both groups reported that the case had positive impacts for them. However, twice as many Shriver clients (36%) as comparison litigants (18%) relayed positive perceptions. Any positive impact typically pertained to the receipt of legal aid services and feeling supported in the otherwise stressful process. The presence of a legal aid attorney helped some clients make the stressful experience of an unlawful detainer case manageable, and in some cases, a motivation for a new start.

These findings are based on a small sample (66 litigants in total) and may be biased toward litigants who were more stable and therefore more easily located 1 year after their housing case. This bias may mean that the number of individuals who were homeless is an underestimate relative to the population as a whole. However, it is important to note that even with this potential bias, which would have been equally present for both the Shriver and comparison groups, a notable difference was found regarding housing stability, indicating that a larger proportion of Shriver clients were able to find alternate housing within 1 year and fewer were doubled up with relatives and friends.

Shriver Housing Pilot Projects

Stakeholder Perceptions

An example Shriver case:
The Shriver project represented tenants at trial in an improper notice case. The tenant had paid $1100 of her $1199 rent by money order because of a problem with the money order machine. She tendered the amount by certified mail which was received by the landlord on April 5th. On April 6th, the landlord served a 3-day notice seeking $1199 in rent and told her she could not pay $99, which was all that was owed at the time the notice was served, because they were mailing back the money order. The landlord waited until the 3 days expired and then mailed back the money order on April 10th. The tenant tried to tender the entire amount on April 12th when she received her original money order in the mail, but the landlord told her the rent would not be accepted. When the landlord refused to settle, Shriver Counsel represented the tenant at trial and the judicial officer entered judgment for the tenant.

STAKEHOLDER PERCEPTIONS

Telephone interviews were conducted in 2015 with stakeholders (staff and partner agency personnel) at all six housing pilot projects. Interviewees were asked about the impacts they perceived the Shriver housing pilot project had on litigants, the court, and the community. This section provides a summary of their responses gathered across the sites, presented separately for staff members from legal aid services agencies and the courts.

Methodology

SAMPLE

Legal aid services agencies. Interviews were conducted with 15 legal aid representatives from the six pilot projects (two in Kern County, three in Los Angeles County, three in San Diego County two in Sacramento County, four in Santa Barbara County, and one in Yolo County).

Superior courts. Attempts were made to interview relevant court personnel in all six counties. Interviews were conducted with seven court representatives from three of the six projects (a judge in San Diego County; a referee and self-help attorney in Yolo County; and two judges, the Housing Settlement Master, and a file clerk supervisor in Santa Barbara County).

ANALYTIC APPROACH

Interview questions about project impacts were open-ended and stakeholders' responses were captured as close to verbatim as possible during the phone interview (none were audio-recorded). Responses were then summarized to represent the main themes articulated by the interviewees. Data were analyzed separately for stakeholders from legal aid and from the court.

Legal Aid Services Agencies Staff Perceptions of Project Impacts

IMPACT OF SHRIVER PROJECT GENERALLY

Overall, legal aid services stakeholders felt that the Shriver housing pilot project allowed low-income tenants meaningful access to the judicial system and gave them the knowledge that legal aid attorneys were there to help with their cases. Stakeholders also mentioned that Shriver funding allowed an increase in legal aid staff, which led to the provision of more services, which, in turn, changed the flow of cases and increased overall efficiency.

IMPACT ON DEFENDANTS IN UNLAWFUL DETAINER CASES

The majority of legal aid stakeholders described how Shriver services helped to "level the playing field" for low-income tenants faced with an eviction. Respondents explained that, without Shriver services, tenants who receive an eviction notice are often scared and do not do anything. Without help, tenants often default (merely by not filing an answer) and are then evicted. In this common scenario, their credit is negatively impacted, making it even more challenging to obtain replacement housing. Interviewees felt that Shriver services have helped alleviate this situation for many low-income tenants.

Legal aid stakeholders thought that tenants receiving Shriver representation were able to stay in their homes more often than self-represented litigants did and, importantly, were able to

retain their subsidized housing vouchers. "Lives that would have been in turmoil made it through [the case] without homelessness or families coming apart," reported one interviewee. Another stakeholder explained that as many as one third of legal aid clients have a disability and Shriver attorneys are able to help those tenants using provisions of the Fair Housing Act. With Shriver services, "tenants' rights are preserved."

Moreover, many legal aid staff emphasized the importance of settling cases and felt that settlements were more likely and terms were better, when both sides had legal representation. Interviewees mentioned that when parties are able to negotiate an agreement, as opposed to being forcibly and quickly removed from the home, tenants and their families benefit from the afforded stability. For example, children are able to remain in their school district and are not uprooted and missing school days, and other services for the family are not disrupted.

Even if clients are not able to stay in their current housing, interviewees explained, the relocation is made less stressful by the tenants having legal assistance to help negotiate terms and provide education about the court process. Stakeholders felt that legal representation affords defendants a "more stable transition" to alternate housing. For example, attorneys can work to support their clients' ability to rent in the future by ensuring that the unlawful detainer case does not impact their credit (this is not something self-represented litigants can generally do for themselves). The critical importance of this kind of support for the longer term was obvious to interviewees; as one stakeholder put it, "Housing stability is life and death."

IMPACT ON LANDLORDS

Legal aid stakeholders had differing perspectives on how their Shriver project had impacted landlords in their area. One interviewee explained that balanced representation can help the landlord and the tenant be more reasonable in a situation that can be very emotional. Some landlords appreciate the legal services for defendants, because in eviction circumstances, a tenant can otherwise be emotionally driven. In projects that assisted landlords, legal aid stakeholders explained that, "Very small mom and pop landlords don't know how to give notice. Shriver services are beneficial to them." On the other hand, interviewees felt that some landlords did not like the Shriver project because they were more likely to be held accountable by Shriver attorneys if they were doing something incorrectly.

Legal aid stakeholders also explained that the Shriver projects had impacted the way landlord attorneys handled unlawful detainer cases. One interviewee described that Shriver services had "eased the whole process for the landlord bar and the court." Specifically, because attorneys were familiar with the process, landlord attorneys were no longer resistant to talk to the defendant's attorney. Another respondent explained that landlord attorneys were now "more amenable to negotiations and agree to reasonable settlements." Many felt that, prior to the Shriver project, landlord attorneys would not settle even if the tenant had a strong case.

One legal aid interviewee mentioned that landlord attorneys did not like the Shriver project in their county because it made their job more difficult. This interviewee explained that evictions used to be fairly easy and affordable for landlords. However, with legal representation being provided to low-income tenants, some landlords were now spending more time and money and had to really consider what they were doing and whether they had a case to take to trial. This respondent explained how this was a result of "leveling the playing field."

IMPACT ON THE COMMUNITY

Some legal aid interviewees thought that as a result of the Shriver project, the community knew more about the legal aid services that were available to them. Staff reported an increase in the number of calls they were receiving from tenants facing eviction. Likewise, other agencies were referring clients to their Shriver project as the program's recognition grew in the community.

One interviewee explained that, through the Shriver project, low-income community members now had a way to "get out with some dignity" and the opportunity to positively impact their own future. Additionally, an interviewee explained the impact of providing services to tenants with limited English proficiency, stating the "monolingual community feels empowered knowing they have rights." Before, the interviewee explained, members of these communities did not look for help, but now they know they have resources.

In one county, a legal aid stakeholder noted that work was being done to solve the "systemic problem of code enforcement responding to low-income tenants complaining about habitability issues." This interviewee explained that response to these issues had not been satisfactory in the past, and the Shriver project was able to push the issue further.

Finally, one stakeholder hypothesized that the community was likely experiencing a cost savings because the Shriver projects were minimizing the number of people becoming homeless as a result of eviction and minimizing the trauma and high costs of unexpected, forced relocation. These cost include, for example, providing emergency shelter for individuals and families and moving children from one school to another.

IMPACT ON THE COURT

When asked about the impact on the courts, legal aid interviewees consistently reported that the Shriver project had a positive impact on the court system and that judges appreciated it. They explained that trial calendars proceed more smoothly because "attorneys know what they are doing." Self-represented litigants, by contrast, often bring up irrelevant matters before the judge, making hearings particularly frustrating (and time-consuming) for everyone involved.

Additionally, with counsel, many litigants were choosing mediation and cases were therefore diverted from the courts. Legal aid stakeholders thought that judges did not have to see as many unlawful detainer cases because so many Shriver cases were settling outside of court. "All of those things in combination have relieved the court in a positive way," reported one interviewee. Further, one stakeholder explained that Shriver-funded innovations that made filing more efficient had improved the relationship between attorneys and court staff.

Impact on Judges

Legal aid stakeholders felt that their Shriver project had positively impacted judges by helping cases proceed more smoothly than they had before. Also, it was reported that there are fewer frivolous, non-meritorious cases being brought before judges. One stakeholder explained that judges are happy to see people represented. "Helping people understand where they are legally, helps the whole court process overall." Importantly, the case outcomes were also perceived to more "just." Another stakeholder reported that having counsel in court "gets [judges] out of the awkward position of advising, which they cannot do."

Impact on Court Staff

Legal aid stakeholders thought that the Shriver project had a beneficial impact on court staff, by giving them other resources to which they could refer litigants who needed help. One interviewee described that a good relationship had developed between legal aid and the court clerk, who refers unlawful detainer defendants to them for Shriver services.

Impact on Court Processes and Efficiency

Legal aid stakeholders thought their services enabled the courts to be more efficient. Specifically, court processes move faster with an attorney present. Relative to cases with self-represented litigants, the judge needs to explain less to the parties and the case is less likely to go to trial, which can be a long and resource-intensive event. With Shriver services, there are more settlements and fewer trials. Stakeholders overwhelmingly thought that when tenants are not represented, the court system easily gets congested with trials and continuances.

Impact on Court Culture and Relationship with Legal Aid

Interviewees expressed different perceptions of the impact of Shriver projects on court culture. One stakeholder explained that Shriver advisory meetings were held at the central courthouse, which helped strengthen relationships between the project partners and supported the dissemination of important information to all Shriver attorneys. In this setting, the court would consider recommendations from legal aid representative about ways to make the unlawful detainer process easier for litigants. By contrast, another legal aid stakeholder reported overhearing a judicial officer complain that the system was already running efficiently and was being “mucked up” by the new services. According to the legal aid staff who overheard the comment, the judge felt it “helped only one side.”

A couple of interviewees noted how the Shriver project had contributed to changes in the court procedures. One explained how standards with regard to case masking had changed—namely that the court had become more comfortable with masking cases beyond the statutory 60-day period. Another remarked that interpreters were now provided for all unlawful detainer trials (this was originally a Shriver service, but became a standard operation of the court).

ADDITIONAL NEEDS

In discussing the unmet need, legal aid staff in some projects reported having to turn away litigants whom they did not have the capacity to serve. Interviewees lamented the long-term impacts for tenants of having an eviction on their record, a result that legal representation can often mitigate, and were saddened that they could not fully meet the demand for services in their areas.

Another interviewee mentioned that additional resources were needed for habitability cases, in which tenants were withholding rent until repairs were made and then being evicted for back-owed rent. “Someone may come in with respiratory problems and we may need to send someone out to investigate. Shriver didn’t build in the funding for those type of expert witnesses,” explained the interviewee.

In larger geographic regions, legal aid stakeholders noted that access to the system is challenging when defendants have a disability or unreliable transportation. It may take hours,

by bus, to get to the courthouse or to legal aid offices, which can be a significant impediment to accessing help, even when it is free. Stakeholders explained, "It's a lot to commit to in terms of time off work, money, etc. Some people cannot take time off work…they may get fired and be in an even more difficult situation." If attorneys are available, this stakeholder explained, they try to accommodate clients with disabilities by going out to their homes for the initial meeting.

Tenants frequently need more resources than just legal help, reported one stakeholder. They often expect financial rental assistance and/or want help finding new, affordable housing. Neither of these services is offered by the Shriver housing pilot projects, and they are outside the parameters of the current funding, but legal aid staff recognize that these needs often go unmet. This idea was echoed by others who mentioned the importance of preventing homelessness and implementing rapid re-housing. Overwhelmingly, interviewees lamented the unavailability of affordable housing.

Superior Court Staff Perceptions of Project Impacts

Impact of Shriver Program Generally

Court stakeholders, the majority of whom were judges, explained that the cases they are seeing are more defensible and more appropriate for trial proceedings. They also thought the Shriver projects were effective vehicles for low-income tenants to be able to access expert help with their case that they would otherwise not be able to afford. One stakeholder explained that, as a result of Shriver services, self-represented litigants were more educated about the system: "Everyone knows more about the legal process and how the law works."

Impact on Defendants in Unlawful Detainer Cases

Court stakeholders pointed out that the Shriver projects have increased the number of cases that settle, and settlements make for a quicker transition period for both the landlord and the tenant, if a property has to be vacated. Settlements also tend to relax the tension in the court as well, which can help alleviate some of the stress inherent in the process. One interviewee explained further that both sides had the ability to resolve the case as best they could without a straight default or going to trial "where a tenant doesn't even know what to do."

Tenants are educated about their rights and how to negotiate their way out of a lease without having an eviction on their record, reported one stakeholder. They can also work constructively with the landlord to pay back their rent if they need to and to keep their rental credit history in good standing. Without Shriver services, court stakeholders thought that the ability of defendants to get future housing is severely limited. Overall, interviewees thought that tenants "felt understood and that the law was explained to them. They weren't taken advantage of."

Court interviewees mentioned that the Shriver projects have also increased the number of settlements and improved the outcomes of cases for tenants. One respondent described that defendants are now more likely to receive discounts due to issues of habitability, and to have evictions kept off of the public record. In meritorious cases, repairs are actually happening, added a court representative.

IMPACT ON LANDLORDS

Court staff had differing perspectives about the Shriver project's impact on landlords. One interviewee reported that "plaintiff attorneys were concerned initially because it was so much easier to win without Shriver." This individual explained that legally-represented tenants would cause landlords to have to pay more and, in some instances, the case would become "overburdensome" for landlords to prosecute.

Most Shriver projects did not represent landlords. However, for one that did, the perceived impact on landlords was similar to the impact on defendants. This court interviewee indicated that Shriver "completely reduced (the landlord's) stress," because most landlords are not comfortable evicting people and with representation from Shriver counsel, they could do it "professionally and timely…minimizing stress."

One project involved mandatory settlement conferences, and stakeholders in that project described some benefits of these conferences. In addition to creating efficiency for the court in the form of fewer trials, these conferences were noted to have "emotional efficiency" for both parties, by not dragging the matter out. These conferences also created an important financial efficiency for landlords. Settlement conferences occurred 1 to2 weeks before the trial date and were mandatory for all cases headed to trial. If a settlement was reached and the tenant agreed to move out as part of the terms, they were typically out of the unit well before the time it would have taken for the trial to conclude, and the writ of possession to be issued by the court and executed by the Sheriff. In these instances, the landlord was able to retain possession of the unit much faster (than if the case went to trial) and therefore be able to more quickly find a new tenant and begin collecting rent again.

IMPACT ON THE COMMUNITY

According to court staff, word had gotten out in the community that "landlords need to do it right, and also for tenants, that there is help out there." One court interviewee explained how this is a positive shift. This individual described that, before Shriver services were offered, people who could not afford an attorney felt the justice system only worked against them because they had to go to court without representation and without knowing what to do. This stakeholder explained, "When that is happening in one room of the courthouse, the feeling bleeds over into the next room…if you are not wealthy [the system] is not fair."

IMPACT ON THE COURT

Court staff expressed that the Shrive project had positively impacted the court by educating and supporting litigants, reducing emotional tensions in cases, increasing the likelihood of settlement, and facilitating efficiency of court proceedings.

Impact on Judges

One court stakeholder stated that the Shriver project has positively impacted the court by offering "great assistance" to whatever judicial officer was presiding over the case. "Having an attorney organize the evidence and focus clients on relevant facts…it's a high art form to try to get the info in a fair but efficient way."

As with the legal aid staff, the court interviewees pointed to the decreased number of trials and the increased quality of paperwork and preparation of litigants, which has made these cases better for judges. "The impact is courthouse wide," explained a respondent. "With more settlements, the court can handle a bigger volume of work and that bled over into other areas."

Impact on Court Staff

Respondents explained that the court clerk's office has benefitted from the Shriver project. Clerks are often in the awkward position of not being able to accept incomplete or incorrect paperwork and also not being able to help fill in the forms or tell the litigant precisely what is wrong. Now, more of the paperwork is correct and complete, and it is much faster to process. When there are problems, the court staff can refer litigants to the Shriver project for help.

Impact on Court Processes and Efficiency

As noted above, several court stakeholders mentioned that the increase in settlements is a major benefit for the court, in terms of efficiency and fairness (i.e., trials can be time-consuming and resources-intensive, and self-represented litigants tend not know how to prepare for a trial appropriately). Further, the accuracy and completion of paperwork and the compilation of evidence by Shriver attorneys make the court process smoother for everyone. One judge felt the cases were better prepared.

A stakeholder identified mandatory settlement conferences as a particularly beneficial. These conferences were seen as increasing efficiency, reducing the need for additional research by attorneys, and decreasing the number of trials held. Not having a trial or hearing saves various types of resources—for example, 1 to 2 hours of a court reporter's time to record everything is not needed and can be spent elsewhere.

ADDITIONAL NEEDS

When asked about the unmet needs for legal help in their community, court stakeholders identified low-income landlords as a population that needed representation and legal assistance. They also felt that there was a group of tenants who did not qualify for Shriver services due to their income, but who could still not afford an attorney, that often slipped between the cracks. These individuals would benefit from legal help.

One respondent mentioned that better education and information dissemination about the Shriver project was needed throughout the community. This stakeholder reported that the broader population of eligible tenants had not been sufficiently informed about the project, and this was evident when defendants showed up to trial and realized, at that point, that they could have had a lawyer. This interviewee also expected that, even if the information is widely disseminated, some people will still not follow through on accessing available services.

Shriver Housing Pilot Projects

Cost Study

COST STUDY

Cost analysis is used to determine the **investment** that has been made in a particular program or service and whether the program has had an economic **impact** on the communities, systems, and agencies involved either directly or indirectly with the services provided and the populations served. In other words, what did the program cost and did the program result in cost savings due to the services provided? The purpose of this cost analysis is to establish the costs and savings related to providing legal representation and court-based services to litigants in unlawful detainer cases. Unlike some other studies, funds used to provide legal services were counted as costs (rather than as benefits to the state or staff who were employed), while savings constituted any reduction in taxpayer costs attributable to the outcomes associated with attorney representation or court-based services. Information was gathered to ascertain whether Shriver services led to any difference in short-term outcomes associated with court efficiency or longer term outcomes related to broader system costs.

This cost study estimates the annual costs and savings related to Shriver service provision. The reader may extrapolate longer term costs and savings as appropriate. Cost analyses focused on the fiscal year spanning 10/1/2013 to 9/30/2014 (FY2014). This year was chosen because Shriver services at all six projects were fully operational during this time.

Methodology and Analytic Approach

The cost study seeks to address the following questions:

Cost Topic #1: a. What were the estimated costs of the Shriver housing pilot projects?
b. What are the estimated costs to provide services to all eligible litigants?

These questions were addressed by reviewing the invoices submitted to the Judicial Council (JC) as part of Shriver project implementation by the legal aid services agencies (legal aid services program costs) and the Superior Courts (court-based services program costs). This information was used to calculate an estimate of the cost per case served by each entity.

Analytic Approach for 1a: Program costs for Shriver services were estimated separately for each of the six pilot projects. Estimates were derived using the available information sources to represent the cost for 1 year. Two estimates of per case costs were calculated.

- *Total Program Costs*. Total program costs were calculated as the total amount invoiced to the JC for FY2014[95] and are delineated for different Shriver-funded staff.
- *Per Case Costs.* Estimates of the cost per case were derived two ways: (1) dividing the total invoiced amount for FY2014 by the number of cases served in FY2014, as recorded in the program services database, and (2) multiplying the average[96] number of attorney hours per case by the loaded[97] hourly rate for the contracted attorney.

[95] The total amount invoiced was compared to the total allocation in the project proposal.
[96] Calculations were conducted using mean and median values.
[97] The loaded rate includes non-attorney staff time and other agency costs. This rate was established in the contract between legal aid services agencies and the Judicial Council and is lower than a typical hourly rate.

- *Per Case Program Costs By Level of Service:* Estimates of costs per case by level of service (full representation versus unbundled services) were derived two ways: (1) dividing the FY2014 invoiced amount by the number of cases served in FY2014 adjusted to account for the level of effort (i.e., relative number of attorney hours) for each level of service (see Appendix C for detailed calculations), and (2) multiplying the average[98] number of attorney hours for each service level in the program services database by the loaded[99] attorney rates.

Note about estimated costs per case. Across projects, there was a range between the two calculations of per-case cost. The second estimate, based on the program services database information, is based on the hours spent by the staff attorneys working on cases. The first estimate, based on invoiced amounts, also includes costs associated with supervising attorneys (who did not log hours in the program services database) and time spent by staff attorneys doing other background and supportive work.

Analytic Approach for 1b: The cost per case figures were then used to estimate the resources needed to supply legal services for all eligible litigants in the participating counties.

- *Estimated costs associated with addressing the unmet need for legal services among low-income litigants* are based on court summary statistics that reflect the number of unlawful detainer cases filed per year in which the defendant was granted a fee waiver (indicating low-income status). Costs were calculated by multiplying the average cost per case (above) by the number of cases.

Cost Topic #2: If the provision of Shriver services improves court efficiency, do these efficiencies result in cost savings for the court?

Analyses examined the costs (e.g., amount of staff time spent on task, staff salaries) associated with various court activities (e.g., hearings) involved in processing an unlawful detainer case and compared the frequency of these activities between cases that received Shriver services and those that did not. This analysis was possible at one of the projects (San Diego) that conducted random assignment, yielded a sufficient sample size, and provided time estimates for court staff for case processing activities. The intent was to understand if the provision of Shriver services resulted in increased efficiencies in case processing or in other areas of court functioning, and thereby potential cost savings to the court.

Sometimes cost benefits can be understood in terms of o*pportunity resources*. The concept of opportunity resources from the economic literature suggests that system resources are available to be used in other contexts if they are not spent on a particular transaction. The term *opportunity resource* describes the resources that become available for different use. For instance, if legal services available to clients increase the number of unlawful detainer cases that end in pre-trial settlement, reducing the number of trials, an opportunity resource is afforded to the court in the form of clerk and judge time available for other cases.

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[98] Calculations were conducted using mean and median values.
[99] The loaded rate includes non-attorney staff time and other agency costs. This rate was established in the contract between legal aid services agencies and the Judicial Council and is lower than a typical hourly rate.

Analytic Approach: These cost analyses compared the two groups of randomly-assigned cases from San Diego that were analyzed in the outcome study (previous section): (1) cases in which the defendant received full representation by a legal aid attorney and (2) comparison cases that did not receive Shriver services. Indicators of court efficiency, such as the frequency of settlements and trials, were calculated for the groups and the associated costs were estimated.

Cost Topic #3: Are Shriver services related to potential cost savings beyond the court? What costs to the system are avoided or reduced as a result of Shriver services?

Information was gathered to explore potential savings to the broader system or in the longer term. As an example, if housing stability increases as a result of Shriver service, costs associated with homelessness could decline. In most instances, these possible savings could not be verified empirically in the current study, because the relevant data were not available. This limitation was typically because either the current sample was not large enough to reflect low-frequency but costly events (e.g., few tenants who could be located at follow-up reported being homeless) or the longer term outcomes had not yet occurred. Therefore, this question is addressed through a combination of analysis of available data and a review of the literature.

INFORMATION AND DATA SOURCES

Information used to develop cost estimates was gathered from the Judicial Council, the legal aid agencies, the Superior Courts, and online resources. Data sources included:

- The Judicial Council provided program invoices for the fiscal year spanning 10/1/2013 to 9/30/2014 (FY2014) for both legal aid agencies and for courts.
- Superior Court staff in San Diego County provided staff titles and related tasks for unlawful detainer cases. Salaries, benefits, indirect support rates, and jurisdictional overhead rates used to calculate the cost per hour for each staff person were located in online budget resources.
- Superior Court staff in San Diego County provided time estimates for court activities related to unlawful detainer case processing.

Additional data were used to calculate the frequencies of various indicators within the study sample. These included:

- For all six pilot projects, the program services database provided the number of cases receiving legal aid services in FY2014, the level of service received, the total number of attorney hours, and the average number of hours per case.
- For the San Diego pilot project, court case file review data provided characteristics and outcomes for cases that were randomly assigned to receive Shriver representation or not to receive any Shriver service.
- Court summary statistics were provided, when available, by court administrative staff to indicate the number of unlawful detainer cases filed each year and the number that entailed a fee waiver granted to the defendant (i.e., a proxy for low-income status).

#1a. What were the estimated costs of the Shriver housing pilot projects?

COSTS FOR SERVICES AT THE KERN PILOT PROJECT IN FY2014

Legal Aid Program Costs

Total Program Cost. The Greater Bakersfield Legal Assistance's (GBLA) contract with the Judicial Council (JC) allocated $405,197 for housing case services in FY2014. The total amount invoiced for this time period was $405,197. Of this, $3,825 was spent on contract services to programs, $15,495 was spent on contract services to clients, $127,339 was spent on a GBLA attorney staffed at the court-based Landlord-Tenant Assistance Center (LTAC), and $258,538 was spent on direct legal aid services to clients (see Table H76). This amount includes costs for casework by staff attorneys and oversight by a supervising attorney. According to the program services database, during FY2014, GBLA attorneys worked a total of 2,485 hours on Shriver housing cases (not including the LTAC attorney's time).

Table H76. Legal Aid Services Program Cost Estimates in FY2014 – Kern

Invoice Components	Amount
Contract Services to Programs	$3,825
Contract Services to Clients	$15,495
Court-based Attorney (LTAC)[a]	$127,339
Direct Services to Clients[b]	$258,538
Kern Pilot Project invoice total (GBLA)	**$405,197**
Kern Pilot Project Allocation	**$405,197**

[a] The invoiced amount for the court-based self-help attorney is not included in the average estimated cost to provide legal services (Table H77).
[b] Direct services costs included estimated costs for attorney time listed on project invoices. For Kern, this included approximately two full-time staff attorneys and 10 hours per week of a supervising attorney.

Overall Per Case Cost. As shown in Table H77 (bottom row), the average amount spent per case by the legal aid services agency at the Kern housing pilot project was between $415 and $879. The total amount invoiced by GBLA for legal aid services ($258,538) divided by the number of cases served (378) yielded an overall average of $684 spent per case. When the cost per case was calculated by multiplying the mean number of attorney hours per case by the loaded attorney hourly rate, this yielded an estimated per case cost of $879. When this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $415.

Per Case Cost by Level of Service. Table H77 (first and second rows) shows the average cost per case taking into account the level of service provided. The average amount spent per full representation case was between $977 and $1,575 and the average amount spent per unbundled services case was between $244 and $342. When the total invoiced amount ($258,538) for legal aid services was divided by the number of cases at each service level, it yielded an average cost of $1,333 per full representation case and $289 per unbundled services case. For full representation cases, when the cost per case was calculated by multiplying the mean number of attorney hours by the loaded attorney hourly rate, this yielded an estimated per case cost of $1,575; when this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $977. For unbundled services cases, when the cost per case was calculated using

the mean number of attorney hours, this yielded an estimated per case cost of $342; when this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $244.

Note on the calculations for cost per case: Estimates derived from the invoiced amount (left side of the table) included hours worked by supervising attorneys and hours spent by staff attorneys doing background and supportive work, in addition to their direct case work. Estimates derived from the program services database (right side of the table) pertain only to time spent by staff attorney working on cases.

Table H77. Average Estimated Cost to Provide Legal Aid Services per Case in FY2014

Invoice			Program Services Data and Contracted Hourly Rate				
Level of Service	**Number of Cases[a]**	**Average Cost per Case[b]**	**Average Hours per Case[c]**		**x**	**Atty Hourly Rate[d]**	**=** **Average Cost per Case**
Full Reprstn.	143	$1,333	Mean	12.9		$122.09	$1,575
			Median	8.0		$122.09	$977
Unbundled Svcs.	235	$289	Mean	2.8		$122.09	$342
			Median	2.0		$122.09	$244
All Cases	378	$684	Mean	7.2		$122.09	$879
			Median	3.4		$122.09	$415

[a] Number of cases opened in FY 2014, receiving each service, as recorded in the program services database.
[b] See Table HA79 in Appendix C for full calculations.
[c] Mean and median number of attorney hours spent on cases opened in FY2014, by service level, as recorded in program services database.
[d] Loaded hourly rate established in contract with Judicial Council.

Court-Based Services Costs

The Kern County Superior Court was allocated $134,221 to provide unlawful detainer services. The total invoiced amount was $139,852. In addition, GBLA's invoice included $127,339 for the self-help attorney at staffed at the court-based LTAC. In FY2014, LTAC provided services to 1,431 landlords and 299 tenants.

Table H78. Estimated Costs for Court-Based Services in FY2014

Partner	Invoice total[b]	Total # served[c]	Average cost per litigant	Services provided
Kern County Superior Court	$139,852	1,431 landlords 299 tenants	$81	LTAC –printed information for both landlords and tenants, pre-filing paperwork review.
GBLA	$127,339	*unknown*	*unknown*	Self-help services.

[a] Amount in contract for court-based services for FY2014.
[b] Amount invoiced for unlawful detainer services provided in FY2014.
[c] Data from Superior Court of California, Kern County.

COSTS FOR SERVICES AT THE LOS ANGELES PILOT PROJECT IN FY2014

Legal Aid Program Costs

Total Program Cost. The Neighborhood Legal Services of Los Angeles (NLSLA) contract with the Judicial Council (JC) allocated $2,434,538 for housing case services in FY2014. The total amount invoiced for this time period was $2,358,024. Of this, $68,262 was spent on contract services to clients (e.g., translation services). A total of $575,832 was spent on the Eviction Assistance Center (EAC), $457,796 of which was spent by NLSLA and $118,126 of which was spent on contracts with partner organizations to provide attorney help at the EAC. A total of $1,713,930 was spent on direct legal services to clients, of which $144,539 was spent by NLSLA and $1,569,391 was spent on contracts with partner organizations to provide direct legal aid services to clients (see Table H79). These amounts includes costs for casework by staff attorneys and oversight by supervising attorneys. According to the program services database, during FY2014, NLSLA and partner organization attorneys worked a total of 18,834 hours on Shriver housing cases.

Table H79. Legal Aid Services Program Cost Estimates in FY2014 – Los Angeles

Invoice Components		Amount
Contract Services for Clients		$68,262
Eviction Assistance Center)EAC) Services total		$575,832
Contracts with Partner Organizations for EAC	*$118,126*	
NLSLA for EAC	*$457,706*	
Direct Services to Clients[a]		$1,713,930
Contracts with Partner Organization for direct services	*$1,569,391*	
NLSLA for direct services	*$144,539*	
Legal Aid Services total		$2,289,762
NLSLA and Partners invoice total		$2,358,024
Los Angeles Pilot Project Allocation		**$**2,434,538

[a] Direct services costs included estimated costs for attorney time listed on project invoices. For Los Angeles, this included approximately fourteen full-time staff attorney and four supervising attorneys.

Overall Per Case Cost. As shown in Table H80 (bottom row), the average amount spent per case by the legal aid services agency was between $167 and $715. The total amount invoiced by NLSLA and partner organizations ($2,289,762) divided by the number of cases served (3,201) yielded an overall average of $715 spent per case. When the cost per case was calculated by multiplying the mean number of attorney hours per case by the loaded attorney hourly rate, this yielded an estimated per case cost of $543. When this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $167.

Per Case Cost by Level of Service. Table H80 (first and second rows) shows the average cost per case taking into account the level of service provided. The average amount spent per full representation case was between $601 and $1,425 and the average amount spent per unbundled services case was between $100 and $169. When the total invoiced amount ($2,289,762) for legal aid services was divided by the number of cases at each service level, it yielded an average cost of

$1,425 per full representation case and $169 per unbundled services case. For full representation cases, when the cost per case was calculated by multiplying the mean number of attorney hours by the loaded attorney hourly rate, this yielded an estimated per case cost of $986; when this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $601. For unbundled services cases, when the cost per case was calculated using the mean number of attorney hours, this yielded an estimated per case cost of $117; when this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $100.

Note on the calculations for cost per case: Estimates derived from the invoiced amount (left side of the table) included hours worked by supervising attorneys, hours worked by EAC attorneys to screen and triage clients, and hours spent by staff attorneys doing supportive work in addition to their direct case work. Estimates derived from the program services database (right side of the table) pertain only to time spent by staff attorney working on cases.

Table H80. Average Estimated Cost to Provide Legal Aid Services per Case in FY 2014 – Los Angeles

Invoice			Program Services Data and Contracted Hourly Rate					
Level of Service	**Number of Cases[a]**	**Average Cost per Case[b]**	**Average Hours per Case[c]**		**x**	**Atty Hourly Rate[d]**	**=**	**Average Cost per Case**
Full Reprstn.	1,392	$1,425	Mean	11.8		$83.55		$986
			Median	7.2		$83.55		$601
Unbundled Svcs.	1,809	$169	Mean	1.4		$83.55		$117
			Median	1.2		$83.55		$100
All Cases	3,201	$715	Mean	6.5		$83.55		$543
			Median	2.0		$83.55		$167

[a] Number of cases opened in FY 2014, receiving each service, as recorded in the program services database.
[b] See Table HA80 in Appendix C for full calculations.
[c] Mean and median number of attorney hours spent on cases opened in FY2014, by service level, as recorded in program services database.
[d] Loaded hourly rate established in contract with Judicial Council.

Court-Based Services Costs

The Los Angeles Superior Court was allocated $325,063 to provide unlawful detainer services. The total invoiced amount was $81,766. The number of litigants served by the court-based services was unavailable, thus a cost per case could not be determined.

Table H81. Costs for Court-Based Services in FY2014 – Los Angeles

Allocation[a]	LASC invoice total[b]	Total # served[c]	Services provided
$325,063	$81,766	*Unknown*	Dedicated Clerk

[a] Amount in contract for court-based services for FY2014.
[b] Amount invoiced by the Superior Court or unlawful detainer services provided in FY2014.
[c] Court-based services in Los Angeles did not track the number of cases served.

COSTS FOR SERVICES AT THE SACRAMENTO PILOT PROJECT IN FY2014

Legal Aid Program Costs

Total Program Cost. The Legal Services of Northern California (LSNC) – Sacramento contract with the Judicial Council (JC) allocated $814,578 for housing case services in FY2014. The total amount invoiced for this time period was $726,513. Of this, $312,561 was spent on contract services to partner organizations (including the McGeorge School of Law for mediation services) and $413,952 was spent on direct legal aid services to clients (see Table H82). This amount includes costs for casework by staff attorneys and oversight by a supervising attorney. According to the program services database, during FY2014, LSNC-Sacramento attorneys worked a total of 5,283 hours on Shriver housing cases.

Table H82. Legal Aid Services Program Cost Estimates in FY2014

Invoice Components	Amount
Contract Services to Partner Organizations [a]	$312,561
Direct Services to Clients[b]	$413,952
Sacramento Pilot Project invoice total (LSNC-Sac)	**$726,513**
Sacramento Pilot Project Allocation	**$814,578**

[a] Includes costs for mediation services by University of the Pacific-McGeorge School of Law.
[b] Direct services costs included estimated costs for attorney time listed on project invoices. For Sacramento, this included approximately four full-time staff attorney with and 5-10 hours/week of a supervising attorney.

Overall Per Case Cost. As shown in Table H83 (bottom row), the average amount spent per case by the legal aid services agency was between $339 and $599. The total amount invoiced by LSNC – Sacramento ($413,952) divided by the number of cases served (783) yielded an overall average of $529 spent per case. When the cost per case was calculated by multiplying the mean number of attorney hours per case by the loaded attorney hourly rate, this yielded an estimated per case cost of $599. When this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $339.

Per Case Cost by Level of Service. Table H83 (first and second rows) shows the average cost per case taking into account the level of service provided. The average amount spent per full representation case was between $751 and $1,050 and the average amount spent per unbundled services case was between $166 and $235. When the total invoiced amount ($413,952) for legal aid services was divided by the number of cases at each service level, it yielded an average cost of $1,050 per full representation case and $235 per unbundled services case. For full representation cases, when the cost per case was calculated by multiplying the mean number of attorney hours by the loaded attorney hourly rate, this yielded an estimated per case cost of $967; when this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $751. For unbundled services cases, when the cost per case was calculated using the mean number of attorney hours, this yielded an estimated per case cost of $217; when this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $166.

Note on the calculations for cost per case: Estimates derived from the invoiced amount (left side of the table) included hours worked by supervising attorneys and hours spent by staff attorneys doing background and supportive work, in addition to their direct case work. Estimates derived from the program services database (right side of the table) pertain only to time spent by staff attorney working on cases.

Table H83. Average Estimated Cost to Provide Legal Aid Services per Case in FY 2014

Invoice			Program Services Data and Contracted Hourly Rate				
Level of Service	**Number of Cases[a]**	**Average Cost per Case[b]**	**Average Hours per Case[c]**		**x**	**Atty Hourly Rate[d]**	**=** **Average Cost per Case**
Full Reprstn.	282	$1,050	Mean	13.4		$72.17	$967
			Median	10.4		$72.17	$751
Unbundled Svcs.	501	$235	Mean	3.0		$72.17	$217
			Median	2.3		$72.17	$166
All Cases	783	$529	Mean	8.3		$72.17	$599
			Median	4.7		$72.17	$339

[a] Number of cases opened in FY 2014, receiving each service, as recorded in the program services database.
[b] See Table HA81 in Appendix C for full calculations.
[c] Mean and median number of attorney hours spent on cases opened in FY2014, by service level, as recorded in program services database.
[d] Loaded hourly rate established in contract with Judicial Council.

Court-Based Services Costs

The Sacramento Superior Court was allocated $277,800 for unlawful detainer services. The total invoiced amount was $110,854. The number of litigants served by the court-based services was unavailable, thus a cost per case could not be determined.

Table H84. Costs for Court-Based Services in FY2014

Allocation[a]	SCSC Invoice total[b]	Total # served[c]	Services provided
$277,800	$110,854	*Unknown*	E-filing

[a] Amount in contract for court-based services for FY2014.
[b] Amount invoiced by the Superior Court for unlawful detainer services provided in FY2014.
[c] Court-based services in Sacramento did not track the number of cases served.

COSTS FOR SERVICES AT THE SAN DIEGO PILOT PROJECT IN FY2014

Legal Aid Program Costs

Total Program Cost. The Legal Aid Society of San Diego (LASSD) contract with the Judicial Council (JC) allocated $2,213,521 for housing and custody case services in FY2014 (the Shriver custody pilot project is detailed in a following chapter of this report). The total amount invoiced for this time period was $2,040,530. Of this, $21,898 was spent on capital additions, $38,028 on contract services to programs, and $416,313 on contract services to partner organizations (the custody pilot project) and $1,624,217 was spent on direct legal aid services to clients with housing cases (see Table H85). This amount includes costs for casework by staff attorneys and oversight by a supervising attorney. According to the program services database, during FY2014, LASSD attorneys worked a total of 13,407 hours on Shriver housing cases.

Table H85. Legal Aid Services Program Cost Estimates in FY2014 – San Diego

Invoice Components	Amount
Contract Services to Programs	$38,028
Capital Additions	$21,898
Direct Services to Clients[a]	$1,564,291
Housing invoice total (LASSD)	**$1,624,217**
Custody invoice total	$416,313
San Diego Pilot Project invoice total (Housing and Custody)	$2,040,530
San Diego Pilot Project Allocation	**$2,213,521**

[a]Direct services costs included estimated costs for attorney time listed on project invoices. For San Diego, this included approximately twelve full-time staff attorneys.

Overall Per Case Cost. As shown in Table H86 (bottom row), the average amount spent per case by the legal aid services agency was between $831 and $1,280. The total amount invoiced by LASSD ($1,564,291) divided by the number of cases served (1,222) yielded an overall average of $1,280 spent per case. When the cost per case was calculated by multiplying the mean number of attorney hours per case by the loaded attorney hourly rate, this yielded an estimated per case cost of $1,071. When this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $831.

Per Case Cost by Level of Service. Table H86 (first and second rows) shows the average cost per case taking into account the level of service provided. The average amount spent per full representation case was between $797 and $1,325 and the average amount spent per unbundled services case was between $343 and $601. When the total invoiced amount ($1,564,291) for legal aid services was divided by the number of cases at each service level, it yielded an average cost of $1,325 per full representation case and $601 per unbundled services case. For full representation cases, when the cost per case was calculated by multiplying the mean number of attorney hours by the loaded attorney hourly rate, this yielded an estimated per case cost of $1,019; when this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $797. For unbundled services cases, when the cost per case was calculated using

the mean number of attorney hours, this yielded an estimated per case cost of $463; when this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $343.

Note on the calculations for cost per case: Estimates derived from the invoiced amount (left side of the table) included hours worked by supervising attorneys and hours spent by staff attorneys doing background and supportive work, in addition to their direct case work. Estimates derived from the program services database (right side of the table) pertain only to time spent by staff attorney working on cases.

Table H86. Average Estimated Cost to Provide Legal Aid Services per Case in FY 2014 – San Diego

Invoice			Program Services Data and Contracted Hourly Rate				
Level of Service	**Number of Cases[a]**	**Average Cost per Case[b]**	**Average Hours per Case[c]**		**x**	**Atty Hourly Rate[d]**	**=** **Average Cost per Case**
Full Reprstn.	1,146	$1,325	Mean	11.9		$85.64	$1,019
			Median	9.3		$85.64	$797
Unbundled Svcs.	76	$601	Mean	5.4		$85.64	$463
			Median	4.0		$85.64	$343
All Cases	1,222	$1,280	Mean	12.5		$85.64	$1,071
			Median	9.7		$85.64	$831

[a] Number of cases opened in FY 2014, receiving each service, as recorded in the program services database.
[b] See Table HA82 in Appendix C for full calculations.
[c] Mean and median number of attorney hours spent on cases opened in FY2014, by service level, as recorded in program services database.
[d] Loaded hourly rate established in contract with Judicial Council.

Court-Based Services Costs

The San Diego Superior Court (SDSC) was allocated $302,952 to provide unlawful detainer and custody services at the court. The total invoiced amount for housing services was $29,301. The number of litigants served by the court-based services was unavailable, thus a cost per case could not be determined.

Table H87. Costs for Court-Based Services in FY2014 – San Diego

Allocation[a]	SDSC invoice[b] total	Total # served[c]	Services provided
$302,952	$29,301	*Unknown*	Counter and courtroom clerk staff for Shriver cases

[a] Amount in contract for court-based services for both housing and custody projects, FY2014.
[b] Amount invoiced by the Superior Court for unlawful detainer services provided in FY2014.
[c] Court-based services in San Diego did not track the number of cases served.

COSTS FOR SERVICES AT THE SANTA BARBARA PILOT PROJECT IN FY2014

Legal Aid Program Costs

Total Program Cost. The Legal Aid Foundation of Santa Barbara County's (LAFSBC) contract with the Judicial Council (JC) allocated $578,307 for housing and probate case services in FY2014 (the Shriver probate pilot project is detailed in another chapter of this report). The total amount invoiced for this time period was $578,307. Of this, $4,392 was spent on community outreach, $15,750 was spent on contract services to programs, $72,562 was spent on the probate pilot project and $485,604 was spent on direct legal aid services to housing clients (see Table H88). This amount includes costs for casework by staff attorneys and oversight by a supervising attorney. According to the program services database, during FY2014, LAFSBC attorneys worked a total of 1,689 hours on Shriver housing cases.

Table H88. Legal Aid Services Program Cost Estimates in FY2014

Invoice Components	Amount
Community Outreach/Education	$4,392
Contract Services to Programs	$15,750
Direct Services to Clients - Housing invoice total (LAFSBC)[a]	$485,604
Probate invoice total (LAFSBC)	$72,562
Santa Barbara Pilot Project invoice total (Housing and Probate; LAFSBC)	$578,307
Santa Barbara Pilot Project Allocation	**$578,307**

[a]Direct services costs included estimated costs for attorney time listed on project invoices. For Santa Barbara, this included approximately three full-time staff attorneys.

Overall Per Case Cost. As shown in Table H89 (bottom row), the average amount spent per case by the legal aid services agency was between $184 and $1,281. The total amount invoiced by GBLA for legal aid services ($485,604) divided by the number of cases served (379) yielded an overall average of $1,281 spent per case. When the cost per case was calculated by multiplying the mean number of attorney hours per case by the loaded attorney hourly rate, this yielded an estimated per case cost of $497. When this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $184.

Per Case Cost by Level of Service. Table H89 (first and second rows) shows the average cost per case taking into account the level of service provided. The average amount spent per full representation case was between $1,012 and $3,923 and the average amount spent per unbundled services case was between $92 and $672. When the total invoiced amount ($485,604) for legal aid services was divided by the number of cases at each service level, it yielded an average cost of $3,923 per full representation case and $672 per unbundled services case. For full representation cases, when the cost per case was calculated by multiplying the mean number of attorney hours by the loaded attorney hourly rate, this yielded an estimated per case cost of $1,288; when this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $1,012. For unbundled services cases, when the cost per case was calculated using the mean number of attorney hours, this yielded an estimated per case

cost of $221; when this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $92.

Note on the calculations for cost per case: Estimates derived from the invoiced amount (left side of the table) included hours worked by supervising attorneys and hours spent by staff attorneys doing background and supportive work, in addition to their direct case work. Estimates derived from the program services database (right side of the table) pertain only to time spent by staff attorney working on cases.

Table H89. Average Estimated Cost to Provide Legal Aid Services per Case in FY 2014 – Santa Barbara

Invoice			Program Services Data and Contracted Hourly Rate				
Level of Service	**Number of Cases[a]**	**Average Cost per Case[b]**	**Average Hours per Case[c]**		**x**	**Atty Hourly Rate[d]**	**=** **Average Cost per Case**
Full Reprstn.	71	$3,923	Mean	14.0		$91.97	$1,288
			Median	11.0		$91.97	$1,012
Unbundled Svcs.	308	$672	Mean	2.4		$91.97	$221
			Median	1.0		$91.97	$92
All Cases	379	$1,281	Mean	5.4		$91.97	$497
			Median	2.0		$91.97	$184

[a] Number of cases opened in FY 2014, receiving each service, as recorded in the program services database.
[b] See Table HA83 in Appendix C for full calculations.
[c] Mean and median number of attorney hours spent on cases opened in FY2014, by service level, as recorded in program services database.
[d] Loaded hourly rate established in contract with Judicial Council.

Court-Based Services Costs

The Santa Barbara County Superior Court was allocated $186,447 to provide unlawful detainer services, specifically the Housing Settlement Master. The total invoiced amount was $82,226. The number of litigants served by the court-based services in the Santa Maria and Lompoc courthouses was 183, indicating an average cost per case of $450.

Table H90. Estimated Costs for Court-Based Services in FY2014 – Santa Barbara

Allocation[a]	SBCSC invoice total[b]	Total # served[c]	Average cost per case	Services provided
$186,447 [b]	$82,226	183	$450	Mandatory settlement conferences with the Housing Settlement Master

[a] The amount in contract for court-based services for FY2014.The contracted allocation for both the probate and housing projects from the JC was $372,893. The number here reflects 50% of this amount.
[b] Amount invoiced by the Superior Court for unlawful detainer services provided in FY2014.
[c] Data from the Settlement Master database at the Superior Court of California, Santa Barbara County.

COSTS FOR SERVICES AT THE YOLO PILOT PROJECT IN FY2014

Legal Aid Program Costs

Total Program Cost. The Legal Services of Northern California (LSNC) - Yolo contract with the Judicial Council (JC) allocated $317,716 for housing case services in FY2014. The total amount invoiced for this time period was $219,206. Of this, $20,415 was spent on contract services to partner organizations, $27,831 was spent on legal aid services to clients based in the court and $170,961 was spent on legal aid services to clients (see Table H91). This amount includes costs for casework by a staff attorney. According to the program services database, during FY2014, LSNC-Yolo attorneys worked a total of 2,339 hours on Shriver housing cases.

Table H91. Legal Aid Services Program Cost Estimates in FY2014 – Yolo

Invoice Components	Amount
Contract Services to Partner Organizations	$20,415
Court-based Legal Services to Clients[a]	$27,831
Direct Services to Clients[b]	$170,961
Yolo Pilot Project invoice total (LSNC-Yolo)	**$219,206**
Yolo Pilot Project Allocation	**$317,716**

[a] The invoiced amount for the court-based self-help attorney is not included in the average estimated cost to provide legal services (Table H92).
[b] Direct services costs included estimated costs for attorney time listed on project invoices. For Yolo, this included approximately three full-time staff attorney.

Overall Per Case Cost. As shown in Table H92 (bottom row), the average amount spent per case by the legal aid services agency was between $295 and $678. The total amount invoiced by LSNC – Yolo ($170,961) divided by the number of cases served (252) yielded an overall average of $678 spent per case. When the cost per case was calculated by multiplying the mean number of attorney hours per case by the loaded attorney hourly rate, this yielded an estimated per case cost of $518. When this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $295.

Per Case Cost by Level of Service. Table H92 (first and second rows) shows the average cost per case taking into account the level of service provided. The average amount spent per full representation case was between $668 and $1,071 and the average amount spent per unbundled services case was between $187 and $359. When the total invoiced amount ($170,961) for legal aid services was divided by the number of cases at each service level, it yielded an average cost of $1,071 per full representation case and $359 per unbundled services case. For full representation cases, when the cost per case was calculated by multiplying the mean number of attorney hours by the loaded attorney hourly rate, this yielded an estimated per case cost of $879; when this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $668. For unbundled services cases, when the cost per case was calculated using the mean number of attorney hours, this yielded an estimated per case cost of $295; when this calculation was done using the median number of attorney hours per case, it yielded an estimated per case cost of $187.

Note on the calculations for cost per case: Estimates derived from the invoiced amount (left side of the table) included hours worked by supervising attorneys and hours spent by staff attorneys

doing background and supportive work, in addition to their direct case work. Estimates derived from the program services database (right side of the table) pertain only to time spent by staff attorney working on cases.

Table H92. Average Estimated Cost to Provide Legal Aid Services per Case in FY 2014 – Sacramento

Invoice			Program Services Data and Contracted Hourly Rate					
Level of Service	Number of Cases[a]	Average Cost per Case[b]	Average Hours per Case[c]		x	Atty Hourly Rate[d]	=	Average Cost per Case
Full Reprstn.	113	$1,071	Mean	14.6		$60.17		$879
			Median	11.1		$60.17		$668
Unbundled Svcs.	139	$359	Mean	4.9		$60.17		$295
			Median	3.1		$60.17		$187
All Cases	252	$678	Mean	8.6		$60.17		$518
			Median	4.9		$60.17		$295

[a] Number of cases opened in FY 2014, receiving each service, as recorded in the program services database.
[b] See Table HA84 in Appendix C for full calculations.
[c] Mean and median number of attorney hours spent on cases opened in FY2014, by service level, as recorded in program services database.
[d] Loaded hourly rate established in contract with Judicial Council.

Court-Based Services Costs

The Yolo County Superior Court was allocated $29,260 to provide services to unlawful detainer litigants. The Court did not access these funds in FY2014. However, LSNC-Yolo staff provided court-based legal services—namely, staffing an attorney who provide self-help and mediation services—and invoiced a total of $27,831 for these services. The number of litigants served by the court-based services in Yolo County was 484, indicating an average cost per litigant of $58.

Table H93. Costs for Court-Based Services in FY2014 – Yolo

Partner	Invoice total	Total # served[b]	Average costs per litigant	Services provided
Yolo County Superior Court	$0	--	--	--
LSNC-Yolo	$27,831[a]	Self-help services: 452 Mediation: 32[c]	$58	Self-help services and mediation

[a] Amount invoiced by LSNC-Yolo in FY 2014 for court-based legal aid services.
[b] Data from LSNC-Yolo on court-based services provided at the Yolo County Superior Court.
[d] Mediation was provided to both litigants in each of 16 cases (= 32 litigants).

Cost 1b. What are the estimated costs to provide services to all eligible litigants (to address the broader need)?

Annual resources necessary to address the broader need for legal services in unlawful detainer cases were estimated by multiplying the cost per case figures (above) by the number of cases filed at the court. Costs to address the unmet need among low-income litigants were calculated according to the number of cases filed in which the defendant was granted a fee waiver in FY2014. Because the eligibility requirements for a court fee waiver (150% of the Federal Poverty Level) are stricter than the Shriver eligibility requirements (200% of the Federal Poverty Level), and there are additional low-income defendants who would need and benefit from legal assistance, this cost should be considered an underestimate.

Table H94 shows, for each pilot project with available court summary data, the number of unlawful detainer cases filed with a fee waiver granted to a defendant, and the range of costs to provide services to this broader population. The numbers of cases filed in FY2014 include those served by the Shriver housing pilot projects in that year.

Findings from these housing pilot projects suggest that, even when legal aid services intend to reach the full population of eligible litigants, not all individuals will accept or follow through with service. The reasons for this are not well understood. It may be that, upon receipt of an eviction notice, some individuals just move and prefer to avoid the conflict entirely, whereas other individuals may struggle to access services even when they are free. Transportation barriers and work schedules can make it difficult for low-income people to take time from work and coordinate travel to downtown in order to adequately engage in the process.

Table H94. Estimated Annual Costs to Address Need for Legal Aid Services among Low-Income Litigants in Unlawful Detainer Cases

	Number of Cases Filed	Range of costs
Kern County		
Unlawful Detainer Cases with Fee Waiver Granted	1,039	
Cost of Full Representation ($977 - $1,989 per case)		$1,015,103 - $2,066,571
Cost of Unbundled Services ($244 - $432 per case)		$253,516 - $355,338
San Diego County		
Unlawful Detainer Cases with Fee Waiver Granted	4,088	
Cost of Full Representation ($797 - $1,325 per case)		$3,258,136 - $5,416,600
Cost of Unbundled Services ($343 - $601 per case)		$1,402,184 - $2,456,888
Santa Barbara County		
Unlawful Detainer Cases with Fee Waiver Granted	343	
Cost of Full Representation ($1,012 - $3,923 per case)		$347,116 - $1,345,589
Cost of Unbundled Services ($92 - $672 per case)		$31,213 - $230,496
Yolo County		
Unlawful Detainer Cases with Fee Waiver Granted	342	
Cost of Full Representation ($668 - $1,017 per case)		$228,456 - $347,814
Cost of Unbundled Services ($187 - $359 per case)		$63,954 - $122,778

Note. Estimates based on FY2014 data. Los Angeles and Sacramento courts did not have this information available.

Cost Topic #2: If the provision of Shriver services improves court efficiency, do these efficiencies results in cost savings?

Court efficiency is conceptualized as either reduced court activities (e.g., fewer trials) or reduced time spent by staff on an activity. These efficiencies result in savings that can be financial (money saved) or opportunity resources (i.e., staff time conserved and then available for other tasks). Court efficiency cost analyses were possible for one site—San Diego—because it met all of the following criteria: (1) the project conducted random assignment, which yielded court case file reviews that are the basis for comparison between Shriver and non-Shriver cases; (2) the random assignment study yielded sufficient sample sizes; and (3) court staff participated in interviews during which they provided information about the time and resources used for specific court activities. An average cost was calculated for each activity, and then the rates of these activities among Shriver and non-Shriver cases were compared.

Average Costs for Bench Trials, Settlements, and Dismissals

San Diego County Superior Court staff explained that the court time necessary to process an unlawful detainer case centrally pertained to how the case was resolved—specifically, whether a case was resolved via (1) trial, including preparation; (2) settlement, or (3) dismissal. (Cases that ended in default did not require additional court staff time.) Staff provided time estimates for each of these resolution methods and named the personnel involved in each. Salaries, benefits, indirect support rates and jurisdictional overhead rates for each position were located online[100] and used to calculate hourly rates. The time estimates were multiplied by the hourly rate to develop a cost associated with each resolution method: $80.84 for a bench trial, $21.25 for a settlement, and the $3.42 for a dismissal. Table H96 shows these calculations.

COSTS OF SHRIVER AND NON-SHRIVER CASES

Table H95 shows the proportion of Shriver full representation and non-Shriver comparison cases, randomly assigned in San Diego, that were resolved via settlement, trial, dismissal, and default. Note that these rates are specific to the San Diego housing pilot project (thus the proportions differ from the aggregated figures in the random assignment analyses presented earlier).

Table H95. Numbers of Cases Resolved via Each Method (San Diego)

Case Resolution Method	Full Representation	Comparison
Stipulation/Settlement	90 (77.0%)	17 (31.5%)
Bench Trial	3 (2.5%)	12 (22.0%)
Dismissal	10 (8.5%)	15 (28.0%)
Default	14 (12.0%)	10 (18.5%)

Data source: Court record review.
Full representation *N*=117; Comparison *N*=54.

The relative costs to resolve cases with and without full representation for defendants can be estimated by taking into account the proportion of cases resolved by each method. Cases with full

[100] http://publicpay.ca.gov/Reports/Counties/County.aspx?entityid=42&fiscalyear=2013

representation by a Shriver attorney were settled 77% of the time, versus 32% of the time among cases with a self-represented defendant. Cases with full representation were resolved by trial approximately 3% of the time, versus 22% of the time among cases with a self-represented defendant. Each time a case is resolved by settlement (estimated to cost $21.25), instead of by trial (estimated to cost $80.84), the court saves approximately $56.56. If a case is dismissed (estimated to cost $3.42), instead of resolved by trial ($80.84), the court saves approximately $77.42. Although defaults may represent the least expensive case resolution method for the court, they arguably carry the highest cost for tenants and work against goals for equal access to justice.

ESTIMATED ANNUAL COSTS SAVINGS BASED ON COURT EFFICIENCIES

To estimate the potential savings to the court as a result of the per-case savings described above, these figures were extrapolated across the total number of fee-waivered unlawful detainer cases filed in San Diego County in FY2014 (*n*=4,088, as indicated by the court administrative data). The lower rates of trials and higher rates of settlements among Shriver full representation cases, compared to cases with self-represented defendants, led to an estimated annual savings of approximately $27,643.

Table H96. Case Resolution Method Rates and Associated Costs (San Diego)

	With Shriver Full Representation			**Without Shriver Full Representation**			
	Unit Cost[a]	Estimated Number of Cases per Year[b]	Estimated Annual Cost to Court[c]	Unit Cost[a]	Estimated Number of Cases per Year[b]	Estimated Annual Cost to Court[c]	*Estimated Annual Savings*
Settlement	$21.25	3,148	$66,890	$21.25	1,288	$27,364	
Bench Trial	$80.84	102	$8,262	$80.84	899	$72,704	
Dismissal	$3.42	347	$1,188	$3.42	1,145	$3,915	
Default	$0	491	$0	$0	756	$0	
Total		**4,088**	**$76,340**		**4,088**	**$103,983**	***$27,643***

Data source: Estimates based on court case file data in San Diego County.
[a] Unit costs relate to the estimated costs to resolve an unlawful detainer case via each method in San Diego County, based on information from court staff. Detailed information in Tables HA85 in Appendix C.
[b] Estimated number of cases per year was derived by multiplying the number of fee-waivered cases filed in FY2014 by the proportion of cases resolved by each method (in San Diego, see Table H95).
[c] Estimated annual costs to the court were derived by multiplying the unit cost to resolve a case via each method by the estimated number of cases resolved via that method.

Cost Topic #3: Are Shriver Services Related to Potential Cost Savings Beyond the Court?

Additional and Often Unseen Costs of Eviction

Aside from unlawful detainer costs to the court, there are other costs related to frequent evictions and relocations. In the short term, there are costs to the tenant and costs to taxpayers for services provided, such as emergency sheltering and other crisis and supportive services. In the longer term, there are also indirect costs to the people impacted by involuntary relocations, including children and society. According to the research presented in this section, the very real potential exists for a single eviction event to lead to substantial, long-term negative consequences, such as a child's future earning potential or involvement with the criminal justice system.

These varying consequences are often difficult to quantify. However, several studies have attempted to measure the costs of homelessness, costs of shelter usage, and costs to tenants, including impacts on children and single mothers. Many of these studies use terms such as "residential mobility" and "forced relocation" to describe the process of having to move from place to place. Frequent moves are typically due to rent arrears, as was seen for the vast majority of Shriver clients, but there can be other requirements not being met by tenants, which can bring about eviction proceedings.

Eviction and Homelessness

Several studies have linked eviction with homelessness (Canada Mortgage & Housing Corporation, 2005; Crowley, 2003; Holl et al., 2016; Houseman, 2014). Across studies, eviction was found to be a major contributing factor to homelessness for approximately 10% to 20% of homeless individuals. For example, Crane and Warnes (2000) found that, of 313 homeless individuals studied, 45 (14%) reported eviction contributed to their homelessness. Studying homelessness prevention policy in five communities, Burt and colleagues (Burt, Pearson, & Montgomery, 2007) reported that eviction predicted homelessness 20% of the time. In San Francisco's 2015 "Point In Time Count & Survey" report, 13% of the 1,046 homeless individuals surveyed indicated that eviction was the primary cause of their homelessness and an additional 3% reported a raise in rent as the primary cause. Studies have also shown that a lack of resources and stability among individuals facing eviction can have dire consequences. In Desmond's (2012) interviews with 70 just-evicted families, four indicated they were going to homeless shelters, two to hotels, two to the street, one to a car, and 40 did not know where they would go next.

Emergency Shelters and Other Services

As was the case with Shriver interview respondents, not all homeless evictees seek emergency shelter. However, for those who do seek shelter and the associated services, the cost to taxpayers can be high. In a study of British evictees (Holl et al., 2016), it was reported that the cost of one night in an emergency shelter for an "evicted household" was more than the cost of intervention that would have prevented that homelessness.

In a 2009 study of homeless individuals in Los Angeles County, the average monthly cost for homeless general relief recipients was $1,446 (Flaming, Burns, Matsunaga, & Sumner, 2009). However, this average was largely impacted by the top 10% of this sample who had monthly costs of $8,083. In fact, the top 10% of this sample was responsible for over half of all public costs for

the homeless sample in this study, and the greatest costs were associated with hospital and emergency room visits and medical/mental health care (often while incarcerated). In this study, the four public agencies that assumed most of the costs were the Department of Health Services hospital-inpatient, the Department of Public Social Services (DPSS) General Relief, DPSS Food Stamps, and the Sheriff's mental health jail facility. Specifically, general relief grants averaged $180 per month and food stamps averaged $160 per month. While it is likely that this 10% represents individuals who are chronically homeless and perhaps qualitatively different from Shriver clients who were recently housed, the high cost of caring for unsheltered individuals remains relevant.

Regarding newly homeless individuals—a population potentially more similar to Shriver clients—a 2010 HUD study reported that average "mainstream service delivery system" costs, including emergency shelter, for an individual who experiences homelessness for the first time was $1,634 to $2,308. The cost can increase more than ten-fold for a homeless family ($3,184 to $20,031), which was defined as 3.5 family members, typically including one adult.

CROWDED HOUSING

After forced relocation, many tenants move in with family or friends. Oftentimes, they are "doubled up," or "couch surfing," in conditions that are unstable and temporary, and sometimes they are still paying rent. Of the 66 Shriver clients in Kern and San Diego Counties who completed a follow-up interview 1 year after their UD case closed, more than half (55%) were either staying with friends or family at the time of the interview, or had stayed with friends/family temporarily after being forced to move at the end of the case.

Staying with family or friends is sometimes the only viable option for evicted low-income tenants. This arrangement can allow an individual to save enough money to relocate into a new home. However, staying with friends or family can pose its own problems. If there are no available rooms in the residence, individuals may need to double up or sleep in rooms other than bedrooms, leading to crowded living conditions.[101] One study participant explained that she and her husband moved to a friend's house and lived in a 9' x 10' room for $400 per month.

Studies have shown that living in crowded housing has negative outcomes, not unlike those associated with frequent forced relocation. Researchers (Lopoo & London, 2016) have reported that "household crowding during one's high school years is an engine of cumulative inequality over the life course" (p. 1). Other research on child development has shown lower academic achievement, lower graduation rates, increased behavioral problems, greater physical and emotional stress, and poorer physical health among children in crowded households (Evans, Eckenrode, & Marcynyszyn, 2007; Kling, Liebman, & Katz, 2007; Leventhal & Newman, 2010; Ludwig et al., 2011; Solari & Mare, 2012) and many of these negative outcomes persist into adulthood (Solari & Mare, 2012). In 2015, the California Legislative Analysts' Office (2015) found that the state's overall crowding rate is four times higher than the national average and that high-cost housing was associated with crowded housing.

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[101] Researchers use a number of measurements to describe overcrowded living situations, the most common being the persons-per-room description. More than one person per room is considered a crowded household (by HUD). Rooms are described as big enough to offer privacy and a place to sleep, but not originally intended to be a bedroom.

COSTS TO TENANTS

There are also a variety of tangible costs to tenants, including the direct financial costs of relocation and the indirect emotional costs to individuals, especially children.

Relocation Costs

Researchers with the Canada Mortgage and Housing Corporation (2005) studied renters in the U.S., Canada, and the United Kingdom. They conducted focus groups and interviews with 32 people who had a history of recurring evictions. When asked about the greatest costs related to having to move, respondents most commonly reported loss of belongings and loss of security deposit. Other costs, in order of frequency, included moving expenses, the cost to set up a new residence, and higher transportation costs. Among this sample, $2,234 was the reported average cost of each eviction to the tenant. Most evictions are related to a tenant's inability to pay rent, and a forced relocation poses even more financial barriers for a tenant to then secure stable housing. The heavy burden of back-owed rent, coupled with the costs of moving and negative rental and credit reporting, it is not surprising that many evictees struggle to relocate into stable, independent living situations.

Table H97 uses data from the program services database to estimate the cost of a forced relocation for Shriver clients at each of the six projects. The total cost was calculated by adding the amount of back-rent owed to the landlord for the current unit, the amount needed to secure a new rental unit (i.e., first month rent, last month rent, and security deposit), based on the average rental cost across tenants at that site. Moving to a new home usually involves an increase in rent. However, for the purposes of this section, it was assumed that an evicted household could find replacement housing with a similar monthly rental amount. A civil right to counsel reference document by Bay Area Legal Aid (2011) estimated the cost for the physical move to be $200.

Table H97. Estimated Costs of a Forced Relocation for a Shriver Client Obtaining a New Rental

County	Amount owed to landlord on complaint[a]		Cost of physical move[b]	Amount needed to secure new rental[c]		Total moving costs	
	Mean	Median		Mean	Median	Mean	Median
Kern	$950	$650	$200	$2,037	$1,950	$3,187	$2,800
Los Angeles	$1,898	$1,230		$2,631	$2,550	$4,729	$3,980
San Diego	$1,860	$1,277		$2,958	$2,850	$5,018	$4,327
Santa Barbara	$2,677	$1,398		$2,667	$2,394	$5,544	$3,992
Sacramento	$1,515	$1,020		$2,223	$2,187	$3,938	$3,407
Yolo	$1,480	$1,000		$2,151	$2,079	$3,831	$3,279

[a] The average amount owed to landlord on the unlawful detainer complaint was reported in the program services database and averaged across the tenants at each project.
[b] The cost of a physical move was estimated in a 2011 Bay Area Legal Aid benefit and outcomes report.
[c] New housing costs were estimated using the average rental amount reported by tenants in the program services database, by project. The average monthly rental amount was multiplied by three to estimate the amount of money needed to secure a new rental, namely, first month's rent, last month's rent, and the security deposit equivalent to one month's rent.

On average, across sites, Shriver clients would need to have $3,631 to cover what they owed their previous landlord, the costs to physically move their belongings, and the cost to secure the new rental. Considering that Shriver clients had an average monthly income between $1,037 and $1,267, at project intake, these moving costs would necessitate considerable time and savings. Moreover, these costs do not take into account other potential expenses related to moving, such as storage costs or the costs to replace any lost property left behind, lost wages due to missed work, and the cost of setting up utility services.

Physical and Emotional Costs

The stressors of having to relocate without adequate resources can and often do impact the physical and emotional well-being of those being evicted. Desmond and Kimbro (2015) have found that, compared to non-evicted mothers, evicted mothers are more likely to suffer from depression and have worse physical health outcomes for themselves and their children. The authors explain that the impact of these stressors often have long-term consequences. This connection is important, considering that low-income, minority women make up the largest demographic group of evictees, and they are at higher risk for eviction if they have children (Desmond, et al., 2013; Hartman & Robinson, 2003).

Costs to Children: Education, Behavioral Problems, and Protective Services

Households with children are more likely to endure forced relocations than other households (Desmond & Perkins, 2016). Families with children who move often due to eviction have additional challenges that carry substantial individual and societal costs. Children whose education is disrupted by having to change schools fare worse than their more stable counterparts (Crowley, 2003; Desmond, 2012; Pribesh & Downey, 1999). A literature review (Scanlon & Devine, 2001) of residential mobility's impact on children's academic well-being found evidence that high residential mobility degrades academic performance, impedes grade advancement, and increases dropout rates. Furthermore, these effects are especially strong for poor children from single parent families. Ersing, Sutphen, and Loeffler (2009) also found that academic problems are correlated with high residential mobility, defined as three or more address changes in a student's cumulative school file. In this study, 495 fifth grade students were studied over time to understand the impact of residential mobility. Students with high mobility scored lower on statewide reading tests, by 97 points. The authors report that children in highly mobile households are an "at-risk population who are likely to have academic and behavioral problems in school" (p. 12).

Conversely, research findings from the Moving to Opportunity for Fair Housing (MTO) program—a randomized social experiment sponsored by HUD that offered housing vouchers to 4,600 low-income families with children living in high-poverty public housing projects—indicated that moving to a lower-poverty area (i.e., an area with a higher median income) positively impacted the eventual college attendance rates and future earnings for children who had moved frequently before age 13 (Chetty & Hendren, 2015). For older children who had experienced high residential mobility, moving to a lower-poverty area did not have the same buffering effect.

Research has also shown an association between a student's disciplinary record and her/his residential mobility (Ersing et al., 2009). Youth who moved frequently were twice as likely to be referred by teachers for disruptive behavior, which may set the groundwork for further delinquent behavior. Students who are suspended or expelled from school are more likely to be arrested closely following these disciplinary events (Monahan, 2014). Research out of Chicago has shown

that frequent moves within city limits "elevates the risk of violence" for adolescents. Moreover, renters who are forced to move, typically through eviction, and because they have few resources available to them, tend to move to neighborhoods with higher poverty and crime rates (Desmond & Shollenberger, 2013).

Following this course of increased school discipline, increased violence, and higher arrest rates, when considering the impacts of involuntary residential mobility, policymakers may also want to consider the costs of crime to society. The costs to taxpayers of juvenile delinquency are high and often extend, in one form or another, into adulthood. According to the California Legislative Analyst's Office (2012), the average annual cost of housing a juvenile offender in a state Department of Juvenile Justice facility in 2012 was $179,400, and 54% of those released from these facilities recidivated and were re-incarcerated within 3 years of release. While it is difficult to assign dollar amounts to the endless trajectories an individual's life may take, there is a strong argument to be made that adolescents who have experienced repeated forced relocations are at greater risk for involvement with the criminal justice system.

Disruption of Social Networks and Support

Clearly impacted by a change in residence, but not often discussed in terms of cost, are social networks and support systems; the disruption of which can have serious ramifications for low-income individuals and families. For example, when faced with eviction, families may have to break up and children may be sent to live with relatives in more stable housing situations, if such an option is available. If more stable family members are not nearby, and if a family becomes homeless, children may be placed into foster care.

Families who move frequently are five times more likely than those in more stable households to be involved with child protective services (Ersing et al., 2009). In a foster care report from the National Conference of State Legislatures, it was explained that, "[a]lthough housing, financial support, and access to health care can be effectively addressed so that children can be kept safely with their families and are not required to enter foster care, a growing percentage of children are entering foster care each year because of neglect and housing problems" (Freundlich, 2010, p. 1). The average time spent in foster care for children in California is 15.2 months.[102] As of July 2014, the statewide rates to provide foster care ranged from $671 to $838 per month, depending on the child's age.[103] This amount does not factor in the costs of the considerable administrative work necessary to sustain a foster care system and dependency court proceedings. Depending on how far away they move, children and adults alike may lose friends, jobs, supportive networks, and even family pets.

POTENTIAL SAVINGS TO OTHER TAXPAYER SYSTEMS

In responding to an unlawful detainer complaint, tenants have the ability to raise affirmative defenses to support their side of the case. For instance, tenants may be purposefully withholding rent until a landlord has remedied a habitability issue. Addressing affirmative defenses can also be important for the broader system. Several defenses are matters of public policy, including state statutes and federal regulations by the U.S. Department of Housing and Urban Development, HUD,

[102] Data are for 2012 foster care placement. www.kidsdata.org
[103] Data retrieved from California Department of Social Services website

related to fair housing. These include defenses pertaining to habitability, discrimination, rent control violations, a lack of reasonable disability accommodation, and negotiations/agreements in languages other than English. When an unlawful detainer case is effectively handled, enforcement of these policies can occur through action of the court and thereby alleviate pressure on other public agencies. For example, if the attorney(s) can work to remedy the issues, then other public agencies (e.g., City Building Inspector, HUD, Rent Control Board) are spared the effort, which can avoid costs.

SUMMARY

The costs and associated negative impacts of eviction and forced relocation are many and can have profound, deleterious consequences for children, families, and communities. Some of these consequences have the potential to create longer term challenges in many areas of life.

Shriver Housing Pilot Projects

Summary of Findings

SUMMARY OF FINDINGS FOR THE SHRIVER HOUSING PILOT PROJECTS

The Shriver Program endeavored to ensure access to justice and support fair judicial decisions for cases that pertained to critical livelihood issues. Given the serious dearth of affordable housing in California and the rate at which rents have outpaced wages in most areas of the state, eviction is one of the most poignant civil justice issues for low-income individuals, as the loss of housing poses a wide range of risks and consequences for families. These risks are severe for vulnerable tenants, such as the elderly and people with disabilities.

Among low-income populations, it is very common for unlawful detainer cases to involve landlords with legal representation and tenants without the resources to retain counsel. By balancing the playing field, the statute sought to provide equal access to justice and ensure that cases were decided on their merits and not as a result of one side having legal representation.

Data for the evaluation of the Shriver housing pilot projects was collected over the course of 5 years, from multiple sources, using various methodologies. Program services data were recorded by Shriver legal aid services staff as they worked with clients and by court-based staff as they provided help to cases. For one month, litigants in unlawful detainer cases at three pilot projects were randomly assigned to receive Shriver services or not. Subsequently, the court case files were reviewed for these cases and the litigants were invited to participate in phone interviews. Lastly, staff members from each pilot project were interviewed about their perceptions of the program's impact. Together, these data help elucidate the impact of providing legal assistance to low-income tenants in unlawful detainer cases.

WHO WAS SERVED BY THE SHRIVER HOUSING PILOT PROJECTS?

From October 2011 through October 2015, the six housing pilot projects provided legal aid services to more than 19,000 low-income tenants facing eviction (and a small number of low-income landlords). Most Shriver clients were female and non-White. About one quarter experienced a disability, and another quarter had limited proficiency with English. More than half had minors living in their households, and over one third received food subsidies. Within these 19,000 cases across the six projects, approximately 55,000 tenants (including household members not listed as defendants) were impacted by the Shriver legal services.

The average monthly income among Shriver clients was well below the 2014 Federal Poverty Level, and the overwhelming majority of them experienced considerable rental cost burden. The U.S. Department of Housing and Urban Development (HUD) considers a household to experience rental cost burden when more than 30% of the household income is devoted to rent. When 50% or more of the income is devoted to rent, the household is considered severely cost burdened. Across all six pilot projects, 92% of Shriver clients spent more than 30% of their monthly household income on rent; 73% spent 50% or more. Most commonly, Shriver clients were being evicted for the purported non-payment of rent, and the average amount demanded on the notice was $1,812. In 60% of cases, tenants owed between $501 and $2,000, and in 9% of cases, the amount was $500 or less, highlighting the financial vulnerability of many families.

WHAT SERVICES WERE PROVIDED BY THE SHRIVER HOUSING PILOT PROJECTS?

The housing pilot projects offered two levels of legal aid service: full representation by a Shriver attorney and unbundled services (help with discrete legal tasks). Across the six projects, more than half of Shriver clients received full representation and just under half received unbundled services. Of those tenants who received full representation from a Shriver attorney, 96% were facing a landlord who was represented by counsel.

Shriver court-based services for unlawful detainer cases included self-help centers, mediation services, and electronic filing systems. One court (Santa Barbara County) established a Housing Settlement Master and instituted mandatory settlement conferences for all unlawful detainer cases that were scheduled for trial.

WHAT WERE THE IMPACTS OF THE SHRIVER HOUSING PILOT PROJECTS?

Study findings demonstrated that, relative to cases with self-represented defendants, cases with Shriver full representation for defendants had the following outcomes:

Increased Participation in the Justice System

With the help of an attorney, tenants were better able to engage with the judicial system and defend their case. Tenants' access to justice depends on their ability to successfully file a written response to the unlawful detainer complaint within a short timeframe. Inability to do so usually results in a default and defendants losing possession of the home without ever presenting their side of the case. Historically, in these cases, defaults are common. Shriver services addressed this need: Program service data from all six projects indicated that, among those clients who received full representation, an answer (or other response) was successfully filed in approximately 94% of cases. Case file data from the random assignment study of three projects showed that significantly more full representation cases successfully filed an answer/response to the unlawful detainer complaint (91%) than did comparison cases (73%). Recall that the comparison cases in the random assignment study had to present to legal aid for service before being assigned to a study group and in some cases, these courts had self-help services that assisted with answer filing (but no other legal help). Anecdotally, it is understood that many tenants default on their case without ever seeking help, and in many areas court self-help centers are not available. Thus, the 73% of answers filed among the comparison group in these three counties may be an overestimation for the broader group of self-represented defendants around the state, which would make the potential impact of Shriver services even greater.

Moreover, attorneys enabled tenants to more effectively defend their case and present the court with comprehensive information on which to base decisions. Defendants with full representation (84%) more often raised affirmative defenses in their cases, versus those without representation (60%). Raising issues of habitability, rent control violations, and Americans with Disabilities Act (ADA) accommodations with the court not only enables tenants to clearly present their case, but also allows the issues to be remedied as part of the unlawful detainer case and therefore alleviates pressure on other publicly-funded agencies.

Fewer defaults

The increased rate of filing answers to the unlawful detainer complaints led to fewer defaults among cases with full representation. Case file data for the random assignment study of three projects showed that Shriver full representation clients were significantly less likely to end their case in default (8%) than were self-represented defendants (16%). The lower rate of default judgments is an important indication of access to justice for these families.

More Settlements and Fewer Trials

Balancing the playing field did not appear to make unlawful detainer proceedings more combative or drawn-out. Instead, it increased the likelihood of settlement. Among defendants with full representation across all six projects, program service data indicate that 70% resolved their case by settlement, and 5% by trial. The random assignment study demonstrated that the settlement rate with balanced representation is significantly higher, and the trial rate lower, than what occurs when one side is self-represented. In particular, case file data showed that 67% of cases with Shriver full representation settled, versus 34% of comparison cases, and just 3% of Shriver full representation cases went to trial, versus 14% of comparison cases.

Impact of Mandatory Settlement Conferences

As part of their Shriver housing pilot project, the Santa Barbara County Superior Court established a court-based Housing Settlement Master. Parties in unlawful detainer cases that were scheduled for trial were required to meet with the settlement master for a mandatory settlement conference before the trial date. Preliminary data on the impact of these settlement conferences suggest that they were effective at helping parties reach agreements that were tenable over time. When both parties appeared at the settlement conference, an agreement was reached 79% of the time. This greatly reduced the number of cases that proceeded to trial, thereby reducing burden on the court. Further, among those cases that settled during the conference, 81% complied with the terms of the agreement, suggesting that the settlement master helped negotiate terms that were both agreeable and tenable for both sides. In most cases, the settlements were conditional: Contingent on the tenants moving out by a certain date (and sometimes paying money), the landlords agreed to reduce (or waive) the rental debt and dismiss the case (so it would not appear on the public record). These settlements were beneficial for both landlords and tenants. Landlords regained their property without having to go through the trouble and expense of a trial or executing a writ of possession. Tenants had their debts reduced (or waived) and had their credit protected, both of which supported their ability to find replacement housing.

Improved Efficiency for the Courts

Although providing full representation to defendants does not appear to shorten the time to resolve cases, it does reduce the level of involvement necessary by the court to bring cases to resolution. Shriver services enabled roughly three quarters of unlawful detainer cases to resolve by settlement, which requires comparatively fewer court resources, and limited the number of cases that went to trial, which is a more resource-intensive activity for court staff. Further, across cases that resolved by settlement, cases with a Shriver attorney were more often settled before the trial date (23%) than were cases with self-represented defendants (2%). These efficiencies can

help alleviate court congestion, by reducing the load on court clerks and judicial officers, and they also translate into cost savings over time.

Shriver representation did not appear to significantly shorten the length of time to resolve cases, in part because case length is inextricably tied to resolution method. That is, overall average case length is impacted by the number of defaults (which take less time than, say, settlements). Importantly, in most jurisdictions, case length was strongly shaped by the statutory 60-day masking period, during which unlawful detainer cases are shielded from public view. If cases are dismissed during this period, they do not appear on the public record. Whereas tenants may not be aware of this, attorneys paid close attention to these details, as they can have a strong impact on individuals' ability to secure future housing.

Case Outcomes Favored Longer Term Housing Stability

Possession of the Property

The provision of Shriver attorneys for defendants in unlawful detainer cases did not result in a significant decrease in forced relocations among low-income tenants. Overall, among cases that received full representation, tenants in more than three-quarters of cases ultimately moved out of their homes. This finding contrasts with some other studies (e.g., Greiner, Partanayak, & Hennessy, 2013; see Engler, 2010, for a review). In the current study, although fewer cases ended with the defendant retaining possession of the property, the random assignment results indicate that possession was retained more often among cases with Shriver-represented defendants than among cases with self-represented defendants.

The majority of tenants with representation from a Shriver attorney moved out of the home as part of a negotiated settlement; a comparatively small proportion were subjected to an actual lockout. Moving as part of a settlement helps to calm emotional tensions on both sides (the date is agreed upon in advance, there is no surprise visit by the sheriff) and offers some extra stability for tenants. Specifically, tenants in full representation cases received, on average, 2 weeks longer to relocate than did those in comparison cases, allowing them more time to find alternate housing.

Other Financial and Credit Related Outcomes

Outcomes of cases with defendants represented by Shriver counsel tended to involve elements supportive of longer term housing stability. Across all projects, among those cases in which tenants had to move out of their homes: 65% resulted in a reduction or waiver in the back-owed rent to be paid by the tenant, 74% ended with the unlawful detainer action kept off the public record, 53% ended with the case not reported to credit agencies, and 39% involved a neutral rental reference from the landlord. Any of these elements alone—but more so when combined—provides tenants with increased opportunity to find alternate stable housing for themselves and their families.

Financial outcomes. Results of the random assignment study showed that beneficial financial outcomes were attained significantly more often for defendants with Shriver representation. Overall, just under half of defendants, regardless of representation status, had to pay back some (or all) past-due rent. However, compared to self-represented defendants, Shriver-represented defendants were less often ordered to pay holdover damages, attorney fees, and other costs.

The amount of money to be paid by the defendant at case closure varied by the original amount owed (the amount demanded on the eviction notice). In particular, defendants were more likely to have their debt waived when they owed less than $2,000, and more likely to have the amount reduced if they owed more. In addition to the amount owed, having an attorney helped determine the amount ordered for repayment. Among cases with less than $2,000 owed, defendants with representation were less likely to be ordered to pay the full debt compared to self-represented defendants. Among cases with between $2,000 and $4,000 owed, defendants with representation more often had their debt waived and less often were ordered to repay the entire amount, relative to those without an attorney.

This finding is relevant for both tenants and landlords. While landlords were often amenable to waiving small debts, large debts amounts were likely to be recouped at least in part. Having balanced representation on both sides of the cases likely helped to facilitate terms that were agreeable for both parties.

Credit Related Outcomes. Defendants who received full representation by a Shriver attorney were more likely than self-represented defendants to have their cases end with other beneficial credit-outcomes. Full representation clients more often received either a payment plan for debt owed, a temporary stay of eviction, return of security deposit, or payment of relocation costs, as compared to litigants who did not receive Shriver service. Full representation also resulted in defendants having their cases not reported to credit agencies, their case sealed (permanently removed from public view), and a neutral reference from the landlord. When tenants had to move, these financial and credit related outcomes supported their ability to secure alternate housing and maintain stability for their households.

This support for longer term housing stability was evident when talking with defendants 1 year after their case had closed. All interviewees except for one had moved out of their home at the end of their case. One year later, 71% of Shriver clients had obtained a new rental unit, compared to 43% of litigants who did not receive Shriver services. Several litigants remained either homeless or unstably housed, but this was the case for twice as many self-represented defendants than Shriver clients. Although they were not asked directly about the effects of the settlement terms on their ability to relocate successfully, it is certainly plausible that benefits such as protected credit, masked records, and reduced/waived debt made it easier for Shriver clients to find stable replacement housing.

Litigants felt supported

When asked about the impacts of the unlawful detainer case on their lives, many Shriver clients expressed appreciation for the legal aid services they received. Despite this service receipt, and especially among those who did not receive Shriver services, defendants described that the unlawful detainer case negatively impacted their lives and their mental health, including increases in depression and anxiety, and that they suffered from the lack of stability and stress of having nowhere to go. Being forced to move also negatively affected others in the household, most notably dependent children. However, the presence of an attorney helped some clients make the stressful experience of an unlawful detainer case manageable, helped them to feel supported in the process and not lost in the system, and in some cases, it helped them mount the motivation for a new start.

Methodological Limitations and Considerations

Three of the six pilot projects implemented random assignment of litigants to receive service, a methodologically rigorous study design that lends considerable credence to the results. However, even with random assignment protocols, the practicalities of field-based data collection can involve potential bias. In the current study, litigants could be assigned to the comparison group only if they presented at legal aid for assistance with their case. Given the high number of unlawful detainer defendants who default without ever seeking help, the comparison litigants in this study may not be representative of typical unrepresented tenants in unlawful detainer cases. This limitation presents a potential bias in the current sample, but one that would lead to an underestimation of the effect of representation. If this bias exists in the current data, it would make it harder to find an effect of representation. The larger drawback to this potential sample bias is the lack of information about those litigants who are most prone to default. Further, the post-case closure interviews may have underrepresented litigants who became homeless after their forced relocation. While homelessness and unstable housing was a clear theme among those interviewed, it is possible that the litigants who were not located for an interview were more likely to be those in less stable situations.

ADDITIONAL NEEDS NOTED BY PROJECTS

Shriver staff overwhelmingly lamented the dearth of affordable housing, which makes finding replacement housing very difficult for those who have to move. Tenants frequently needed more resources than just legal help, such as short-term rental assistance and help finding new housing, neither of which was included in the Shriver Program parameters. These services can be particularly important when trying to prevent homelessness and implement rapid re-housing.

In several areas, the Shriver pilot project was the only provider of free assistance to low-income tenants facing eviction. In some places, the demand for service exceeded the capacity of the project and litigants were turned away. In other areas, especially larger geographic regions, Shriver staff noted that accessing services was challenging for tenants with disabilities, unreliable transportation, or inflexible work schedules. It could take hours, by bus, to get to the courthouse or to legal aid offices, which can be a significant impediment to accessing help, even when it is free. Enabling Shriver staff to accommodate clients by going to their homes for the initial meeting might help surmount these barriers.

Additionally, project staff expressed concern for those tenants who did not qualify for Shriver services due to their income, but who could still not afford an attorney, and therefore tended to slip through the cracks. Further, they felt that low-income landlords would benefit from legal assistance at a greater level than what was available in the current projects.

Shriver Housing Pilot Projects

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Shriver Housing Pilot Projects

Appendix A: Detailed Service Summaries

Individual Project Service Summaries

The following section presents data for each of the pilot projects separately. Each service summary includes information on the project context including the involved agencies and courts, the project implementation model, and detailed information on the services that were provided, to whom, and case characteristics and outcomes (when available). Material for each summary was collected over the course of 3 years, from fall 2012 to fall 2015, and includes information from a series of stakeholder interviews, site visits, quarterly reports, project forms, and, most centrally, data entered by the Shriver legal aid staff into the program services database. A synthesis of this information resulted in a comprehensive picture of the processes and overall implementation of each of the pilot housing projects.

A note regarding "missing data:"

> Legal aid staff were conscientious in their data entry and management. However, there were some variables that were missing data for several cases. Missing values were sometimes due to inadequate data entry, but in most instances, data were missing because they were unknown to the attorneys. This gap is specifically apparent regarding case outcome data. For cases receiving Shriver full representation, attorneys had knowledge of the case progress and resolution, and therefore data were generally complete. However, for cases receiving unbundled services, attorneys often did not know about case resolution and were therefore unable to enter case outcome data. Thus, in each of the service summaries, data pertaining to the client characteristics and case characteristics at Shriver intake are provided based on all cases, whereas data pertaining to case outcomes are provided only for full representation cases.
>
> The manner in which missing data are handled during analysis can impact results and subsequent interpretation. Throughout this report, wherever possible, the proportion of cases with missing data are represented in the tables in an effort to prevent overestimation and to provide the reader with as much information as possible. Throughout the service summaries, percentages are calculated of the total number of cases in the section (i.e., the number of cases with missing data is included in the denominator).

Shriver Project Service Summary: Kern County

Information regarding the types of services provided, case characteristics, and outcomes were obtained from the program services database. Data from the Kern pilot housing project were collected on all parties seeking Shriver services from legal aid (Greater Bakersfield Legal Assistance; GBLA) or the court (Landlord-Tenant Assistance Center; LTAC) from March 2012 through October 2015.

What Services were Provided?

Shriver services were provided by two entities, GBLA and LTAC, which had different eligibility requirements and service offerings. Thus, data for these entities are presented separately. Litigants who were represented by a legal aid attorney for the entirety of their case are termed ***full representation*** clients, litigants who received any other type of service from legal aid (short of full representation) are referred to as ***unbundled services*** clients, and those who obtained help from LTAC received ***court-based services***.

Legal Aid Services

The Kern housing pilot project provided legal aid services to litigants, all of whom were tenants, in a total of 1,220 unlawful detainer cases. Of these cases, 38% received full representation and 62% received unbundled services (see Table HA1). Shriver attorneys tracked the number of hours they worked on cases in 1-hour increments. As seen in Table HA1, overall, Shriver attorneys worked an average of 7 hours per case (median = 4). Full representation cases received an average of 13 hours (median = 9) and unbundled services cases received an average of 4 hours (median = 2). These estimates reflect attorney time only and do not include time worked by other staff, such as intake coordinators or paralegals.

Table HA1. Number of Legal Aid Cases and Attorney Hours Provided per Case

	Level of Service		
Characteristic	**Full Representation**	**Unbundled Services**	**Total**
Number (%) of Cases	461 (38%)	759 (62%)	1,220 (100%)
Attorney Hours Provided			
Mean (*SD*)	13.0 (12.2)	4.0 (8.9)	7.3 (11.1)
Median	9.0	2.0	4.0
Range	1 to 80	0 to 206	0 to 206
Missing N (%)	12 (3%)	9 (1%)	21 (2%)

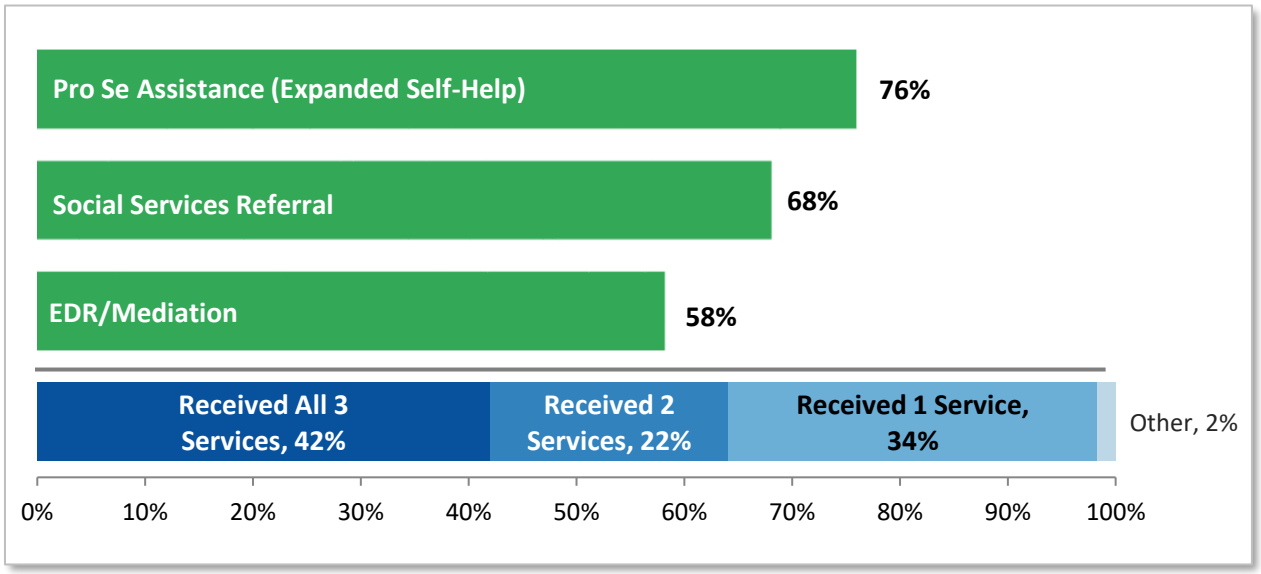
Note. Data obtained from the Shriver program services database (as of 10/18/15).

Court-Based Services

The Kern housing pilot project provided court-based LTAC services to more than 3,600 litigants in housing-related matters. According to LTAC service counts, 57% were plaintiffs (landlords) and 43% were defendants (tenants). Data regarding case and individual characteristics were not available for plaintiff cases. However, such information was available for cases in which LTAC served the defendant. The remainder of this section presents these data at the case level. (LTAC served over 1,600 defendants, and these individuals represented a total of 1,107 cases.)

As shown in Figure H1, among the 1,107 cases, served by LTAC, 76% (*n*=842) received pro se assistance (expanded self-help), 68% (*n*=758) received a referral from the social services coordinator, and 58% (*n*=648) received early dispute resolution (EDR or "mediation") services. Litigants could receive any combination of these services, and most (64%, *n*=705) received two or more services, with a referral from social services being the most common service to be combined with either of the other two services. Forty-two percent (*n*=462) received all three court-based services.

Figure HA1. Percent of Cases Receiving Each Shriver Court-Based Service



Note. Based on 1,107 cases in which the defendant was provided Shriver court-based services.

Who Received Shriver Pilot Project Services?

LEGAL AID SERVICES

Client Characteristics. At the time of Shriver intake, GBLA staff members collected information about their clients, including demographics, living situation, and case characteristics. Nearly one fourth of cases (23%) involved multiple individuals seeking assistance (e.g., couples). For analytic purposes, one litigant's data were used to represent each case (the primary client, i.e., the person with whom the attorney interacted most). The majority (71%) of clients were female, 34% were Black, 33% were Hispanic/Latino, 25% had a known or observable disability (note that 25% of clients were missing this information), and 6% could not effectively communicate in English without the assistance of an interpreter (limited English proficiency). Table HA2 shows the characteristics of the primary client on the 1,220 cases served by legal aid, by level of service.

Table HA2. Demographic Characteristics of Shriver Legal Aid Clients

	Level of Service		
Client Level Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Gender			
Male	113 (25%)	226 (30%)	339 (28%)
Female	342 (74%)	524 (69%)	866 (71%)
Transgender	2 (<1%)	0 (0%)	2 (<1%)
Missing/unknown	4 (1%)	9 (1%)	13 (1%)
Race/Ethnicity[a]			
Black or African American	158 (34%)	254 (33%)	412 (34%)
Hispanic/Latino	150 (33%)	255 (34%)	405 (33%)
White	134 (29%)	212 (28%)	346 (28%)
Other	13 (3%)	30 (4%)	43 (4%)
Missing/unknown/declined	6 (1%)	8 (1%)	14 (1%)
Education			
High school degree or less	73 (16%)	183 (24%)	256 (21%)
Any post-secondary	51 (11%)	130 (17%)	181 (15%)
Missing/unknown	337 (73%)	446 (59%)	783 (64%)
Limited English Proficiency			
Yes	28 (6%)	49 (6%)	77 (6%)
No	430 (93%)	672 (89%)	1,102 (90%)
Missing/unknown	3 (1%)	38 (5%)	41 (3%)
Disability			
Yes	109 (24%)	197 (26%)	306 (25%)
No	204 (44%)	402 (53%)	606 (50%)
Missing/unknown	148 (32%)	160 (21%)	308 (25%)
Total	461 (100%)	759 (100%)	1,220 (100%)

Note. Data from the Shriver program services database (as of 10/18/15). [a] Litigants who identified as Hispanic/Latino and any other race/ethnicity are included in the Hispanic/Latino row.

Two thirds (67%) of cases served by legal aid had at least one minor living in the home, and 60% of households received CalFresh benefits.[104] The median monthly income was $925 (mean = $1,075), and the median monthly rental amount was $650 (mean = $644). By comparison, recall that the median monthly household income in Kern County is $4,046 per month and the average fair market value for a two-bedroom apartment is $815. Table HA3 shows the household characteristics for Shriver cases served by legal aid, by level of service.

Table HA3. Household Characteristics of Shriver Legal Aid Clients

	Level of Service		
Household Level Characteristics	**Full Representation**	**Unbundled Services**	**Total**
Minors in Household, *N* (%)			
Yes	319 (69%)	494 (65%)	813 (67%)
No	138 (30%)	253 (33%)	391 (32%)
Missing/unknown	4 (1%)	12 (2%)	16 (1%)
Received CalFresh Benefits, *N* (%)			
Yes	265 (57%)	463 (61%)	728 (60%)
No	186 (40%)	277 (36%)	463 (38%)
Missing/unknown	10 (2%)	19 (3%)	29 (2%)
Monthly Income			
Mean (SD)	$1,108 (696)	$1,055 (740)	$1,075 (722)
Median	$1,000	$900	$925
Range	$0 to $3,983	$0 to $4,355	$0 to $4,355
Missing/unknown	2 (<1%)	4 (<1%)	6 (<1%)
Monthly Rental Amount[a]			
Mean (SD)	$629 (309)	$654 (333)	$644 (323)
Median	$628	$650	$650
Range	$0 to $2,490	$0 to $4,040	$0 to $4,040
Missing/unknown, *N* (%)	23 (5%)	150 (20%)	173 (14%)
Total	461 (100%)	759 (100%)	1,220 (100%)

Note. Data from the Shriver program services database (as of 10/18/15). [a] Monthly rental amount according to defendant at time of intake. SD=standard deviation.

Nearly all (92%; *n*=1,109) of Shriver legal aid clients were renters/tenants of an apartment, condominium, or house. Others were current or prior owners of a foreclosed property (5%; *n*=55); staying with friends or family (1%; *n*=10); or lodgers in a hotel, motel, or private residence (1%; *n*=8). Few cases involved clients living in a supported environment, nursing home, institution, treatment center, or transitional housing (<1%; *n*=2); living in a shelter, abandoned building, or outside (<1%; *n*=1); or another place not specified (<1%, *n*=5).[105]

[104] The CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP; formerly "food stamps"), provides qualified, low-income households with monthly electronic benefits that can be used to buy most foods at many markets and food stores.
[105] Twelve records (1%) did not specify the client's living situation (missing/unknown).

Opposing Party Representation. Shriver legal aid staff assessed whether the opposing party (typically the landlord) had legal counsel at the time of intake. As shown in Table HA4, for clients that received Shriver full representation, 87% faced an opposing party with legal representation (this information was missing for approximately 8% of cases). Among clients that received unbundled services, approximately 41% faced an opposing party with legal representation (this information was missing for 23% of cases).

Table HA4. Opposing Party Representation at Intake for Legal Aid Clients

	Level of Service		
Opposing Party Represented by Counsel	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Yes	400 (87%)	308 (41%)	708 (58%)
No	22 (5%)	280 (36%)	302 (25%)
Missing/unknown	39 (8%)	171 (23%)	210 (17%)
Total	461 (100%)	759 (100%)	1,220 (100%)

Note. Data from the Shriver program services database (as of 10/18/15).

Case Characteristics. At the time of Shriver intake, 78% of clients had not filed an answer or other response with the court (see Table HA5). Specifically, in 11% of cases, a complaint had not yet been filed with the court (pre-filing status), and in 67%, a complaint or a summons and complaint was filed, but no response. In 2% of cases, the defendant had missed the window to file an answer and a default judgment had been entered. In 16% of cases, an answer had been filed prior to seeking legal aid services. Defendants often received assistance filing an answer from LTAC (Shriver court-based services) before being referred to GBLA.

The most common type of eviction notice was a 3 day pay, perform, or quit (81%; *n*=901), followed next by a 30- to 90-day notice to terminate (12%; *n*=134), which is typically used for tenancies with indefinite rental agreements.[106] Of those cases with information about an eviction notice, the most frequent reason listed was for non-payment of rent (76%), followed next by foreclosure (3%), and violation of lease terms (2%). In cases where the notice indicated non-payment of rent, the median amount demanded on the notice was $797 (mean = $1,130, range = $0 to $12,099). In 55% of cases, defendants owed between $501 and $2,000 according to the eviction notice. In 29% of cases, the amount was $500 or less, highlighting the financial vulnerability of many litigants. Table HA5 shows the reason listed on the eviction notice (if applicable), and for cases including non-payment of rent, the amount demanded.

[106] The remainder of eviction notices were 7 to 14 day terminations (2%, *n*=21) or other types (3%, *n*=29). A total of 115 (10%) cases were missing information about the eviction notice, or the information was unknown.

Table HA5. Status at Intake for Shriver Legal Aid Cases

	Level of Service		
Unlawful Detainer Case Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Case Status at Intake			
No formal eviction notice served	15 (3%)	84 (11%)	99 (8%)
Service of notice to terminate tenancy	10 (2%)	21 (3%)	31 (3%)
Complaint or Summons and Complaint filed	290 (63%)	525 (69%)	815 (67%)
Default judgment entered	9 (2%)	16 (2%)	25 (2%)
Answer/response filed	121 (26%)	78 (10%)	199 (16%)
Judgment entered (not through default)	1 (<1%)	3 (<1%)	4 (<1%)
Writ issued/notice to vacate from sheriff	11 (2%)	25 (3%)	36 (3%)
Other	2 (<1%)	3 (<1%)	5 (<1%)
Missing/unknown	2 (<1%)	4 (1%)	6 (<1%)
Total	461 (100%)	759 (100%)	1,220 (100%)
If Eviction Notice Served, Reason Listed			
Non-payment of rent	349 (79%)	501 (75%)	850 (76%)
Foreclosure	18 (4%)	21 (3%)	39 (3%)
Violation of lease terms	7 (2%)	14 (2%)	21 (2%)
Nuisance (e.g., dispute with neighbors)	2 (<1%)	0 (0%)	2 (<1%)
Other	5 (1%)	9 (1%)	14 (1%)
Multiple reasons	43 (10%)	28 (4%)	71 (6%)
None needed[a]	8 (2%)	42 (6%)	50 (4%)
Missing/unknown	12 (3%)	56 (8%)	68 (6%)
Total	444 (100%)	671 (100%)	1,115 (100%)
If For Non-Payment of Rent, Amount Demanded on Eviction Notice[b]			
$0 to $100	74 (19%)	104 (20%)	178 (19%)
$101 to $500	51 (13%)	40 (8%)	91 (10%)
$501 to $1,000	129 (33%)	160 (30%)	289 (31%)
$1,001 to $2,000	84 (21%)	135 (26%)	219 (24%)
$2,001 to $3,000	34 (9%)	50 (9%)	84 (9%)
$3,001 to $4,000	7 (2%)	14 (3%)	21 (2%)
$4,001 to $5,000	6 (2%)	15 (3%)	21 (2%)
$5,001 or more	6 (2%)	10 (2%)	16 (2%)
Missing/unknown	1 (<1%)	1 (<1%)	2 (<1%)
Total	392 (100%)	529 (100%)	921 (100%)

Note. Data from the Shriver program services database (as of 10/18/15).
[a] Some types of eviction notices (e.g., 30- to 90-day notices) do not require the landlord to state a reason for the eviction. [b] Includes only cases where non-payment of rent or multiple reasons were listed as reasons on the notice.

In 18% (*n*=223) of cases, litigants (and their families) lived in subsidized housing, which often requires a different process for unlawful detainer cases (e.g., a longer notification period or different reasons for tenancy termination). The Kern pilot housing project indicated that 14% (*n*=174*)* of cases had other special characteristics, including owner or tenant of a foreclosed property (4%; *n*=45), military personnel or veterans living in household (1%; *n*=12), bankruptcy (1%; *n*=8), housing provided as part of employment (<1%; *n*=4), multiple considerations (8%; *n*=96), or some other consideration not specified (1%; *n*=9).

Roughly 1% (*n*=11) of Shriver cases had a defendant with a domestic violence restraining order in place at the time of case intake. In about 2% (*n*=24) of cases, the Shriver client alleged some type of discrimination from the landlord, with the most common allegations based on disability status (1%; *n*=7), race (<1%; *n*=5), or multiple allegations (<1%; *n*=4).

COURT-BASED SERVICES

Defendants could receive both legal aid and court-based services. Often, LTAC would help litigants file an answer and then refer them to receive further assistance from GBLA. If defendants received services from both LTAC and GBLA, they were counted in the previous section under legal aid services clients. Only those receiving just LTAC services are counted in the remainder of this court-based services section.

Defendant Characteristics. Staff from the court-based LTAC also collected information regarding litigant demographics, living situation, and case characteristics. LTAC provided service to both low-income defendants and plaintiffs, but case information was entered into the program services database from the perspective of the defendant. If more than one defendant was provided Shriver service on the case (e.g., a couple being evicted), information was entered into the database for the primary litigant (to maintain one record per case). Defendants receiving LTAC services were demographically similar to those receiving legal aid services.

The majority of cases receiving court-based Shriver services involved female defendants (64%). About one third (38%) were Hispanic/Latino, 25% were White, and 20% were Black or African American. Nearly one in five cases (18%) had a defendant with a known or observable disability (note that 39% of cases were missing this information), and 11% involved a defendant who could not effectively communicate in English without the assistance of an interpreter (Limited English Proficiency). Table HA6 shows the demographic characteristics of the defendants in the 1,107 cases receiving court-based Shriver services.

Table HA6. Demographic Characteristics of Defendants Receiving Shriver Court-Based Services

Litigant Level Characteristics	*N* (%)
Gender	
Male	373 (34%)
Female	709 (64%)
Transgender	1 (<1%)
Missing/unknown	24 (2%)
Race/Ethnicity[a]	
Black or African American	221 (20%)
Hispanic/Latino	420 (38%)
White	277 (25%)
Other	82 (7%)
Missing/unknown/declined	107 (10%)
Education	
High school degree or less	480 (43%)
Any post-secondary	214 (19%)
Missing/unknown	413 (37%)
Limited English Proficiency	
Yes	118 (11%)
No	949 (86%)
Missing/unknown	40 (4%)
Disability	
Yes	196 (18%)
No	476 (43%)
Missing/unknown	435 (39%)
Total	1,107 (100%)

Note. Data from the program services database (as of 10/18/15). [a] Litigants who identified as Hispanic/Latino and any other race/ethnicity are included in the Hispanic/Latino row.

Relative to legal aid clients, fewer tenants receiving court-based services had minors living in the household (57% court services vs. 67% legal aid), and fewer received CalFresh benefits (30% court services vs. 60% legal aid). The median monthly income for litigants receiving court-based services was $1,000 (versus $926 for legal aid clients). Thus, it seems that the defendants who were more in need of support received more intensive project services. Table HA7 shows the household characteristics for defendants receiving Shriver court-based services.[107]

Table HA7. Household Characteristics of Defendants Receiving Shriver Court-Based Services

Household Level Characteristics	Statistic
Minors in Household, *N* (%)	
Yes	634 (57%)
No	438 (40%)
Missing/unknown	35 (3%)
Monthly Income	
Mean (SD)	$1,104 (935)
Median	$1,000
Range	$0 to $7,300
Missing/unknown	1 (<1%)
Received CalFresh Benefits, *N* (%)	
Yes	355 (32%)
No	751 (68%)
Missing/unknown	1 (<1%)
Total	1,107 (100%)

Note. Data from the Shriver program services database (as of 10/18/15). SD=standard deviation.

Opposing Party Representation and Case Characteristics. Information regarding opposing party representation was unknown for nearly half (45%) of litigants receiving court-based services. Keeping that proportion in mind, 15% of defendants were facing an opposing party with legal representation and 40% were not, at least at the time of intake (see Table HA8).

At the time of Shriver intake, the defendant had not yet filed an answer or other response in 84% of cases. Specifically, in 29% of cases, a complaint had not yet been filed with the court (pre-filing status), and in 55%, a complaint had been filed, but no response had occurred. In 1% of cases, the defendant had already missed the window to file an answer and a default judgment had been entered. In 2% of cases, an answer had been filed prior to seeking Shriver court-based services.

[107] Information regarding the living situation of court-based services litigants, including whether the litigant lived in subsidized housing or where the litigant was living at the time of Shriver intake, was largely unknown to the LTAC staff, and is therefore omitted.

Table HA8. Opposing Party Representation and Case Status at Intake for Defendants Receiving Shriver Court-Based Services

Unlawful Detainer Case Characteristics	*N* (%)
Case Status at Intake	
No formal eviction notice served	203 (18%)
Service of notice to terminate tenancy	121 (11%)
Complaint or Summons and Complaint filed	609 (55%)
Default judgment entered	8 (1%)
Answer/response filed	27 (2%)
Judgment entered (not through default)	1 (<1%)
Writ issued/notice to vacate from sheriff	0 (0%)
Other	22 (2%)
Missing/unknown	116 (10%)
Opposing Party Represented by Counsel	
Yes	165 (15%)
No	443 (40%)
Missing/unknown	499 (45%)
Total	1,107 (100%)

Note. Data from the Shriver program services database (as of 10/18/15).

Case Proceedings and Outcomes

The remainder of this section on the Kern housing pilot project reflects only Shriver cases that received full representation from legal aid,[108] because the outcomes of cases receiving unbundled services were largely unknown (attorneys did not follow these cases to resolution).

Participation in the Justice System

Answers Filed

To participate in the justice system—that is, to avoid defaulting on an unlawful detainer case—defendants must file an answer (or other response) to the complaint filed by the landlord. As shown in Table HA9, defendants in 91% (*n*=387) of Shriver full representation cases filed a response with the court. In most cases (89%), an answer was filed; in a few cases (2%), a demurrer[109] or other response was filed. (Recall that 26% of full representation cases had an answer filed at intake.) In 2% of cases, an official response to the complaint was not needed, as the case was settled outside of court after filing. In 4% of cases, the plaintiff dismissed the case, thus no official response was filed by the defendant. A common reason for a plaintiff to dismiss a case is that the defendant moved out and possession of the unit was no longer at issue, but the exact reason for dismissal was typically unknown.[110]

[108] 36 full representation cases (8%) were excluded from analysis because there was never an unlawful detainer complaint filed with the court (*n*=11) or because the litigant did not return for services (*n*=25).
[109] A demurrer is filed with the court when there is a technical problem with the unlawful detainer notice.
[110] In one of these 17 cases, the defendant known to have moved out. Otherwise, the reason for the plaintiff's dismissal was unknown or not documented.

Among full representation cases, nearly all defendants (97%) participated in the judicial system. Notably, no default judgments were entered because the tenant failed to respond to the unlawful detainer complaint. This included the eight clients who had defaults entered at the time of Shriver intake, recognizing that Shriver attorneys were often successful in having defaults set aside and allowing the case to proceed.

Table HA9. Response to Unlawful Detainer Complaint by Defendants in Full Representation Cases

Response to Unlawful Detainer Complaint	*N* (%)
Action filed with court:	
Answer	379 (89%)
Other response (e.g., motion to set aside default, demurrer)	8 (2%)
No official response:	
Settled outside of court	8 (2%)
Plaintiff dismissed case[a]	17 (4%)
Default remains	0 (0%)
Other	2 (<1%)
Missing/unknown	11 (3%)
Total	425 (100%)

Note. Data obtained from the Shriver program services database (as of 10/18/15).
[a] Not through negotiated settlement.

COURT EFFICIENCY

Case Resolution

Half (51%) of Shriver full representation cases were resolved by settlement, and one third (34%) were dismissed by the plaintiff. One of every ten cases (11%) was resolved through a trial or hearing; of these 46 cases, one case (2%) was known to have resolved via jury trial.[111] The proportion of full representation cases resolved in each manner is displayed in Table HA10.

Table HA10. Case Resolution Method for Full Representation Cases

Case Resolution Method	*N* (%)
Settlement/stipulation	217 (51%)
Plaintiff dismissal	145 (34%)
Trial/hearing	46 (11%)
Other	11 (3%)
Missing/unknown	6 (1%)
Total	425 (100%)

Note. Data from the Shriver program services database (as of 10/18/15).

[111] This information was missing for 20% of trials (*n*=9); the other 36 trials (78%) were resolved via bench trial.

Point of Settlement. Of the 217 full representation cases that were settled, half (50%; *n*=109) were settled before the trial—certainly the most efficient option for the court (see Table HA11). Forty percent were settled on the day of or during trial, which is often when most parties are able to come together to discuss the terms of the case. Five percent (*n*=11) of settlements occurred during some other post-filing event.

Table HA11. Point of Settlement for Full Representation Cases

Point of Settlement	*N* (%)
Pre-filing	2 (1%)
Post-filing, pre-trial	107 (49%)
On the day of trial	77 (35%)
During trial	10 (5%)
Other post-filing	11 (5%)
Other, not specified	0 (0%)
Missing/unknown	10 (5%)
Total	217 (100%)

Note. Data obtained from the Shriver program services database (as of 10/18/15). Limited to settled cases.

Case Length

As mentioned earlier, the California Administrative Office of the Courts has a goal to resolve 90% of unlawful detainer cases within 30 days of complaint filing, and 100% of cases within 45 days of filing. Across all full representation cases with available data, 16% were resolved within 30 days of the complaint filing and 42% were resolved within 45 days of complaint filing (note that 21% were missing data). The average length (measured from the date of complaint filing to the date of disposition) was 59 days (median = 43).[112] Table HA12 shows the percent of full representation cases resolved within each benchmark period by case resolution method.

Table HA12. Case Age for Full Representation Clients

	Case Resolution Method				
Case Age	**Landlord Dismissal** *N* (%)	**Settlement** *N* (%)	**Trial/ Hearing** *N* (%)	**Other/ Missing** *N* (%)	**Total** *N* (%)
Less than 30 days	10 (7%)	49 (23%)	6 (13%)	2 (12%)	67 (16%)
31 to 45 days	30 (21%)	75 (35%)	12 (26%)	0 (0%)	117 (28%)
46 days or more	48 (33%)	78 (36%)	23 (50%)	2 (12%)	151 (36%)
Missing/unknown	57 (39%)	15 (7%)	5 (11%)	13 (76%)	90 (21%)
Total	145 (100%)	217 (100%)	46 (100%)	17 (100%)	425 (100%)

Note. Data obtained from the Shriver program services database (as of 10/18/15).

[112] Ranging from 0 to 451 days, median = 43 days, *SD* = 65 days.

CASE OUTCOMES

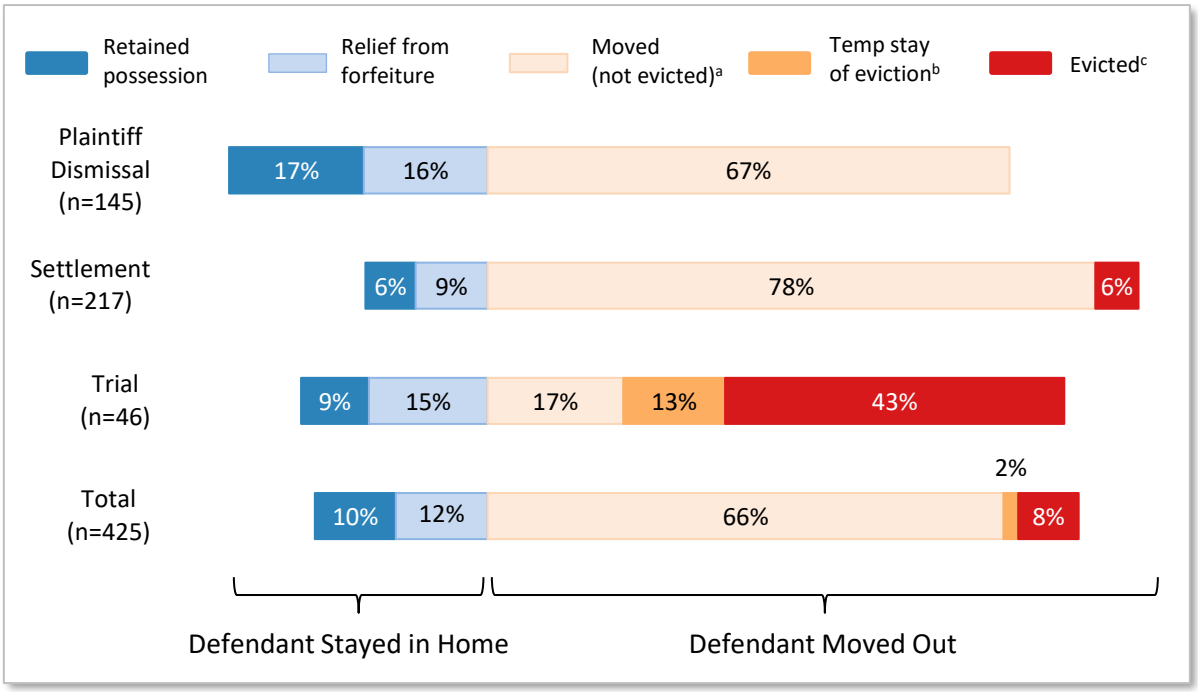
Housing Stability

From the perspective of the tenants, remaining in one's home and avoiding the burden and disruption of looking for new housing (e.g., spending additional money to move or enrolling children in new schools) is a noteworthy and positive outcome. However, in instances when a tenant must relocate, having additional time to move out, retaining neutral references from landlords, or retaining Housing Choice Vouchers can support one's ability to find new and affordable replacement housing more quickly. This can help tenants avoid interstitial periods of homelessness or "couch-surfing" and provide stability for families and children attending school. This section describes the outcomes of the full representation cases, including whether tenants were able to remain in the home and other outcomes that can contribute to successful housing transition, when moving is necessary.

Possession of the Property. At the time of Shriver intake, clients were asked by GBLA attorneys whether they would like to remain in the home. Of the 425 full representation cases, defendants in 42% (*n*=179) of cases wished to remain in their current residence and 52% (*n*=223) did not want to stay in the home; the remaining 5% (*n*=23) were uncertain or the information was unknown. At the end of the case, 22% of tenants (*n*=94) were able to remain in the home, either because they retained possession of the unit or were granted relief from forfeiture.[113] In 76% of cases (*n*=322), the landlord obtained possession and the tenant had to move out of the home. Most tenants who moved did so as part of negotiated agreement, and notably fewer were evicted.[114] Figure HA2 depicts the proportions of cases in which tenants stayed versus moved.

[113] Relief from forfeiture typically applies when a defendant experiences a temporary income shortage and has the ability to pay back rent or other money owed.
[114] Evictions occur when defendants are ruled against in a court hearing, trial, or default judgment, or fail to comply with the conditions of a settlement. This outcome usually results in a case viewable on the public record.

Figure HA2. Possession among Full Representation Clients by Case Resolution Method



Note. Method of resolution was missing for 17 cases. These cases were included in the total row above, but are not represented separately. [a] Defendant moved as part of negotiated agreement or before unlawful detainer hearing or trial judgment. [b] Court granted possession of the unit to the plaintiff (landlord), but postponed the eviction due to extreme hardship on behalf of the defendant. [c] Defendant was ruled against in court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement.

Other Outcomes for Defendants who Moved. Clients in 76% of full representation cases (*n*=322) moved out of their home at the end of their court case. Importantly, in 68% of these cases, the move out date was extended, allowing the tenants more time to find alternate housing and to relocate. Cases that ended by settlement tended to result in more time for tenants to move (see Table HA13).

Among full representation cases of the Kern housing pilot project, nearly all (94%; *n*=303) resulted in some positive outcome that supported the tenant's longer term housing stability. In 72% (*n*=232) of cases, the amount of back-owed rent was reduced, and in 7% (*n*=22) of cases, the debt was waived. (Only 4% of full representation clients paid back the entire amount owed.) In cases where the defendant lived in subsidized housing, 49% were able to retain their Housing Choice Voucher. Analysis combined the outcomes related to decreasing the out-of-pocket expenses for the tenant (e.g., back-owed rent reduced/waived, payment plans, preserve HCV, etc.) and yielded a single indicator of any financial benefit to the tenant. Across cases in which the defendant moved, 81% received some sort of positive financial outcome.

GBLA attorneys described that a typical objective is to encourage pre-trial settlement and to put the litigant in the best position if they need to move out of their homes, such as preventing adverse judgments from appearing on public records. The unlawful detainer court proceedings were masked from public view in 85% of cases, defendants avoided an unlawful detainer judgement reported to credit agencies in 70% of cases, and tenants were granted neutral

references from landlords in 55% of cases. Across the full representation clients who moved out, 87% of cases received at least one positive credit-related outcome.

Table HA13. Tenants who Moved Out:
Percentage of Full Representation Cases Receiving Each Outcome

Outcome	Case Resolution Method				
	Plaintiff Dismissal *N* (%)	Settlement *N* (%)	Trial/ Hearing *N* (%)	Other/ Missing *N* (%)	Total *N* (%)
Litigants Moving Out	*n*=97	*n*=181	*n*=34	*n*=10	*n*=322
Physical Outcomes					
Move Out Date Adjusted	57 (59%)	151 (83%)	7 (21%)	1 (10%)	216 (67%)
Mean Number of Days to Move (*SD*)[a]	33 (*27*)	52 (*35*)	43 (*27*)	--	45 (*33*)
Financial Outcomes					
Pay Plaintiff's Attorney Fees	0 (0%)	16 (9%)	13 (38%)	0 (0%)	29 (9%)
Pay All Rent Owed	1 (1%)	7 (4%)	6 (18%)	0 (0%)	14 (4%)
Rental Amount Owed Reduced	69 (71%)	138 (76%)	21 (62%)	4 (40%)	232 (72%)
Rental Amount Owed Waived	3 (3%)	19 (10%)	0 (0%)	0 (0%)	22 (7%)
Payment Plan for Money Owed	2 (2%)	29 (16%)	1 (3%)	0 (0%)	32 (10%)
Preserved Housing Choice Voucher/Sec. 8[b]	5 (63%)	13 (50%)	0 (0%)	2 (50%)	20 (49%)
Received Any Positive Financial Outcome[c]	***73 (75%)***	***162 (90%)***	***21 (62%)***	***5 (50%)***	***261 (81%)***
Credit-Related Outcomes					
Neutral References from Landlord	53 (55%)	112 (62%)	9 (26%)	2 (20%)	176 (55%)
Not Reported to Credit Agencies	74 (76%)	136 (75%)	11 (32%)	3 (30%)	224 (70%)
Record Masked from Public View	93 (96%)	158 (87%)	16 (47%)	7 (70%)	274 (85%)
Received Any Positive Credit Outcome[d]	***94 (97%)***	***164 (91%)***	***16 (47%)***	***7 (70%)***	***281 (87%)***
Received Any Positive Outcome[e]	**96 (99%)**	**173 (96%)**	**25 (74%)**	**9 (90%)**	**303 (94%)**

Note. Data obtained from the Shriver program services database (as of 10/18/15).
[a] Calculated as the number of days from complaint filing to move out date.SD=standard deviation. Could not be calculated for the one case in the other/missing column. [b] Calculated out of the number of cases where the defendant(s) lived in subsidized housing (*n*=41). [c] Calculated from all monetary items, except where the litigant had to pay for the plaintiff's (landlord's) attorney fees or had to pay back all money owed. [d] Calculated from all credit-related outcomes. [e] Calculated from all monetary and/or credit-related outcomes, except where indicated above.

Shriver Project Service Summary: Los Angeles County

Information regarding the types of services provided, case characteristics, and outcomes were obtained from the Shriver program services database. Data from the Los Angeles pilot housing project were collected on all parties seeking services from March 2012 through October 2015.

What Services were Provided?

Litigants who received full representation from an attorney at one of the four legal aid agencies are categorized as ***full representation*** clients and litigants who received any other types of legal service (through the EAC, any of the legal aid agencies, or an "Attorney of the Day") are referred to as ***unbundled services*** clients.[115]

As shown in Table HA14, in the Los Angeles project, 52% (*n*=5,252) of clients received full representation and 48% (*n*=4,988) received unbundled services. Shriver attorneys recorded the number of hours they worked on cases in as little as 6-minute increments. Table HA14 shows the mean (and median) number of hours attorneys worked on cases, by level of service. Overall, Shriver attorneys worked an average of 6.5 hours per case (median = 2). Full representation clients received an average of 11 hours (median = 6.5) and unbundled services clients received an average of 1.5 hours (median = 1). Importantly, these estimates reflect attorney time and do not reflect time worked by other staff, such as intake coordinators or paralegals.

Table HA14. Number of Legal Aid Cases and Attorney Hours Provided per Case

	Level of Service		
Characteristic	**Full Representation**	**Unbundled Services**	**Total**
Number (%) of Litigants			
Defendants[a]	5,224 (51%)	4,958 (49%)	10,182 (100%)
Plaintiffs	28 (48%)	30 (52%)	58 (100%)
All litigants	5,252 (52%)	4,988 (48%)	10,240 (100%)
Attorney Hours Provided[b]			
Mean (*SD*)	11.2 (19.6)	1.5 (2.3)	6.5 (15.0)
Median	6.5	1.2	2.0
Range	0.0 to 487.4	0.3 to 66.6	0.0 to 487.4
Missing, *N* (%)	1,600 (30%)	1,511 (30%)	3,111 (30%)

Note. Data from the Shriver program services database (as of 10/18/15). [a] Includes 2 subtenants and 2 friends/family of defendants, seeking advice on their behalf. [b] The number of total attorney hours spent per case was not systematically tracked across all the partnering agencies prior to spring 2013. The attorney hours listed in the table reflect only cases from 2013 forward.

[115] Approximately 91 litigants (about 1% of all clients served by the Los Angeles pilot housing project) received extended limited scope ("Attorney of the Day") services.

Who Received Legal Aid Services?

Because less than 1% of Shriver legal aid clients were plaintiffs, the client demographics and case characteristics presented in this section describe defendants. Information about plaintiff clients can be found in Appendix B.

Client Characteristics. At Shriver intake, legal aid staff members collected information about their clients, including demographics, living situation, and case characteristics. One fifth (20%) of cases involved multiple individuals seeking assistance (e.g., couples). Information is provided for the primary client (i.e., the person with whom the attorney interacted most). The average age of the primary client was 43 years (median = 42), the majority (57%) were female, 45% were Hispanic or Latino, and 30% were Black or African American. About one fourth (24%) of cases had a defendant with a known or observable disability, and 38% involved a defendant with limited English proficiency. Table HA15 shows the characteristics of the 10,182 primary clients served by legal aid, by level of service.

Table HA15. Demographic Characteristics of Shriver Legal Aid Clients

	Level of Service		
Client Level Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Age (years)			
18 to 24	306 (6%)	410 (8%)	716 (7%)
25 to 44	2,414 (46%)	2,373 (48%)	4,787 (47%)
45 to 61	1,803 (35%)	1,739 (35%)	3,542 (35%)
62 or older	517 (10%)	307 (6%)	824 (8%)
Missing/unknown	184 (4%)	129 (3%)	313 (3%)
Gender			
Male	1,841 (35%)	2,209 (45%)	4,050 (40%)
Female	3,180 (61%)	2,629 (53%)	5,809 (57%)
Transgender	3 (0%)	6 (0%)	9 (0%)
Missing/unknown	200 (4%)	114 (2%)	314 (3%)
Race/Ethnicity[a]			
Black or African American	1,431 (27%)	1,598 (32%)	3,029 (30%)
Hispanic/Latino	2,511 (48%)	2,088 (42%)	4,599 (45%)
White	244 (5%)	385 (8%)	629 (6%)
Other	228 (4%)	286 (6%)	514 (5%)
Missing/unknown/declined	810 (16%)	601 (12%)	1,411 (14%)
Education			
High school degree or less	2,284 (44%)	1,958 (39%)	4,242 (42%)
Any post-secondary	1,167 (22%)	1,535 (31%)	2,702 (27%)
Missing/unknown	1,773 (34%)	1,465 (30%)	3,238 (32%)
Limited English Proficiency			
Yes	2,168 (42%)	1,663 (34%)	3,831 (38%)
No	2,866 (55%)	3,171 (64%)	6,037 (59%)
Missing/unknown	190 (4%)	124 (3%)	314 (3%)
Disability			
Yes	1,374 (26%)	1,068 (22%)	2,442 (24%)
No	2,669 (51%)	3,171 (64%)	5,840 (57%)
Missing/unknown	1,181 (23%)	719 (15%)	1,900 (19%)
Total	5,224 (100%)	4,958 (100%)	10,182 (100%)

Note. Data from the Shriver program services database (as of 10/18/15) and includes only defendants. [a] Clients who identified as Hispanic/Latino and any other race/ethnicity are counted in the Hispanic/Latino row.

Half (52%) of cases served by Shriver legal aid had at least one minor living in the home, and 41% of households received CalFresh benefits.[116] The median monthly income was $1,000 (mean = $1,154), and the median rental amount was $850 (mean = $877). By comparison, recall that the median monthly household income in Los Angeles County is $4,659 and the average fair market value for a two-bedroom apartment is $1,398. Table HA16 details the household characteristics for Shriver defendants served by legal aid, by level of service.

Table HA16. Household Characteristics of Shriver Legal Aid Clients

	Level of Service		
Household Level Characteristics	**Full Representation**	**Unbundled Services**	**Total**
Minors in Household, *N* (%)			
Yes	2,945 (56%)	2,314 (47%)	5,259 (52%)
No	2,078 (40%)	2,552 (51%)	4,630 (45%)
Missing/unknown	201 (4%)	92 (2%)	293 (3%)
Received CalFresh Benefits, *N* (%)			
Yes	2,189 (42%)	1,968 (40%)	4,157 (41%)
No	2,836 (54%)	2,895 (58%)	5,731 (56%)
Missing/unknown	199 (4%)	95 (2%)	294 (3%)
Monthly Income			
Mean (SD)	$1,197 (843)	$1,109 (886)	$1,154 (866)
Median	$1,037	$964	$1,000
Range	$0 to $9,000	$0 to $8,500	$0 to $9,000
Missing	154 (3%)	65 (1%)	219 (2%)
Monthly Rental Amount[a]			
Mean (SD)	$820 (396)	$939 (460)	$877 (432)
Median	$802	$875	$850
Range	$0 to $4,120	$0 to $4,200	$0 to $4,200
Missing/unknown	243 (5%)	334 (7%)	577 (6%)
Total	5,224 (100%)	4,958 (100%)	10,182 (100%)

Note. Data from the Shriver program services database (as of 10/18/15) and includes only defendants.SD=standard deviation. [a] Monthly rental amount according to defendant at time of intake.

Most Shriver legal aid clients (96%; *n*=9,815) were renters/tenants of an apartment, house, or condominium. Others were current or prior owners of a foreclosed property (<1%; *n*=40) or lodgers in a hotel, motel, or private residence (<1%; *n*=27). The remainder of cases involved clients staying with friends or family (<1%; *n*=15); living in a supported environment, nursing home, institution, treatment center, or transitional housing (<1%; *n*=6); living in a shelter, abandoned building, or outside (<1%; *n*=1); or in another place not specified (<1%; *n*=8).[117]

[116] The CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP; formerly "food stamps"), provides qualified, low-income households with monthly electronic benefits that can be used to buy most foods at many markets and food stores.
[117] Three percent (*n*=270) were missing this information.

Opposing Party Representation. Shriver legal aid staff recorded whether the opposing party had legal counsel at the time of intake. For clients who received full representation, 95% faced an opposing party with legal representation (this information was missing or unclear for 4% of clients).[118] Among clients that received unbundled services, 97% faced an opposing party with legal representation. Table HA17 shows the number and percent of opposing parties represented by legal counsel, by level of service.

Table HA17. Opposing Party Representation at Intake

	Level of Service		
Landlord Represented by Counsel	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Yes	4,981 (95%)	4,850 (98%)	9,831 (97%)
No	9 (<1%)	4 (<1%)	13 (<1%)
Missing/unknown	234 (4%)	104 (2%)	338 (3%)
Total	5,224 (100%)	4,958 (100%)	10,182 (100%)

Note. Data from the Shriver program services database (as of 10/18/15) and includes only defendants.

Case Characteristics. At the time of Shriver intake, 94% of clients had not yet filed an answer (see Table HA18). All of the tenants seeking services from Shriver legal aid had a complaint filed against them with the court (i.e., no cases were in pre-filing status). In less than 1% of cases, the litigant had already missed the window to file an answer and a default judgment had been entered. In 4% of cases, an answer had been filed prior to seeking Shriver services.

The most common type of eviction notice was a 3 day pay, perform, or quit (82%, *n*=8,301),[119] followed next by a 30- to 90-day notice to terminate (4%, *n*=387), which is typically used for tenancies with indefinite rental agreements.[120] Of those cases with information about an eviction notice, the most frequent reason listed was for non-payment of rent (78%), followed next by multiple reasons (3%), foreclosure (2%), nuisance (1%), or violation of lease terms (1%). In cases where the notice indicated non-payment of rent, the median amount demanded on the notice was $1,233 (mean = $1,902; range = $0 to $65,567[121]). In 60% of cases, defendants owed between $501 and $2,000 according to the eviction notice. In 8% of cases, the amount was $500 or less, highlighting the financial vulnerability of many litigants. Table HA18 shows the reason listed on the eviction notice and, for cases where the reason included non-payment of rent, the amount demanded.

[118] Staff attorneys anecdotally reported that some plaintiffs filed their paperwork in pro per, so as to disqualify defendants from receiving Shriver services, but then later retained counsel for litigation.
[119] 3 day pay, perform, or quit notices break down in the following way: 3 day quit (4%, n=368), 3 day perform or quit (3%, n=350), and 3 day pay or quit (75%, n=7,583).
[120] The remainder of eviction notices were 7- to 14-day terminations (2%, *n*=226) or other types of notices (1%, *n*=138); 893 (9%) cases were missing information about the eviction notice.
[121] Less than 1% of cases (*n*=6) had amounts greater than $25,000 (the upper bound for limited jurisdiction cases).

Table HA18. Status at Intake for Shriver Legal Aid Cases

	Level of Service		
Unlawful Detainer Case Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Case Status at Intake			
No formal eviction notice served	0 (0%)	0 (0%)	0 (0%)
Service of notice to terminate tenancy	0 (0%)	0 (0%)	0 (0%)
Complaint or Summons and Complaint filed	4,786 (92%)	4,735 (96%)	9,521 (94%)
Default judgment entered	2 (<1%)	0 (0%)	2 (<1%)
Answer/response filed	272 (5%)	148 (3%)	420 (4%)
Judgment entered (not through default)	0 (0%)	0 (0%)	0 (0%)
Writ issued/notice to vacate from sheriff	0 (0%)	0 (0%)	0 (0%)
Other	0 (0%)	2 (<1%)	2 (<1%)
Missing/unknown	164 (3%)	73 (1%)	237 (2%)
Total	5,224 (100%)	4,958 (100%)	10,182 (100%)
If Eviction Notice Served, Reason Listed			
Non-payment of rent	3,958 (78%)	3,830 (78%)	7,788 (78%)
Foreclosure	80 (2%)	121 (2%)	201 (2%)
Violation of lease terms	66 (1%)	20 (0%)	86 (1%)
Nuisance (e.g., dispute with neighbors)	66 (1%)	37 (1%)	103 (1%)
Other	168 (3%)	93 (2%)	261 (3%)
Multiple reasons	191 (4%)	81 (2%)	272 (3%)
None needed[a]	103 (2%)	107 (2%)	210 (2%)
Missing/unknown	428 (8%)	596 (12%)	1,024 (10%)
Total	5,060 (100%)	4,885 (100%)	9,945 (100%)
If Eviction Cited Non-Payment of Rent, Amount Demanded on Eviction Notice[b]			
$0 to $100	64 (2%)	28 (1%)	92 (1%)
$101 to $500	346 (8%)	196 (5%)	542 (7%)
$501 to $1,000	1,192 (29%)	1,052 (27%)	2,244 (28%)
$1,001 to $2,000	1,218 (29%)	1,342 (34%)	2,560 (32%)
$2,001 to $3,000	433 (10%)	506 (13%)	939 (12%)
$3,001 to $4,000	195 (5%)	236 (6%)	431 (5%)
$4,001 to $5,000	88 (2%)	122 (3%)	210 (3%)
$5,001 or more	230 (6%)	241 (6%)	471 (6%)
Missing/unknown	383 (9%)	188 (5%)	571 (7%)
Total	4,149 (100%)	3,911 (100%)	8,060 (100%)

Note. Data from the Shriver program services database (as of 10/18/15) and includes only defendants. [a] Some types of eviction notices (e.g., 30- to 90-day notices) do not require the landlord to state a reason for the eviction. [b] Includes only cases where non-payment of rent or multiple reasons were listed as reasons on the notice.

Staff at the Los Angeles project recorded more detailed screening information than the other pilot projects did. This information helped to shape an understanding of the merits of the case and the vulnerability of the tenants and to identify affirmative defenses. According to the tenant at the Shriver intake, 82% (*n*=8,306) had a written lease agreement and 12% (*n*=1,217) had an oral lease agreement with their landlord.[122] Many clients believed their rental unit had code or habitability violations (90%; *n*=9,153) and many had filed complaints with the landlord (71%; *n*=7,239) and/or a government agency (19%; *n*=1,909).[123] The most common allegations of uninhabitable conditions were infestation (64%; *n*=6,471), inadequate plumbing (48%; *n*=4,916), peeling/chipped paint (45%; *n*=4,587), holes in the wall (40%; *n*=4,123), mold (41%; *n*=4,182), and inadequate heat (40%, *n*=4,054). Tenants had, on average, 5.6 allegations of code or habitability violations per case (median = 5). Twenty-nine percent (*n*=2,947) felt their unlawful detainer case was filed in retaliation for their complaints.

In the Los Angeles project, defendants in 11% of cases (*n*=1,146) lived in subsidized housing, and 57% (*n*=5794) lived in a property protected by a rent stabilization ordinance (RSO), which protects tenants from excessive rent increases and specifies how often and how much a landlord may raise the rental amount.[124] The process for evicting defendants living in subsidized housing or housing protected by RSOs is often different from the typical unlawful detainer process. For subsidized housing, there can be a longer notification period or a different standard for tenancy termination. Landlords evicting tenants in rent stabilized properties may also have to pay relocation fees for the tenant (ranging from $7,300 to $18,300, depending on the circumstances). The Los Angeles housing pilot project also indicated that 7% (*n*=659) of cases had other special characteristics, including tenant of a foreclosed property (2%; *n*=208), client filed for bankruptcy (2%; *n*=195), military personnel or veterans living in household (2%, *n*=156), housing provided as part of employment (<1%; *n*=23), or other reason (<1%; *n*=77).

Two percent (*n*=220) of Shriver cases involved defendants with an active domestic violence restraining order at the time of case intake. In 10% of cases (*n*=1,044), the Shriver client alleged some type of discrimination from the landlord, with the most common allegations based on retaliation discrimination (3%; *n*=265), followed by disability status (2%; *n*=189), race (1%; *n*=140), or multiple allegations (3%; *n*=265).

Case Proceedings and Outcomes

The remainder of this section on the Los Angeles housing pilot project reflects only the Shriver cases that received full representation from legal aid.[125] The outcomes of cases receiving unbundled services were unknown because attorneys did not follow them to resolution.

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[122] The remainder of cases (6%; *n*=659) were missing this piece of information or the information was not collected/unknown.
[123] Fourteen percent (*n*=1,391) of defendants submitted written complaints to their landlord, and 57% (*n*=5,848) said they provided verbal complaints.
[124] Twenty-nine percent (*n*=2,905) of cases were missing information (or the information was unknown) about whether the defendant lived in subsidized housing, and 21% (*n*=2,095) of cases were missing information (or the information was unknown) about whether the property was protected by a rent stabilization ordinance. It is very likely that the attorneys collected this information, but it was not recorded in the program services database.
[125] T14 full representation cases (<1%) excluded from analyses because the litigant did not return for services.

PARTICIPATION IN THE JUSTICE SYSTEM

Answers Filed

To participate in the justice system—that is, to avoid defaulting on an unlawful detainer case—defendants must file an answer (or other response) to the complaint filed by the landlord. As shown in Table HA19, defendants in 96% (*n*=4,989) of Shriver full representation cases filed a response with the court. In most cases (94%), an answer was filed; in a few cases (2%), a demurrer[126] or other response was filed. (Recall that only 5% of full representation cases had an answer filed at intake.) In 2% of cases, an official response to the complaint was not needed, as the case was settled outside of court after filing. In 1% of cases, the plaintiff dismissed the case, thus no official response was filed by the defendant. A common reason for a plaintiff to dismiss a case is that the defendant moved out and possession of the unit is no longer at issue, but the exact reason for dismissal was typically unknown.

Among full representation cases, nearly all defendants (98%) participated in the judicial system. Notably, no default judgments were entered because the tenant failed to respond to the unlawful detainer complaint. Shriver attorneys were able have defaults set aside in two cases in which defendants had a default judgment when they presented for services.

Table HA19. Response to Unlawful Detainer Complaint by Defendants in Full Representation Cases

Response to Unlawful Detainer Complaint	*N* (%)
Action filed with court:	
Answer	4,898 (94%)
Other response (e.g., motion to set aside default, demurrer)	91 (2%)
No official response:	
Settled outside of court	100 (2%)
Plaintiff dismissed case[a]	52 (1%)
Default remains	0 (0%)
Other	7 (<1%)
Missing/unknown	62 (1%)
Total	5,210 (100%)

Note. Data from the Shriver program services database (as of 10/18/15) and includes only defendants.
[a] Not through negotiated settlement.

[126] A demurrer is filed with the court when there is a technical problem with the unlawful detainer complaint.

COURT EFFICIENCY

Case Resolution

About two thirds (64%) of Shriver full representation cases were resolved by settlement and 22% were dismissed by the plaintiff (see Table HA20). Three percent were resolved through a trial or hearing; of these, 44% (*n*=58) were resolved via jury trial.[127] Overall, jury trials represented about 1% of all full representation cases.

Table HA20. Case Resolution Method for Full Representation Cases

Case Resolution Method	*N* (%)
Plaintiff dismissal	1,161 (22%)
Settlement/stipulation	3,344 (64%)
Trial/hearing	131 (3%)
Other	43 (1%)
Missing/unknown	531 (10%)
Total	5,210 (100%)

Note. Data from the Shriver program services database (as of 10/18/15) and includes only defendants.

Point of Settlement. Of the 3,344 full representation cases that were settled, 16% (*n*=521) were settled before the trial—certainly the most efficient option for the court. Sixty-one percent were settled on the day of or during trial, which is often when most parties are able to come together to discuss the terms of the case. Thirteen percent were settled during some other post-filing event. Table HA21 displays the point of settlement for all Shriver cases that were resolved via settlement or stipulation.

Table HA21. Point of Settlement for Full Representation Cases

Point of Settlement	*N* (%)
Pre-filing	0 (0%)
Post-filing, pre-trial	521 (16%)
On the day of trial	1,961 (59%)
During trial	59 (2%)
Other post-filing	446 (13%)
Other, not specified	25 (1%)
Missing/unknown	332 (10%)
Total	3,344 (100%)

Note. Data from the Shriver program services database (as of 10/18/15) and includes only defendants. Limited to settled cases.

[127] This information was missing for approximately 36% of trials (*n*=47); the other 26 trials (19%) were resolved via bench trial.

Case Length

As mentioned earlier, the California Administrative Office of the Courts has a goal to resolve 90% of unlawful detainer cases within 30 days of complaint filing, and 100% of cases within 45 days of filing. Across all full representation cases with available data, 24% were resolved within 30 days of the complaint filing and 51% were resolved within 45 days of complaint filing (note that 27% were missing data). The average length of unlawful detainer cases (measured from the date of complaint filing to the date of disposition) was 46 days (median = 36) for full representation cases.[128] Table HA22 shows the number and percent of full representation cases resolved within each of the benchmark periods, by method of case resolution.

Table HA22. Case Age for Full Representation Cases

	Case Resolution Method				
Case Age	**Landlord Dismissal *N* (%)**	**Settlement *N* (%)**	**Trial/ Hearing *N* (%)**	**Other/ Missing *N* (%)**	**Total *N* (%)**
Less than 30 days	309 (27%)	900 (27%)	28 (21%)	19 (3%)	1,256 (24%)
31 to 45 days	261 (22%)	1,073 (32%)	38 (29%)	18 (3%)	1,390 (27%)
46 days or more	271 (23%)	801 (24%)	42 (32%)	21 (4%)	1,135 (22%)
Missing/unknown	320 (28%)	570 (17%)	23 (18%)	516 (90%)	1,429 (27%)
Total	1,161 (100%)	3,344 (100%)	131 (100%)	574 (100%)	5,210 (100%)

Note. Data from the Shriver program services database (as of 10/18/15) and includes only defendants.

CASE OUTCOMES

Housing Stability

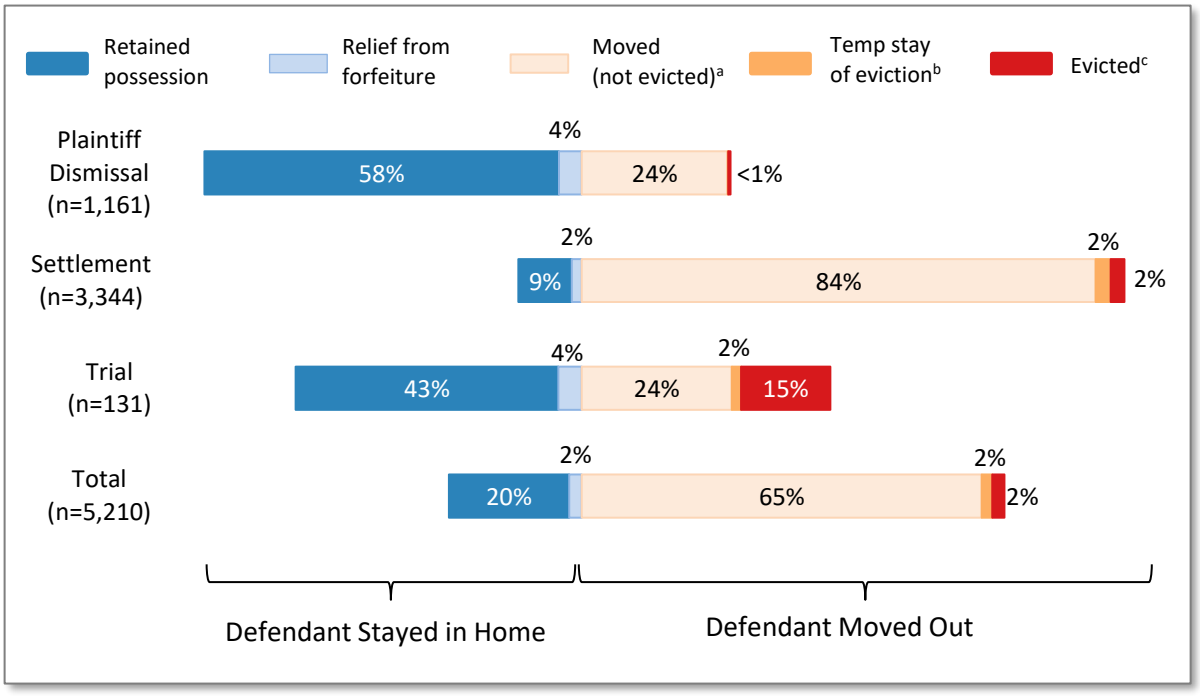
From the perspective of the tenants, staying in one's home and avoiding the burden and disruption of a forced relocation (e.g., finding new housing, spending additional money to move, enrolling children in new schools) is a noteworthy and positive outcome. However, in instances where the tenant must relocate, other factors—such as having additional time to move, maintaining clean credit, or retaining Housing Choice Vouchers—can contribute to a tenant being able to secure alternate, affordable housing more quickly. Finding new housing quickly can help tenants avoid interstitial periods of homelessness or "couch-surfing" and provide stability for families and children attending school. This section describes the outcomes for full representation cases, including whether tenants were able to remain in the home and other outcomes that may aid successful housing transition, when moving is necessary.

Possession of Property. At Shriver intake, legal aid clients were asked by their attorneys whether they wanted to stay in the home. Of the 5,210 full representation cases, defendants in 40% of cases (*n*=2,059) wished to remain in their current residence, 7% (*n*=377) did not want to stay in the home, and over half (53%; *n*=2,774) were uncertain or their response was unknown. At the end of the court case, 22% (*n*=1,127) were able to remain in the home, either because

[128] Ranging from 0 to 686 days, median = 36 days, *SD* = 40 days.

the tenant retained possession of the unit or was granted relief from forfeiture.[129] In 69% of cases (*n*=3,584), tenants moved out of the home. (Possession was unknown for 10% of cases.) Although most tenants ultimately moved, the majority did so as part of negotiated agreement, and notably fewer cases resulted in in eviction.[130] Also, a small proportion of cases received a temporary stay of eviction, whereby the court granted possession of the unit to the plaintiff (landlord), but postponed the eviction due to extreme hardship on behalf of the defendant. Figure HA3 displays the percentages of tenants who stayed in or moved out of their homes, by the method of case resolution.

Figure HA3. Possession among Full Representation Clients by Case Resolution Method



Note. Data for case resolution method was missing for 574 (10%) cases; these cases were included in the total row, but not represented separately. [a] Defendant moved as part of negotiated agreement or before unlawful detainer hearing or trial judgment. [b] Court granted possession of the unit to the plaintiff (landlord), but postponed the eviction due to extreme hardship on behalf of the defendant. [c] Defendant was ruled against in court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement.

[129] Relief from forfeiture typically applies when a litigant experiences a temporary income shortage and has the ability to pay back rent or other money owed.

[130] Evictions describe the situation when tenants are ruled against in a court hearing, trial, or through default judgment, or failed to comply with the conditions of a settlement. This outcome usually results in an unlawful detainer case viewable on their public record.

Other Outcomes among Defendants who Moved. Clients in 69% of full representation cases (*n*=3,584) moved out of their home at the end of their court case. Importantly, in 72% of these cases, the move out date was extended, allowing the tenants more time to find alternate housing and to relocate. Cases that ended by settlement most often included extended move outs (see Table HA23).

Among full representation cases of the Los Angeles housing pilot project, 89% (*n*=3,205) resulted in some positive outcome that supported the tenant's longer term housing stability; among those cases resolved by settlement, 99% involved a positive outcome (see Table HA23). In 21% (*n*=762) of cases, the amount of back-owed rent was reduced, and in 58% (*n*=2,065) of cases, the debt was waived. (6% of full representation clients paid back the full amount owed.) In cases where defendants lived in subsidized housing, 45% were able to retain their Housing Choice Voucher. Analysis combined the outcomes related to decreasing the out-of-pocket expenses for the tenant and yielded a single indicator of any financial benefit to the tenant. Across cases in which the tenant moved, 82% received some sort of positive financial outcome—and 94% among settled cases.

Legal aid attorneys mentioned that, in the event their client must move out, one of their major objectives was to avoid unlawful detainer cases from appearing on public records. Overall, the unlawful detainer court proceedings were masked from public view in 86% of cases—including 96% of cases that settled. Further, defendants avoided an unlawful detainer judgement reported to credit agencies in 54% of cases. Across the full representation clients who moved out, 86% of cases received at least one positive credit-related outcome—including 96% of cases that were resolved by settlement.

Table HA23. Tenants who Moved Out: Percentage of Full Representation Cases Receiving Each Outcome

Outcome	Case Resolution Method				
	Plaintiff Dismissal *N* (%)	**Settlement** *N* (%)	**Trial** *N* (%)	**Other/ Missing** *N* (%)	**Total** *N* (%)
Clients Moving Out	*n* = 281	*n* = 2,954	*n* = 53	*n* = 296	*n* = 3,584
Physical Outcomes					
Move Out Date Adjusted	52 (19%)	2,452 (83%)	21 (40%)	28 (9%)	2,553 (71%)
Mean Number of Days to Move (*SD*)[a]	58 (45)	91 (46)	96 (43)	122 (47)	90 (46)
Financial Outcomes					
Pay Plaintiff's Attorney Fees	2 (1%)	66 (2%)	5 (9%)	0 (0%)	73 (2%)
Pay All Rent Owed	31 (11%)	167 (6%)	10 (19%)	5 (2%)	213 (6%)
Rental Amount Owed Reduced	40 (14%)	687 (23%)	14 (26%)	21 (7%)	762 (21%)
Rental Amount Owed Waived	60 (21%)	1,975 (67%)	19 (36%)	11 (4%)	2,065 (58%)
Payment Plan for Money Owed	6 (2%)	175 (6%)	1 (2%)	0 (0%)	182 (5%)
Preserved Housing Choice Voucher/Sec. 8[b]	18 (30%)	209 (58%)	1 (9%)	3 (4%)	231 (45%)
Received Any Positive Financial Outcome[c]	***112 (40%)***	***2,766 (94%)***	***34 (64%)***	***33 (11%)***	***2,945 (82%)***
Credit-Related Outcomes					
Neutral References from Landlord	18 (6%)	818 (28%)	3 (6%)	3 (1%)	842 (23%)
Not Reported to Credit Agencies	105 (37%)	1,792 (61%)	15 (28%)	11 (4%)	1,923 (54%)
Record Masked from Public View	162 (58%)	2,836 (96%)	30 (57%)	37 (13%)	3,065 (86%)
Received Any Positive Credit Outcome[d]	***176 (63%)***	***2,849 (96%)***	***31 (58%)***	***38 (13%)***	***3,094 (86%)***
Received Any Positive Outcome[e]	***204 (73%)***	***2,918 (99%)***	***40 (75%)***	***43 (15%)***	***3,205 (89%)***

Note. Data obtained from the Shriver program services database (as of 10/18/15).
[a] Calculated as the number of days from complaint filing to move out date. [b] Calculated out of the number of cases where the defendant(s) lived in subsidized housing (*n*=515). [c] Calculated from all monetary items, except where the litigant had to pay for the plaintiff's (landlord's) attorney fees or had to pay back all money owed. [d] Calculated from all credit-related outcomes. [e] Calculated from all monetary and/or credit-related outcomes, except where indicated above.

Shriver Project Service Summary: Sacramento County

Information regarding the types of services provided, case characteristics, and outcomes were obtained from the Shriver program services database. Data from the Sacramento housing pilot project were collected on all parties seeking services from Legal Services of Northern California (LSNC)-Sacramento from January 2012 through September 2014.[131]

What Services were Provided?

Shriver services were provided by LSNC-Sacramento and the McGeorge Housing Mediation Center, but information on mediation services was not available. LSNC provided a range of services, and in this report, litigants who received full representation from an LSNC attorney are categorized as ***full representation*** clients and those receiving any other type of legal service from legal aid are referred to as ***unbundled service***s clients.

Between January 2012 and September 2014, the Sacramento housing pilot project provided legal aid services to litigants, all of whom were defendants, in a total of 2,002 unlawful detainer cases. Of these cases, 36% received full representation and 64% received unbundled services (Table HA24). By comparison, between October 2014 and September 2015 (the year immediately following the conclusion of the Shriver housing pilot project in Sacramento), LSNC-Sacramento served litigants in a total of 1,341 cases for housing-related matters. Of these litigants, nearly all (96%; *n*=1,291) received unbundled services and just 4% (*n*=50) received full representation.[132]

Shriver attorneys tracked the number of hours they worked on cases in 6-minute increments. As seen in Table HA24, overall, Shriver attorneys worked an average of 8 hours per case (median = 5). Full representation cases received an average of 17 hours (median = 13) and unbundled services cases received an average of 4 hours (median = 3). Notably, these estimates reflect just attorney time and not time worked by other staff, such as intake coordinators or paralegals.

Table HA24. Number of Legal Aid Cases and Attorney Hours Provided per Case

Characteristic	Full Representation	Unbundled Services	Total
Number (%) of Litigants	718 (36%)	1,284 (64%)	2,002 (100%)
Attorney Hours Provided			
Mean (*SD*)	16.5 (14.0)	3.7 (3.6)	8.3 (10.8)
Median	12.7	2.8	4.7
Range	1.2 to 127.1	0.1 to 42.8	0.1 to 127.1
Missing N (%)	3 (<1%)	9 (1%)	10 (<1%)

Note. Data from the Shriver program services database (as of 10/20/14).

[131] Information about services provided through the McGeorge Housing Mediation Center and other court-based Shriver services was not available.

[132] Unbundled services included limited action (*n*=348) and counsel and advice (*n*=943). Full representation included extensive services (*n*=6), negotiated settlement with or without litigation (*n*=24 and *n*=12, respectively), and cases resulting in administrative agency (*n*=2) or court decisions (*n*=6). This information was provided by LSNC-Sacramento and collected in their agency database.

Who Received Services?

Client Characteristics. At the time of Shriver intake, legal aid staff members collected data about their clients, including demographics, living situation, and case characteristics. Fifteen percent of cases involved multiple individuals seeking assistance (e.g., couples). One litigant's data was used to represent each case (the primary client—i.e., the person with whom the attorney interacted most). The average age of the primary client was 44 years (median = 44), the majority (66%) were female, 40% were Black or African American, 31% were White (non-Hispanic), and 42% had a known or observable disability. Table HA25 shows the demographic characteristics of the 2,002 clients served by legal aid, by level of service.

Table HA25. Demographic Characteristics of Shriver Legal Aid Clients

	Level of Service		
Client Level Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Age (years)			
18 to 24	36 (5%)	80 (6%)	116 (6%)
25 to 44	323 (45%)	596 (46%)	919 (46%)
45 to 61	274 (38%)	511 (40%)	785 (39%)
62 or older	78 (11%)	94 (7%)	172 (9%)
Missing/unknown	7 (1%)	3 (0%)	10 (0%)
Gender			
Male	233 (32%)	419 (33%)	652 (33%)
Female	477 (66%)	853 (66%)	1330 (66%)
Transgender	2 (0%)	1 (0%)	3 (0%)
Missing/unknown	6 (1%)	11 (1%)	17 (1%)
Race/Ethnicity[a]			
Black or African American	314 (44%)	477 (37%)	791 (40%)
Hispanic/Latino	83 (12%)	191 (15%)	274 (14%)
White	203 (28%)	419 (33%)	622 (31%)
Other	83 (12%)	143 (11%)	226 (11%)
Missing/unknown/declined	35 (5%)	54 (4%)	89 (4%)
Education			
High school degree or less	90 (13%)	188 (15%)	278 (14%)
Any post-secondary	175 (24%)	242 (19%)	417 (21%)
Missing/unknown	453 (63%)	854 (67%)	1307 (65%)
Disability			
Yes	314 (44%)	525 (41%)	839 (42%)
No	342 (48%)	637 (50%)	979 (49%)
Missing/unknown	62 (9%)	122 (10%)	184 (9%)
Total	718 (100%)	1,284 (100%)	2,002 (100%)

Note. Data from the Shriver program services database (as of 10/20/14). [a] Litigants who identified as Hispanic/Latino and any other race are included in the Hispanic/Latino row.

Half (52%) of cases served by legal aid had at least one minor living in the home, and 28% of households received CalFresh benefits.[133] The median monthly household income was $897 (mean = $1,036), and the median monthly rental amount was $729 (mean = $741). By comparison, recall that the median monthly household income in Sacramento County is $4,589 and the average fair market value for a two-bedroom apartment is $1,072. Table HA26 shows the household characteristics for Shriver cases served by legal aid, by level of service.

Table HA26. Household Characteristics of Shriver Legal Aid Clients

	Level of Service		
Household Level Characteristics	**Full Representation**	**Unbundled Services**	**Total**
Minors in Household, *N* (%)			
Yes	382 (53%)	654 (51%)	1,036 (52%)
No	336 (47%)	630 (49%)	966 (48%)
Missing/unknown	0 (0%)	0 (0%)	0 (0%)
Received CalFresh Benefits, *N* (%)			
Yes	237 (33%)	322 (25%)	559 (28%)
No	453 (63%)	548 (43%)	1,001 (50%)
Missing/unknown	28 (4%)	414 (32%)	442 (22%)
Monthly Income			
Mean	$1,086	$1,008	$1,036
Median	$900	$890	$897
SD	$714	$745	$735
Range	$0 to $4,517	$0 to $5,100	$0 to $5,100
Missing/unknown	0 (0%)	0 (0%)	0 (0%)
Monthly Rental Amount[a]			
Mean	$764	$719	$741
Median	$745	$716	$729
SD	$354	$3,380	$369
Range	$0 to $4,000	$0 to $2,600	$0 to $4,000
Missing/unknown	65 (9%)	568 (44%)	633 (32%)
Total	718 (100%)	1,284 (100%)	2,002 (100%)

Note. Data obtained from the Shriver program services database (as of 10/20/14).
[a] Monthly rental amount according to defendant at time of intake.

Most (86%; *n*=1,723) Shriver legal aid clients were renters/tenants of an apartment, condo, or house. Others were current or prior owners of a foreclosed property (3%; *n*=62) or lodgers in a hotel, motel, or private residence (2%; *n*=48). The remainder involved clients staying with friends or family (1%; *n*=16); living in a shelter, abandoned building, or outside (1%; *n*=13); living in a supported environment, nursing home, institution, treatment center, or transitional housing (<1%; *n*=2); or another place not specified (4%; *n*=64).

[133] The CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP; formerly "food stamps"), provides qualified, low-income households with monthly electronic benefits that can be used to buy most foods at many markets and food stores.

Opposing Party Representation. Shriver legal aid staff assessed whether the opposing party had retained legal counsel at the time of intake. As seen in Table HA27, for full representation cases, 92% faced an opposing party with legal representation (information was missing for 7% of cases). Among cases that received unbundled services, at least 38% faced an opposing party with legal representation, but this information was missing or unknown for 42% of cases.

Table HA27. Opposing Party Representation at Intake for Legal Aid Cases

	Level of Service		
Opposing Party Represented by Counsel	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Yes	658 (92%)	494 (38%)	1,152 (58%)
No	13 (2%)	251 (20%)	264 (13%)
Missing/unknown	47 (7%)	539 (42%)	586 (29%)
Total	718 (100%)	1,284 (100%)	2,002 (100%)

Note. Data from the Shriver program services database (as of 10/20/14).

Case Characteristics. At the time of Shriver legal aid intake, 59% of clients had not filed an answer or other responses with the court (note that 21% were missing this information; see Table HA28). Specifically, in 5% of cases, a complaint had not yet been filed with the court (pre-filing status), and in 54%, a complaint was filed, but no response. In 3% of cases, the defendant had already missed the window to file an answer and a default judgment had been entered. In 6% of cases, an answer had been filed before seeking Shriver services.

The most common type of eviction notice was a 3 day pay, perform, or quit (79%; *n*=1,205), followed next by a 30- to 90-day notice to terminate (10%; *n*=157), which is typically used for tenancies with indefinite rental agreements.[134] Of those cases with information about an eviction notice, the most frequent reason listed was for non-payment of rent (68%), followed next by foreclosure (5%), and violation of lease terms (5%). In cases where the notice indicated non-payment of rent, the median amount demanded on the notice was $1,031 (mean = $1,538, range = $0 to $13,200). In 62% of cases, defendants owed between $501 and $2,000 according to the eviction notice. In 11% of cases, the amount was $500 or less, highlighting the financial vulnerability of many tenants. Table HA28 shows the reason listed on the eviction notice (if applicable), and for cases including non-payment of rent, the amount demanded.

[134] The remainder of eviction notices were 7 to 14 day terminations (<1%; *n*=5) or other types (3%; *n*=44); 115 (8%) cases were missing information about the eviction notice, or the information was unknown to project staff.

Table HA28. Status at Intake for Shriver Legal Aid Cases

	Level of Service		
Unlawful Detainer Case Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Case Status at Intake			
No formal eviction notice served	4 (1%)	44 (3%)	48 (2%)
Service of notice to terminate tenancy	8 (1%)	47 (4%)	55 (3%)
Complaint or Summons and Complaint filed	554 (77%)	519 (40%)	1,073 (54%)
Default judgment entered	17 (2%)	38 (3%)	55 (3%)
Answer/response filed	60 (8%)	66 (5%)	126 (6%)
Judgment entered (not through default)	1 (0%)	6 (0%)	7 (0%)
Writ issued/notice to vacate from sheriff	36 (5%)	134 (10%)	170 (8%)
Other	6 (1%)	34 (3%)	40 (2%)
Missing/unknown	32 (4%)	396 (31%)	428 (21%)
Total	718 (100%)	1,284 (100%)	2,002 (100%)
If Eviction Notice Served, Reason Listed			
Non-payment of rent	496 (73%)	541 (64%)	1,037 (68%)
Foreclosure	42 (6%)	40 (5%)	82 (5%)
Violation of lease terms	41 (6%)	39 (5%)	80 (5%)
Nuisance (e.g., dispute with neighbors)	9 (1%)	14 (2%)	23 (2%)
Other	13 (2%)	40 (5%)	53 (3%)
Multiple reasons	27 (4%)	25 (3%)	52 (3%)
None needed[a]	28 (4%)	42 (5%)	70 (5%)
Missing/unknown	26 (4%)	103 (12%)	129 (8%)
Total	682 (100%)	844 (100%)	1,526 (100%)
If Eviction Cited Non-Payment of Rent, Amount Demanded on Eviction Notice[b]			
$0 to $100	4 (1%)	13 (2%)	17 (2%)
$101 to $500	51 (10%)	50 (9%)	101 (9%)
$501 to $1,000	188 (36%)	182 (32%)	370 (34%)
$1,001 to $2,000	152 (29%)	151 (27%)	303 (28%)
$2,001 to $3,000	39 (7%)	45 (8%)	84 (8%)
$3,001 to $4,000	36 (7%)	19 (3%)	55 (5%)
$4,001 to $5,000	12 (2%)	14 (2%)	26 (2%)
$5,001 or more	16 (3%)	17 (3%)	33 (3%)
Missing/unknown	25 (5%)	75 (13%)	100 (9%)
Total	523 (100%)	566 (100%)	1,089 (100%)

Note. Data from the Shriver program services database (as of 10/20/14).
[a] Some eviction notices (e.g., 30- to 90-day notices) do not require the landlord to state a reason.
[b] Includes only cases where non-payment of rent was listed as a reason on the notice.

In 8% of cases (*n*=168),[135] clients (and their families) lived in subsidized housing, which often requires a different process for unlawful detainer cases (e.g., a longer notification period or different reasons for tenancy termination). The Sacramento Shriver pilot project also indicated that 8% (*n*=163) of cases had other special characteristics, including owner or litigant of a foreclosed property (4%; *n*=81), military personnel or veterans living in household (2%; *n*=33), housing provided as part of employment (1%; *n*=11), or bankruptcy (<1%; *n*=6).

One percent of cases (*n*=14) had a defendant with an active domestic violence restraining order in place at the time of case intake. In 11% of cases (*n*=217), the Shriver client alleged some type of discrimination from the landlord, with the most common allegation being retaliation discrimination (4%; *n*=78), followed next by disability status (2%; *n*=37), race (1%; *n*=23), gender (<1%; *n*=10), or multiple allegations (2%; *n*=46).

Case Proceedings and Outcomes

The rest of this section on the Sacramento housing pilot project reflects only Shriver cases that received full representation, because the outcomes of cases that received unbundled services were largely unknown (attorneys did not follow these cases to resolution).

Participation in the Justice System

Answers Filed

To participate in the justice system—that is, to avoid defaulting on an unlawful detainer case—defendants must file an answer (or other response) to the landlord's complaint. Shown in Table HA29, defendants in 89% of Shriver full representation cases (*n*=640) filed a response with the court. In most cases (86%), an answer was filed; in a few cases (3%), a demurrer or other response was filed. (Recall that 6% of full representation cases had an answer filed at intake.) In 4% of cases, an official response to the complaint was not needed because the case was settled outside of court after filing. In another 1%, the plaintiff dismissed the case. Commonly, a plaintiff will dismiss a case because the tenant has moved out, and possession of the unit is no longer at issue,[136] but the exact reason for dismissal was unknown for these cases.

Among full representation cases, nearly all (94%) defendants participated in the judicial system. Notably, default judgments were entered in only 1% of cases. (Recall that 2% of cases had defaulted at intake, so legal aid was successful in getting some of these defaults set aside.)

[135] About one out of four cases (25%; *n*=494) were missing this information.
[136] In these instances, the plaintiff has the option to convert the UD case or refile as a general civil proceeding for money owed, so although the UD case may be over, the defendant could still face other civil litigation.

Table HA29. Response to Unlawful Detainer Complaint by Defendants in Full Representation Cases

Response to Unlawful Detainer Complaint	*N* (%)
Action filed with court:	
Answer	616 (86%)
Other response (e.g., motion to set aside default, demurrer)	24 (3%)
No official response:	
Settled outside of court	27 (4%)
Landlord dismissed case[a]	6 (1%)
Default remains	6 (1%)
Other	3 (<1%)
Missing	36 (5%)
Total	718 (100%)

Note. Data obtained from the Shriver program services database (as of 10/20/14).
[a] Not through negotiated settlement.

COURT EFFICIENCY

Case Resolution

More than two thirds (69%) of Shriver full representation cases were resolved by settlement, 12% of cases were dismissed by the plaintiff, and 11% were resolved through a trial or hearing. Of those resolved through trial or hearing, four cases (5%) were known to have resolved via jury trial.[137] Table HA30 shows the proportion of full representation cases resolved in each manner.

Table HA30. Case Resolution Method for Full Representation Cases

Case Resolution Method	*N* (%)
Settlement/stipulation	496 (69%)
Plaintiff dismissal	83 (12%)
Trial/hearing	81 (11%)
Other	15 (2%)
Missing/unknown	43 (6%)
Total	718 (100%)

Note. Data from the Shriver program services database (as of 10/20/14).

[137] This information was missing for 25% of trials (*n*=20); the other 57 trials were resolved via bench trial.

Point of Settlement. Of the 496 full representation cases that were settled, 32% were settled before the trial—certainly the most efficient option for the court. Just under two thirds (62%) were settled on the day of or during trial. Table HA31 displays the point at which cases settled.

Table HA31. Point of Settlement for Full Representation Clients

Point of Settlement	*N* (%)
Pre-filing	3 (1%)
Post-filing, pre-trial	160 (32%)
On the day of trial	294 (59%)
During trial	10 (2%)
Other post-filing	4 (1%)
Other, not specified	21 (4%)
Missing/unknown	4 (1%)
Total	496 (100%)

Note. Data from the Shriver program services database (as of 10/20/14). Limited to settled cases.

Case Length

As mentioned earlier, the California Administrative Office of the Courts has a goal to resolve 90% of unlawful detainer cases within 30 days of complaint filing, and 100% of cases within 45 days of filing. Across full representation cases with available data, 24% were resolved within 30 days of the complaint filing and 54% were resolved within 45 days (note that 20% were missing data). The average case length (measured from the date of complaint filing to the date of disposition) was 45 days (median = 37).[138] Table HA32 shows the number of full representation cases resolved within each of the benchmark periods, by method of case resolution.

Table HA32. Case Age for Full Representation Clients

	Case Resolution Method				
Case Age	**Landlord Dismissal** *N* (%)	**Settlement** *N* (%)	**Trial/ Hearing** *N* (%)	**Other/ Missing** *N* (%)	**Total** *N* (%)
Less than 30 days	9 (11%)	143 (29%)	18 (22%)	3 (5%)	173 (24%)
31 to 45 days	15 (18%)	170 (34%)	25 (31%)	5 (9%)	215 (30%)
46 days or more	26 (31%)	136 (27%)	23 (28%)	3 (5%)	188 (26%)
Missing/unknown	33 (40%)	47 (9%)	15 (19%)	47 (81%)	142 (20%)
Total	83 (100%)	496 (100%)	81 (100%)	58 (100%)	718 (100%)

Note. Data from the Shriver program services database (as of 10/20/14).

[138] Ranging from 0 to 436 days, median = 37 days, *SD* = 32 days.

CASE OUTCOMES

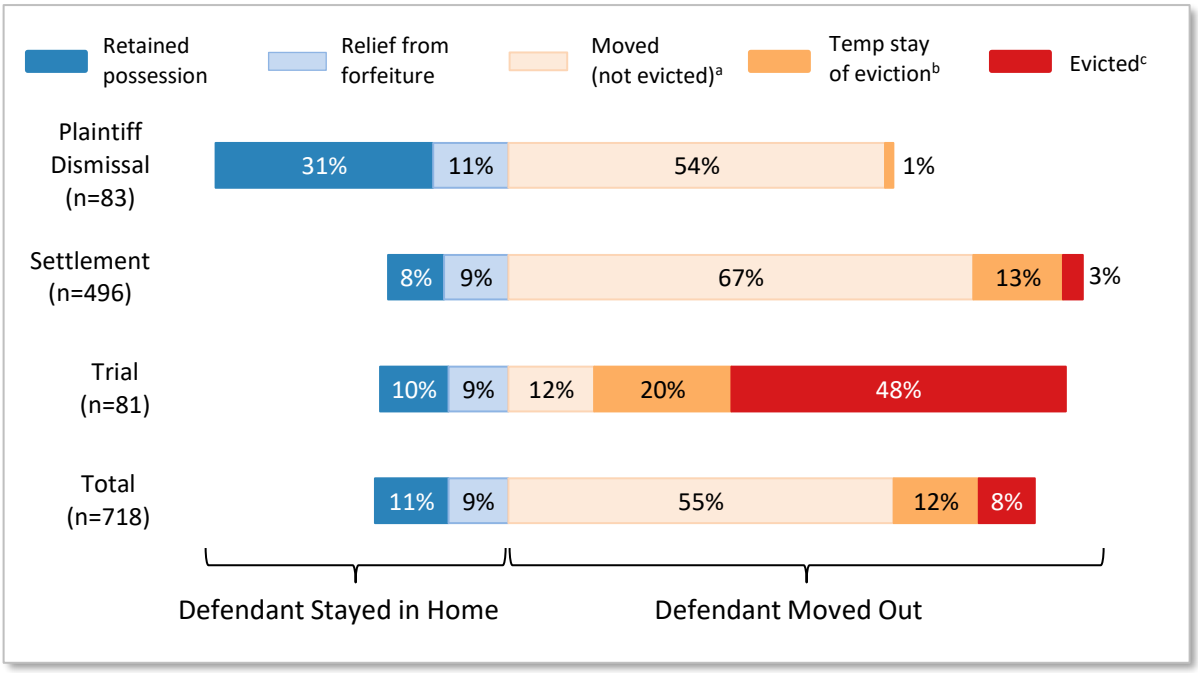
Housing Stability

From the perspective of the tenants, being able to stay in one's home and avoiding the burden and disruption of a forced relocation (e.g., looking for new housing, spending additional money to move, enrolling children in new schools) is a noteworthy and positive outcome. However, in instances when tenants must relocate, having additional time to move out, retaining neutral references from landlords, or retaining Housing Choice Vouchers can support their ability to find new and affordable housing more quickly. Finding new housing quickly can help tenants avoid interstitial periods of homelessness or "couch-surfing" and provide stability for families and children attending school. This section describes the outcomes of full representation cases, including whether tenants were able to remain in the home and other outcomes that can contribute to successful housing transition when moving is necessary.

Possession of Property. At the time of Shriver intake, clients were asked by LSNC attorneys whether they would like to continue to reside in the home. Of the 718 full representation cases, defendants in 62% of cases (*n*=448) wished to remain in their current residence, 28% (*n*=199) did not want to stay in the home, and the remaining 10% (*n*=71) were uncertain or their response was unknown. At the end of the case, 20% (*n*=138) were able to remain in the home, either because they retained possession of the unit or were granted relief from forfeiture.[139] In 75% of cases (*n*=544), the plaintiff obtained possession and the tenants had to move.
Figure HA4 depicts the proportion of cases in which the tenants stayed versus moved. Most clients moved as part of negotiated agreement, and there were comparably fewer instances of evictions.[140] A few received a temporary stay of eviction, whereby the court awarded possession of the unit to the plaintiff but postponed the eviction due to extreme hardship on the defendant.

[139] Relief from forfeiture typically applies when a defendant experiences a temporary income shortage and has the ability to pay back rent or other money owed.
[140] Evictions describe the situation where a tenant was ruled against in a court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement; this usually results with an unlawful detainer case viewable on their public record.

Figure HA4. Housing Stability for Full Representation Clients by Case Resolution Method



Note. Data for case resolution method were missing for 58 cases; these cases were included in the total row above, but not represented separately. [a] Defendant moved as part of negotiated agreement or before unlawful detainer hearing or trial judgment. [b] Court granted possession of the unit to the plaintiff (landlord), but postponed the eviction due to extreme hardship on behalf of the defendant. [c] Defendant was ruled against in court hearing, trial, or through default judgment, or failed to comply with the conditions of a settlement.

Other Outcomes among Defendants who Moved. Clients in 75% of full representation cases (*n*=544) moved out of their home at the end of their case. Importantly, in 68% of these cases, the move-out date was extended, allowing the tenants more time to find alternate housing. Cases that settled more often involved an extended move-out period (see Table HA33).

Among full representation cases of the Sacramento housing pilot project, nearly all (93%) resulted in some positive outcome that supported the tenant's ability to retain new housing more easily. In 72% of cases (*n*=394), the amount of back-owed rent was reduced, and in 8% of cases, the debt was waived. (Just 9% of full representation clients paid back the entire amount owed.) In cases where the defendant lived in subsidized housing, 71% were able to retain their Housing Choice Voucher. Analysis combined the outcomes related to decreasing out-of-pocket expenses for the tenant and yielded a single indicator of any financial benefit to the defendant. Across cases in which the tenant moved, 89% received some sort of positive financial outcome—and this rose to 98% among those cases that were settled.

LSNC attorneys described that a primary case goal was to avoid having an unlawful detainer case become part of the public record. Across the full representation clients who moved out, 69% received a positive credit-related outcome. Specifically, 56% of defendants avoided having the unlawful detainer judgment reported to credit agencies, 53% had the case masked from public view, and 47% obtained neutral credit references from the landlord.

Table HA33. Tenants who Moved Out: Percentage of Full Representation Cases Receiving Each Outcome

Outcome	Case Resolution Method				
	Plaintiff Dismissal *N* (%)	**Settlement** *N* (%)	**Trial** *N* (%)	**Other/ Missing** *N* (%)	**Total** *N* (%)
Litigants Moving Out	*n*=46	*n*=410	*n*=65	*n*=23	*n*=544
Physical Outcomes					
Move Out Date Adjusted	22 (48%)	318 (78%)	20 (31%)	9 (39%)	369 (68%)
Mean Number of Days to Move (*SD*)[a]	31 (23)	56 (32)	48 (29)	77 (40)	53 (32)
Financial Outcomes					
Pay Plaintiff's Attorney Fees	1 (2%)	80 (20%)	50 (77%)	8 (35%)	139 (26%)
Pay All Rent Owed	0 (0%)	40 (10%)	9 (14%)	1 (4%)	50 (9%)
Rental Amount Owed Reduced	25 (54%)	319 (78%)	40 (62%)	10 (43%)	394 (72%)
Rental Amount Owed Waived	0 (0%)	37 (9%)	3 (5%)	1 (4%)	41 (8%)
Payment Plan for Money Owed	1 (2%)	173 (42%)	2 (3%)	1 (4%)	177 (33%)
Preserved Housing Choice Voucher/Sec. 8[b]	6 (86%)	41 (80%)	1 (14%)	2 (9%)	50 (71%)
Received Any Positive Financial Outcome[c]	***28 (61%)***	***400 (98%)***	***43 (66%)***	***12 (52%)***	***483 (89%)***
Credit-Related Outcomes					
Neutral References from Landlord	15 (33%)	228 (56%)	7 (11%)	3 (13%)	253 (47%)
Not Reported to Credit Agencies	22 (48%)	271 (66%)	9 (14%)	5 (22%)	307 (56%)
Record Masked from Public View	27 (59%)	242 (59%)	13 (20%)	8 (35%)	290 (53%)
Received Any Positive Credit Outcome[d]	***29 (63%)***	***323 (79%)***	***13 (20%)***	***10 (43%)***	***375 (69%)***
Total Received Any Positive Outcome[e]	**37 (80%)**	**408 (100%)**	**43 (66%)**	**19 (83%)**	**507 (93%)**

Note. Data obtained from the Shriver program services database (as of 10/20/14).
[a] Calculated as the number of days from complaint filing to move out date. [b] Calculated out of the number of defendants living in subsidized housing (*n*=70). [c] Calculated from all monetary items, except where the litigant had to pay for the plaintiff's (landlord's) attorney fees or had to pay back all money owed.
[d] Calculated from all credit-related outcomes. [e] Calculated from all monetary and/or credit-related outcomes, except where indicated above.

Shriver Project Service Summary: San Diego County

Information regarding the types of services provided, case characteristics, and outcomes were obtained from the program services database. Data from the San Diego pilot housing project were collected on all parties seeking services from February 2012 through August 2015.

What Services were Provided?

Legal Aid Society of San Diego (LASSD) sought to provide ***full representation*** to all eligible litigants. Full representation entailed the litigant entering into a retainer agreement with LASSD for a Shriver attorney to be the attorney of record in an unlawful detainer matter and an LASSD attorney remained attorney of record through disposition of the matter. In a minority of cases, litigants received less than full representation (typically because the litigants did not follow with scheduled appointments), and these clients received ***unbundled services.***

All of the 3,661 clients served by the San Diego pilot housing project between February 2011 and August 2015 were defendants in unlawful detainer lawsuits. Nearly all (92%) received full representation (see Table HA34). Shriver attorneys tracked the number of hours they worked on cases in as little as 6-minute increments. Overall, Shriver clients received an average of 13 hours of legal services provided by attorneys (median = 10). Full representation clients received an average of 13 hours (median = 10) and unbundled services clients received an average of 5 hours (median = 3). Importantly, these estimates reflect attorney time only and do not reflect time worked by other staff, such as intake coordinators and legal secretaries. Shriver program managers estimated that an additional 2 to 3 hours of non-attorney staff time is spent preparing court paperwork or investigating the cases.

Table HA34. Number of Litigants Receiving Legal Aid Services and Attorney Hours Provided per Case

	Level of Service		
Characteristic	**Full Representation**	**Unbundled Services**	**Total**
Number (%) of Litigants	3,370 (92%)	291 (8%)	3,661 (100%)
Attorney Hours Provided			
Mean (*SD*)	13.2 (13.0)	5.12 (9.0)	12.5 (13.0)
Median	10.0	3.0	9.7
Range	0.0 to 248.3	0.1 to 78.0	0.1 to 248.3
Missing *N* (%)	2 (<1%)	0 (0%)	2 (<1%)

Note. Data from the Shriver program services database (as of 08/31/15).

Who Received Services?

Client Characteristics. At the time of Shriver intake, LASSD staff members collected information about their clients, including demographics, living situation, and case characteristics. Roughly one third (35%) of cases involved multiple individuals seeking assistance (e.g., couples). One litigant's data were used to represent each case (the "primary client," i.e., the individual most often interacting with the attorney). The average age of the primary client was 44 years

(median = 44), the majority (61%) were female, 34% were White, 29% were Black/African American, and 27% were Hispanic/Latino. Close to one third (31%) of clients had a known or observable disability, and 9% could not effectively communicate in English without the assistance of an interpreter (limited English proficiency). Table HA35 shows the demographic characteristics of the 3,661 primary clients served by legal aid, by level of service.

Table HA35. Demographic Characteristics of Shriver Legal Aid Clients

	Level of Service		
Client Level Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Age (years)			
18 to 24	181 (5%)	22 (8%)	203 (6%)
25 to 44	1,521 (45%)	122 (42%)	1,643 (45%)
45 to 61	1,356 (40%)	127 (44%)	1,483 (41%)
62 or older	307 (9%)	19 (7%)	326 (9%)
Unknown/not collected	5 (<1%)	1 (<1%)	6 (<1%)
Gender			
Male	1,313 (39%)	114 (39%)	1,427 (39%)
Female	2,054 (61%)	177 (61%)	2,231 (61%)
Transgender	2 (<1%)	0 (0%)	2 (<1%)
Unknown/not collected	1 (<1%)	0 (0%)	1 (<1%)
Race/Ethnicity[a]			
Black or African American	991 (29%)	62 (21%)	1,053 (29%)
Hispanic/Latino	907 (27%)	88 (30%)	995 (27%)
White	1,138 (34%)	111 (38%)	1,249 (34%)
Other	162 (5%)	13 (4%)	175 (5%)
Unknown/declined	172 (5%)	17 (6%)	189 (5%)
Education			
High school degree or less	576 (17%)	45 (15%)	621 (17%)
Any post-secondary	832 (25%)	46 (16%)	878 (24%)
Unknown/not collected	1,962 (58%)	200 (69%)	2,162 (59%)
Limited English Proficiency			
Yes	284 (8%)	29 (10%)	313 (9%)
No	3,086 (92%)	262 (90%)	3,348 (91%)
Unknown/not collected	0 (0%)	0 (0%)	0 (0%)
Disability			
Yes	1,064 (32%)	81 (28%)	1,145 (31%)
No	1,751 (52%)	132 (45%)	1,883 (51%)
Unknown/not collected	555 (16%)	78 (27%)	633 (17%)
Total	3,370 (100%)	291 (100%)	3,661 (100%)

Note. Data from the Shriver program services database (as of 08/31/15). [a] Litigants who identified as Hispanic/Latino and any other race are included in the Hispanic/Latino row.

Half (49%) of legal aid clients had at least one minor living in the home, and 15% of households received CalFresh benefits.[141] The median monthly income was $960 (mean = $1,178), and the median monthly rental amount was $950 (mean = $985). By comparison, recall that the median monthly household income in San Diego County is $5,247 per month and the average fair market value for a two-bedroom apartment is $1,354. Table HA36 details the household characteristics for Shriver clients served by LASSD, by level of service.

Table HA36. Household Characteristics of Shriver Legal Aid Clients

	Level of Service		
Household Level Characteristics	**Full Representation**	**Unbundled Services**	**Total**
Minors in Household, *N* (%)			
Yes	1,638 (49%)	140 (48%)	1,778 (49%)
No	1,730 (51%)	151 (52%)	1,881 (51%)
Missing	2 (<1%)	0 (0%)	2 (<1%)
Received CalFresh Benefits, *N* (%)			
Yes	516 (15%)	33 (11%)	549 (15%)
No	2,704 (80%)	223 (77%)	2,927 (80%)
Missing	150 (4%)	35 (12%)	185 (5%)
Monthly Income			
Mean (SD)	$1,179 (885)	$1,167 (895)	$1,178 (886)
Median	$960	$988	$960
Range	$0 to $6,000	$0 to $4,660	$0 to $6,000
Missing/unknown, *N*(%)	322 (10%)	61 (21%)	383 (10%)
Monthly Rental Amount[a]			
Mean (SD)	$989 (523)	$931 (542)	$985 (524)
Median	$950	$895	$950
Range	$0 to $4,400	$0 to $2,700	$0 to $4,400
Missing/unknown, *N* (%)	96 (3%)	73 (25%)	169 (5%)
Total	3,361 (100%)	217 (100%)	3,578 (100%)

Note. Data from the Shriver program services database (as of 08/31/15). [a] Monthly rental amount according to defendant at time of intake. SD=standard deviation.

Most clients (84%; *n*=3,070) were renters of an apartment, condominium, or house. Others were current or prior owners of a foreclosed property (4%; *n*=132) or lodgers in a hotel, motel, or private residence (6%; *n*=209). The remainder were staying with friends or family (1%; *n*=35); living in a supported environment, nursing home, institution, treatment center, or transitional housing (<1%; *n*=6); living in a shelter, abandoned building, or outside (<1%; *n*=7); or another place not specified (<1%; *n*=1).[142]

[141] The CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP; formerly "food stamps"), provides qualified, low-income households with monthly electronic benefits that can be used to buy most foods at many markets and food stores.
[142] About 5% (*n*=201) of records did not specify the client's living situation.

Opposing Party Representation. Shriver legal aid staff assessed whether the opposing party had retained legal counsel at the time of client intake. All clients (100%) receiving legal aid services from the San Diego pilot housing project faced an opposing party with legal representation.

Case Characteristics. At the time of Shriver intake, an answer had not yet been filed in 53% of cases. Specifically, in 4% of cases, a complaint had not yet been filed with the court (pre-filing status), and in 49%, a complaint was filed, but no response. In 4% of cases, litigants had missed the window to file an answer and a default judgment had been entered. In 37% of cases, an answer had been filed prior to seeking Shriver services, likely due to the services at the Unlawful Detainer (UD) Clinic (non-Shriver funded), which was reported to be well attended.

The most common type of eviction notice was a 3 day pay, perform, or quit (85%; *n*=3,069), followed by a 30- to 90-day notice to terminate (10%; *n*=361), which is used for tenancies with indefinite rental agreements.[143] Of those cases with information about an eviction notice, the most frequent reason listed was for non-payment of rent (81%), followed by foreclosure (4%), violation of lease terms (2%), or nuisance (2%). When the notice indicated non-payment of rent, the median amount demanded on the notice was $1,276 (mean = $1,857; range = $0 to $46,555[144]). The majority (63%) of litigants owed between $501 and $2,000, as per the eviction notice. In 8% of cases, the amount was $500 or less, highlighting the financial vulnerability of many tenants. Table HA37 shows the reason listed on the eviction notice (if applicable), and for cases where the reason included non-payment of rent, the amount demanded.

In 11% of cases (*n*=415), the defendant lived in subsidized housing (2% of cases were missing this information), which often requires a different process for unlawful detainer cases (e.g., a longer notification period or different reasons for tenancy termination). The San Diego pilot project indicated that 15% (*n*=548) of cases had other special characteristics, including owner or military personnel or veterans living in household (9%; *n*=320), litigant of a foreclosed property (4%; *n*=138), housing provided as part of employment (1%; *n*=35), bankruptcy (<1%; *n*=9), or other reason not specified (1%; *n*=20).

Just over 2% (*n*=57) of Shriver cases had an active domestic violence restraining order at the time of case intake. Six percent (*n*=229) of Shriver clients alleged some type of discrimination from the landlord, with the most common allegations based on retaliation (3%; *n*=109), followed by race (1%; *n*=25), disability status (1%; *n*=18), or multiple allegations (1%; *n*=46).

[143] The remainder of eviction notices were 7 to 14 day terminations (<15; *n*=17) or other types of notices (4%; *n*=137); 46 (1%) cases were missing information about the eviction notice.
[144] Less than 1% of cases (*n*=2) had amounts greater than $25,000 (the upper bound for limited jurisdiction cases).

Table HA37. Case Status at Intake for Shriver Legal Aid Clients

	Level of Service		
Unlawful Detainer Case Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Case Status at Intake			
No formal eviction notice served	0 (0%)	0 (0%)	0 (0%)
Service of notice to terminate tenancy	105 (3%)	40 (14%)	145 (4%)
Complaint or Summons and Complaint filed	1,712 (51%)	93 (32%)	1805 (49%)
Default judgment entered	134 (4%)	21 (7%)	155 (4%)
Answer/response filed	1,294 (38%)	68 (23%)	1,362 (37%)
Judgment entered (not through default)	6 (0%)	5 (2%)	11 (0%)
Writ issued/notice to vacate from sheriff	94 (3%)	24 (8%)	118 (3%)
Other	10 (0%)	24 (8%)	34 (1%)
Missing/unknown	15 (0%)	16 (5%)	31 (1%)
Total	3,370 (100%)	291 (100%)	3,661 (100%)
If Eviction Notice Served, Reason Listed			
Non-payment of rent	2,796 (83%)	162 (59%)	2,958 (81%)
Foreclosure	113 (3%)	21 (8%)	134 (4%)
Violation of lease terms	71 (2%)	12 (4%)	83 (2%)
Nuisance (e.g., dispute with neighbors)	49 (1%)	11 (4%)	60 (2%)
Other	156 (5%)	29 (11%)	185 (5%)
Multiple reasons	66 (2%)	8 (3%)	74 (2%)
None needed[a]	71 (2%)	8 (3%)	79 (2%)
Missing/unknown	33 (1%)	24 (9%)	57 (2%)
Total	3,355 (100%)	275 (100%)	3,630 (100%)
If Eviction Cited Non-Payment of Rent, Amount Demanded on Eviction Notice[b]			
$0 to $100	29 (1%)	3 (2%)	32 (1%)
$101 to $500	205 (7%)	9 (5%)	214 (7%)
$501 to $1,000	708 (25%)	36 (21%)	744 (25%)
$1,001 to $2,000	1,085 (38%)	52 (31%)	1,137 (38%)
$2,001 to $3,000	350 (12%)	14 (8%)	364 (12%)
$3,001 to $4,000	149 (5%)	5 (3%)	154 (5%)
$4,001 to $5,000	84 (3%)	3 (2%)	87 (3%)
$5,001 or more	143 (5%)	4 (2%)	147 (5%)
Missing	109 (4%)	44 (26%)	153 (5%)
Total	2,862 (100%)	170 (100%)	3,032 (100%)

Note. Data from the Shriver program services database (as of 08/31/15).
[a] Some types of eviction notices (e.g., 30- to 90-day notices) do not require the landlord to state a reason for the eviction. [b] Includes only cases where non-payment of rent or multiple reasons were listed as reasons on the notice.

Case Proceedings and Outcomes

The remainder of this section on the San Diego housing pilot project reflects only Shriver cases that received full representation from LASSD.[145] Clients who received unbundled services are not included here, because Shriver attorneys did not follow them through to the disposition of their case, so the case outcomes were unknown.

Participation in the Justice System

Answers Filed

To participate in the justice system—that is, to avoid defaulting on the unlawful detainer case—defendants must file an answer (or other response) to the complaint filed by the landlord. As shown in Table HA38, defendants in 94% of Shriver full representation cases (*n*=3,183) filed an answer or some other response, such as a demurrer, that would progress the case. (Recall that only 37% of clients had an answer filed at intake.) In 4% of cases, an official response to the complaint was not needed, as the case was settled outside of court. In about 1% of cases there was no official response needed by the defendant, because the plaintiff dismissed the case.

Among full representation cases, nearly all defendants (99%) participated in the judicial system. Notably, less than 1% of cases had a default entered. Recall that, at intake, 4% of defendants had already defaulted, so legal aid was successful is getting many defaults set aside. In some cases, Shriver attorneys reported that the client was uncooperative or refused to sign any settlements, and a default judgment remained on the client's record.

Table HA38. Response to Unlawful Detainer Complaint by Defendants in Full Representation Cases

Response to Unlawful Detainer Complaint	*N* (%)
Action filed with court:	
Answer	3,104 (92%)
Other response (e.g., motion to set aside default, demurrer)	79 (2%)
No official response:	
Settled outside of court	130 (4%)
Plaintiff dismissed case[a]	28 (1%)
Default remains	11 (<1%)
Other	0 (0%)
Missing	8 (<1%)
Total	3,360 (100%)

Note. Data from the Shriver program services database (as of 08/31/15).
[a] Not through negotiated settlement.

[145] There were 10 full representation cases (<1%) that were excluded from these analyses because there was never an unlawful detainer complaint filed with the court system (*n*=10).

COURT EFFICIENCY

Case Resolution

More than three quarters (79%) of Shriver full representation cases were resolved by settlement, 14% were dismissed by the plaintiff, and 6% were resolved via trial or hearing. Of those resolved via trial or hearing, one case (<1%) was known to have resolved via jury trial.[146] The proportion of full representation cases resolved in each manner is displayed in Table HA39.

Table HA39. Case Resolution Method for Full Representation Clients

Case Resolution Method	*N* (%)
Settlement/stipulation	2,666 (79%)
Plaintiff dismissal	456 (14%)
Trial/hearing	192 (6%)
Other	40 (1%)
Missing/unknown	6 (<1%)
Total	3,360 (100%)

Note. Data obtained from the Shriver program services database (as of 08/31/15).

Point of Settlement. Of the 2,666 full representation cases that were settled, 17% were settled before the trial (Table HA40)—certainly the most efficient option for the court. Most (77%) were settled on the day of (or during) trial, which is often when parties are able to come together to discuss the terms. Four percent were settled at some other point post-filing (see Table HA40).

Table HA40. Point of Settlement for Full Representation Litigants

Point of Settlement	*N* (%)
Post-filing, pre-trial	467 (18%)
On the day of trial	1,943 (73%)
During trial	106 (4%)
Other post-filing	103 (4%)
Other, not specified	47 (2%)
Missing/unknown	0 (0%)
Total	2,666 (100%)

Note. Data obtained from the Shriver program services database (as of 08/31/15). Limited to settled cases.

[146] This information was missing for 34% of trials (*n*=65); the other 126 trials (66%) were resolved via bench trial.

Case Length

As mentioned earlier, the California Administrative Office of the Courts has a goal to resolve 90% of unlawful detainer cases within 30 days of complaint filing, and 100% of cases within 45 days of filing. Across all San Diego full representation cases with available data, 28% were resolved within 30 days of the complaint filing and 73% were resolved within 45 days (note that 4% were missing data). The average case length (measured from the date of complaint filing to the date of disposition) was 43 days (median = 35).[147] Table HA41 shows the percent of full representation cases resolved within each benchmark period.

Table HA41. Case Length for Full Representation Clients

	Case Resolution Method				
Case Length	**Landlord Dismissal *N* (%)**	**Settlement *N* (%)**	**Trial/ Hearing *N* (%)**	**Other/ Missing *N* (%)**	**Total *N* (%)**
Less than 30 days	125 (27%)	760 (29%)	36 (19%)	11 (24%)	932 (28%)
31 to 45 days	151 (33%)	1,280 (48%)	71 (37%)	6 (13%)	1,508 (45%)
46 days or more	103 (23%)	597 (22%)	79 (41%)	10 (22%)	789 (23%)
Missing/unknown	77 (17%)	29 (1%)	6 (3%)	19 (41%)	131 (4%)
Total	456 (100%)	2,666 (100%)	192 (100%)	46 (100%)	3,360 (100%)

Note. Data from the Shriver program services database (as of 08/31/15).

CASE OUTCOMES

Housing Stability

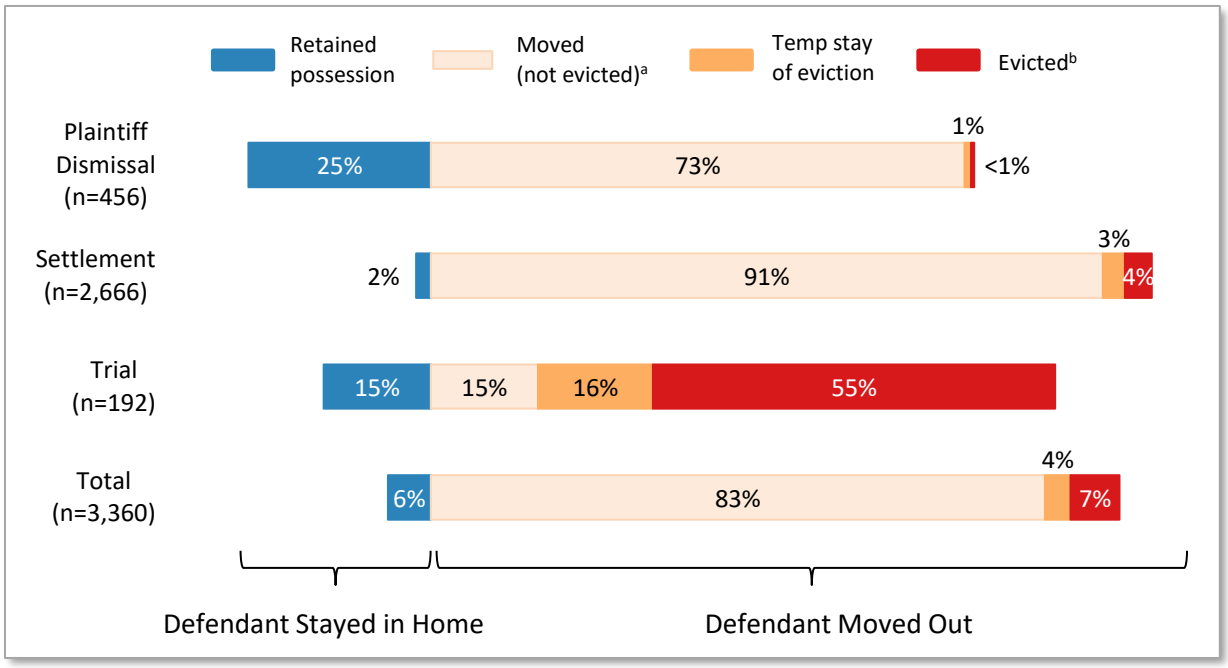
From the perspective of the tenants, being able to stay in one's home and avoiding the burden and disruption of a forced relocation is a noteworthy and positive outcome. However, in instances where the tenant must relocate, having additional time to move, retaining neutral references from landlords, or retaining Housing Choice Vouchers can support the ability to find new and affordable housing more quickly. Finding new housing quickly can help tenants avoid interstitial periods of homelessness or "couch-surfing" and provide stability for families and children attending school. This section describes the outcomes for full representation cases, including whether the tenant remained in the home, and other outcomes that can contribute to successful housing transition, when moving is necessary.

Possession of Property. At the time of Shriver intake, clients were asked by their LASSD attorneys whether they wanted to stay in the home. Of the 3,360 full representation cases, defendants in 29% of cases (*n*=970) wished to remain in their current residence, 70% (*n*=2,345) did not want to stay in the home, and the remaining 1% (*n*=45) were uncertain or their response was unknown. At the end of the case, 6% (*n*=196) were able to remain in the home. In 93% of cases (*n*=3,146), the plaintiff obtained possession of the property and tenants had to move. Figure HA5 depicts the proportions of cases in which the tenants stayed versus moved.

[147] Ranging from 0 to 473 days, median = 35 days, *SD* = 34 days.

Among clients who moved, the majority did so as part of a negotiated agreement. There were comparably fewer instances of evictions.[148] A small number of cases involved a temporary stay of eviction, whereby the court granted possession of the unit to the plaintiff, but postponed the eviction due to extreme hardship on behalf of the defendant.

Figure HA5. Housing Stability for Full Representation Clients by Case Resolution Method



Note. Case resolution data were missing for 46 cases; these cases were included in the total above, but not represented separately. [a] Defendant moved as part of negotiated agreement or before unlawful detainer hearing or trial judgment. [b] Court granted possession of the unit to the plaintiff (landlord), but postponed the eviction due to extreme hardship on behalf of the defendant. [c] Defendant was ruled against in court hearing, trial, or through default judgment, or failed to comply with the conditions of a settlement.

<u>Other Outcomes among Defendants who Moved.</u> Tenants in 93% of full representation cases moved out of their homes at the end of their case. Seven percent of cases involved an extension of the move-out date. Table HA42 shows the percent of cases receiving each physical, financial, and credit-related outcome.

Among full representation cases, nearly all (93%; *n*=2,924) resulted in at least one positive outcome that supported tenants' longer term housing stability. In 26% of cases, the amount of back-owed rent was reduced and in 20%, it was waived. Defendants in 30% of cases agreed to repay all of the back-owed rent, and 46% established a payment plan. Among cases where the tenant lived in subsidized housing, 44% retained their subsidy or voucher. Analysis combined the outcomes related to decreasing the out-of-pocket expenses for the tenant and yielded a

[148] Evictions describe the situation where a defendant was ruled against in a court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement; this usually results with an unlawful detainer case viewable on their public record.

single indicator of any financial benefit. Among cases where the tenant moved, 72% resulted in at least one positive financial outcome—this result was true for 81% of settled cases.

LASSD had a goal of minimizing the impact eviction has on the tenant's ability to obtain new housing. Among the full representation cases with tenants who moved, 82% resulted in at least one positive credit-related outcome. Specifically, defendants in 67% of cases had their unlawful detainer cases masked from public view, 54% obtained neutral reference from the landlord, and 49% avoided having the unlawful detainer lawsuit reported to credit agencies.

Table HA42. Tenants who Moved Out:
Percentage of Full Representation Cases Receiving Each Outcome

	Case Resolution Method				
Outcome	**Plaintiff Dismissal** *N* (%)	**Settlement** *N* (%)	**Trial/ Hearing** *N* (%)	**Other/ Missing** *N* (%)	**Total** *N* (%)
Clients Moving Out	*n*=337	*n*=2,613	*n*=163	*n*=33	*n*=3,146
Physical Outcomes					
Move Out Date Adjusted	6 (2%)	172 (7%)	29 (18%)	4 (12%)	211 (7%)
Mean Number of Days to Move (*SD*)[a]	24 (*19*)	48 (*21*)	44 (*21*)	78 (--)	47 (*22*)
Financial Outcomes					
Pay Plaintiff's Attorney Fees	8 (2%)	478 (18%)	87 (53%)	9 (27%)	582 (18%)
Pay All Rent Owed	13 (4%)	847 (32%)	87 (53%)	12 (36%)	959 (30%)
Rental Amount Owed Reduced	23 (7%)	752 (29%)	36 (22%)	3 (9%)	814 (26%)
Rental Amount Owed Waived	63 (19%)	551 (21%)	7 (4%)	3 (9%)	624 (20%)
Payment Plan for Money Owed	7 (2%)	1,444 (55%)	8 (5%)	1 (3%)	1,460 (46%)
Preserved Housing Choice Voucher/Sec. 8[b]	11 (48%)	131 (45%)	2 (15%)	0 (0%)	144 (44%)
Received Any Positive Financial Outcome[c]	***100 (30%)***	***2,119 (81%)***	***50 (31%)***	***6 (18%)***	***2,275 (72%)***
Credit-Related Outcomes					
Neutral References from Landlord	45 (13%)	1,648 (63%)	13 (8%)	4 (12%)	1,710 (54%)
Not Reported to Credit Agencies	53 (16%)	1,461 (56%)	14 (9%)	4 (12%)	1,532 (49%)
Record Masked from Public View	292 (87%)	1,788 (68%)	21 (13%)	8 (24%)	2,109 (67%)
Received Any Positive Credit Outcome[d]	***296 (88%)***	***2,251 (86%)***	***27 (17%)***	***8 (24%)***	***2,582 (82%)***
Received Any Positive Outcome[e]	**308 (91%)**	**2,545 (97%)**	**60 (37%)**	**11 (33%)**	**2,924 (93%)**

Note. Data from the Shriver program services database (as of 08/31/15).
[a] Calculated as the number of days from complaint filing to move out date. SD=standard deviation. Not possible to calculate for the cases in the Other/missing column. [b] Calculated out of the number of defendants living in subsidized housing (*n*=327).[c] Calculated from all financial items, except where the litigant had to pay for the plaintiff's attorney fees or had to pay back all money owed. [d] Calculated from all credit-related outcomes. [e] Calculated from all financial or credit-related outcomes, except where indicated above.

Shriver Project Service Summary: Santa Barbara County

Information regarding the types of services provided, case characteristics, and outcomes were obtained from the program services databases. Data from the Santa Barbara pilot housing project were collected on all parties seeking Shriver services from legal aid (LAFSBC) from January 2012 through October 2015 and parties receiving Shriver court-based services from the Housing Settlement Master from January 2013 to December 2014.

What Services were Provided?

Shriver services were provided by two entities, LAFSBC and the court, which had different eligibility requirements and service offerings. Thus, data for these entities are presented separately. Litigant who received full representation from a legal aid attorney are categorized as ***full representation*** clients, litigants who received any other type of legal service from legal aid are termed ***unbundled services*** clients, and those who were assisted by the Housing Settlement Master are referred to as receiving ***court-based services***.

Legal Aid Services

From February 2012 through October 2015, the Santa Barbara housing pilot project provided legal services to litigants in a total of 1,133 unlawful detainer cases or other housing-related matters. More than 99% of these clients (n=1,125 cases) were defendants.[149] Information presented throughout this section pertains to these 1,125 cases with defendant clients. Information about plaintiff clients can be found in Appendix B.

Across these cases, 20% received full representation and 80% received unbundled services (Table HA43). Shriver attorneys tracked the time worked on cases 1-hour increments. Overall, Shriver attorneys worked an average of 5 hours per case (median = 2). Full representation cases received an average of 15 hours (median = 12) and unbundled services cases received an average of 2 hours (median = 1). Importantly, these estimates reflect attorney time only and do not reflect time worked by other staff, such as intake coordinators or paralegals.

[149] Legal aid provided services to 8 low-income plaintiffs (landlords), representing <1% of cases. This section presents data on Shriver clients who were defendants. Information on Shriver clients who were plaintiffs can be found in Appendix B.

Table HA43. Number of Legal Aid Cases and Attorney Hours Provided

	Level of Service		
Characteristic	**Full Representation**	**Unbundled Services**	**Total**
Number of Litigants [a]	229 (20%)	896 (80%)	1,125 (100%)
Attorney Hours Provided			
Mean (*SD*)	14.6 (11.4)	2.3 (3.0)	5.4 (8.3)
Median	12.0	1.0	2.0
Range	3.0 to 85.0	0.0 [b] to 40.0	0.0 to 85.0
Missing N (%)	2 (1%)	238 (27%)	240 (21%)

Note. Data from the Shriver program services database (as of 10/18/15).
[a] Includes six representatives of defendants (i.e., friends or care-takers), seeking advice on their behalf). [b] Client could receive assistance from legal aid staff (e.g., referrals) but no attorney time.

COURT-BASED SERVICES

Between January 2013 and December 2014, the Santa Barbara project provided court-based services—specifically, mandatory settlement conferences—to litigants in a total of 337 housing cases. The large majority (91% of these cases were unlawful detainer, but the Housing Settlement Master also assisted cases on other property matters, such as when possession is no longer at issue. Every housing case that was proceeding to trial was scheduled for a mandatory settlement conference to happen 1-2 weeks before the trial. Although the settlement conference was considered mandatory for parties, not all parties appeared.

Who Received Services?

LEGAL AID SERVICES

Client Characteristics. At Shriver intake, legal aid staff members collected information about their clients, including client demographics, living situation, and case characteristics. Roughly two thirds of cases involved multiple individuals seeking assistance (e.g., couples). One litigant's data was chosen to represent the case (the "primary client," i.e., the person with whom the attorney had the most contact). The average age of the primary client was 46 years (median = 45), the majority (68%) were female, 44% were Hispanic or Latino, 41% were White (non-Hispanic), 35% had a disability, and 20% could not effectively communicate in English without the assistance of an interpreter (Limited English Proficiency). Table HA44 shows the demographic characteristics of the 1,125 defendants served by legal aid, by level of service.

Table HA44. Demographic Characteristics of Shriver Legal Aid Clients

	Level of Service		
Client Level Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Age (years)			
18 to 24	10 (4%)	50 (6%)	60 (5%)
25 to 44	94 (41%)	375 (42%)	469 (42%)
45 to 61	81 (35%)	309 (34%)	390 (35%)
62 or older	41 (18%)	137 (15%)	178 (16%)
Unknown/not collected	3 (1%)	25 (3%)	28 (2%)
Gender			
Male	74 (32%)	264 (29%)	338 (30%)
Female	151 (66%)	617 (69%)	768 (68%)
Transgender	0 (0%)	0 (0%)	0 (0%)
Unknown/not collected	4 (2%)	15 (2%)	19 (2%)
Race/Ethnicity[a]			
Black or African American	12 (5%)	51 (6%)	63 (6%)
Hispanic/Latino	104 (45%)	396 (44%)	500 (44%)
White	97 (42%)	362 (40%)	459 (41%)
Other	10 (4%)	52 (6%)	62 (6%)
Unknown/declined	6 (3%)	35 (4%)	41 (4%)
Education			
High school degree or less	88 (38%)	252 (28%)	340 (30%)
Any post-secondary	87 (38%)	286 (32%)	373 (33%)
Unknown/not collected	54 (24%)	358 (40%)	412 (37%)
Limited English Proficiency			
Yes	49 (21%)	172 (19%)	221 (20%)
No	180 (79%)	715 (80%)	895 (80%)
Unknown/not collected	0 (0%)	9 (1%)	9 (1%)
Disability			
Yes	98 (43%)	296 (33%)	394 (35%)
No	121 (53%)	495 (55%)	616 (55%)
Unknown/not collected	10 (4%)	105 (12%)	115 (10%)
Total	229 (100%)	896 (100%)	1,125 (100%)

Note. Data from the Shriver program services database (as of 10/18/15). [a] Litigants who identified as Hispanic/Latino and any other race are included in the Hispanic/Latino row.

Half (51%) of cases served by Shriver legal aid had at least one minor living in the home, and 30% of households received CalFresh benefits.[150] The median monthly household income was $1,000 (mean = $1,255), and the median monthly rental amount was $782 (mean = $882). By comparison, recall that the median monthly household income in Santa Barbara County was $5,231 and the average fair market value for a two-bedroom apartment was $1,435. Table HA45 details the household characteristics for Shriver legal aid clients, by level of service.

Table HA45. Household Characteristics of Shriver Legal Aid Clients

	Level of Service		
Household Level Characteristics	**Full Representation**	**Unbundled Services**	**Total**
Minors in Household, *N* (%)			
Yes	114 (50%)	459 (51%)	573 (51%)
No	106 (46%)	293 (33%)	399 (35%)
Missing/unknown	9 (4%)	144 (16%)	153 (14%)
Received CalFresh Benefits, *N* (%)			
Yes	71 (31%)	272 (30%)	343 (30%)
No	158 (69%)	621 (69%)	779 (69%)
Missing/unknown	0 (0%)	3 (<1%)	3 (<1%)
Monthly Income			
Mean (SD)	$1,162 (792)	$1,283 (1,064)	$1,258 (1,016)
Median	$900	$1,050	$1,000
Range	$0 to $4,800	$0 to $7,000	$0 to $7,000
Missing/unknown	0 (0%)	3 (0%)	3 (0%)
Monthly Rental Amount[a]			
Mean (SD)	$978 (710)	$832 (558)	$882 (618)
Median	$807	$750	$782
Range	$0 to $4,139	$0 to $4,000	$0 to $4,139
Missing/unknown, *N* (%)	12 (5%)	479 (53%)	491 (44%)
Total	229 (100%)	896 (100%)	1,125 (100%)

Note. Data from the Shriver program services database (as of 10/18/15). SD=standard deviation. [a] Monthly rental amount according to defendant at time of intake.

Most Shriver legal aid clients (79%; *n*=890) were renters of an apartment, condominium, or house. Others were current or prior owners of a foreclosed property (4%; *n*=45) or lodgers in a hotel, motel, or private residence (2%; *n*=27). The remainder of clients were staying with friends or family (1%; *n*=16); living in a shelter, abandoned building, or outside (<1%; *n*=4); or another place not specified (3%; *n*=34).

Opposing Party Representation. Shriver legal aid staff assessed whether the opposing party had retained legal counsel at the time of intake. Among full representation cases, 87% faced an opposing party with legal representation. Information about opposing parties was not well

[150] The CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP; formerly "food stamps"), provides qualified, low-income households with monthly electronic benefits that can be used to buy most foods at many markets and food stores.

known for clients receiving unbundled services: At least 22% faced an opposing party with legal representation, but this information was missing for 52% of these cases. Table HA46 shows the percent of opposing parties represented by legal counsel, by level of service.

Table HA46. Opposing Party Representation at Intake

	Level of Service		
Plaintiff Represented by Counsel	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Yes	199 (87%)	198 (22%)	397 (35%)
No	26 (11%)	229 (26%)	255 (23%)
Missing/unknown	4 (2%)	469 (52%)	473 (42%)
Total	229 (100%)	896 (100%)	1,125 (100%)

Note. Data from the Shriver program services database (as of 10/18/15).

Case Characteristics. At the time of Shriver intake, an answer had not yet been filed in 71% of cases. Specifically, as seen in Table HA47, in 41% of cases, a complaint had not yet been filed with the court (pre-filing status), and in 30%, a complaint had been filed, but no response. In 1% of cases, the litigant had already missed the window to file an answer and a default judgment had been entered. In 3% of cases, an answer had been filed prior to seeking Shriver services.

The most common type of eviction notice was a 3 day pay, perform, or quit (38%; *n*=269), followed next by a 30- to 90-day notice to terminate (31%; *n*=216), which is used for tenancies with indefinite rental agreements.[151] Of those cases with information about an eviction notice, the most frequent reason listed was for non-payment of rent (33%), followed by violation of lease terms (5%), and foreclosure (3%); this information was missing for approximately 26% of cases. In cases where the notice indicated non-payment of rent, the median amount demanded on the notice was $1,500 (mean = $2,776; range = $0 to $55,100[152]). Most defendants owed between $501 and $2,000 according to the eviction notice. In 9% of cases, the amount was $500 or less, highlighting the financial vulnerability of many tenants. Table HA47 shows the reason listed on the eviction notice (if applicable), and for cases that included non-payment of rent, the amount demanded.

[151] The remainder of eviction notices were 7 to 14 day terminations (1%; *n*=4) or other types of notices (6%; *n*=39); 172 (25%) cases were missing information about the eviction notice.
[152] Less than 1% of cases (*n*=2) had an amount greater than $25,000 (upper bound for limited jurisdiction cases).

Table HA47. Case Status at Intake for Shriver Legal Aid Clients

	Level of Service		
Unlawful Detainer Case Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Case Status at Intake			
No formal eviction notice served	6 (3%)	199 (22%)	205 (18%)
Service of notice to terminate tenancy	32 (14%)	230 (26%)	262 (23%)
Complaint or Summons and Complaint filed	170 (74%)	168 (19%)	338 (30%)
Default judgment entered	4 (2%)	7 (1%)	11 (1%)
Answer/response filed	9 (4%)	22 (2%)	31 (3%)
Judgment entered (not through default)	0 (0%)	2 (<1%)	2 (<1%)
Writ issued/notice to vacate from sheriff	5 (2%)	25 (3%)	30 (3%)
Other	3 (1%)	23 (3%)	26 (2%)
Missing/unknown	0 (0%)	220 (25%)	220 (20%)
Total	229 (100%)	896 (100%)	1,125 (100%)
If Eviction Notice Served, Reason Listed			
Non-payment of rent	103 (46%)	128 (27%)	231 (33%)
Foreclosure	7 (3%)	13 (3%)	20 (3%)
Violation of lease terms	12 (5%)	23 (5%)	35 (5%)
Nuisance (e.g., dispute with neighbors)	7 (3%)	9 (2%)	16 (2%)
Other	31 (14%)	56 (12%)	87 (12%)
Multiple reasons	22 (10%)	25 (5%)	47 (7%)
None needed[a]	12 (5%)	72 (15%)	84 (12%)
Missing/unknown	29 (13%)	151 (32%)	180 (26%)
Total	223 (100%)	477 (100%)	700 (100%)
If Eviction Cited Non-Payment of Rent, Amount Demanded on Eviction Notice[b]			
$0 to $100	19 (15%)	30 (20%)	49 (18%)
$101 to $500	2 (2%)	1 (1%)	3 (1%)
$501 to $1,000	11 (9%)	12 (8%)	23 (8%)
$1,001 to $2,000	24 (19%)	33 (22%)	57 (21%)
$2,001 to $3,000	31 (25%)	35 (23%)	66 (24%)
$3,001 to $4,000	15 (12%)	20 (13%)	35 (13%)
$4,001 to $5,000	9 (7%)	5 (3%)	14 (5%)
$5,001 or more	8 (6%)	7 (5%)	15 (5%)
Missing/unknown	6 (5%)	10 (7%)	16 (6%)
Total	125 (100%)	153 (100%)	278 (100%)

Note. Data from the Shriver program services database (as of 10/18/15). [a] Some types of eviction notices (e.g., 30- to 90-day notices) do not require the landlord to state a reason for the eviction. [b] Includes cases where non-payment of rent or multiple reasons were listed on the notice.

In the Santa Barbara housing pilot project, 20% of clients (*n*=230) lived in subsidized housing (18% of cases were missing this information), which often requires a different process for unlawful detainer cases (e.g., a longer notification period or different reasons for tenancy termination). Project staff indicated that 10% (*n*=117) of cases had other special characteristics, including owner or tenant of a foreclosed property (4%; *n*=44), military personnel or veterans living in household (<1%; *n*=4), bankruptcy (<1%; *n*=3), housing provided as part of employment (<1%; *n*=5), or some other consideration not specified (4%; *n*=43).

One percent (*n*=10) of cases had an active domestic violence restraining order at the time of intake. Clients in 10% of cases (*n*=107) alleged some type of discrimination from the landlord, with the most common allegations based on retaliation (3%; *n*=36), disability status (3%; *n*=33), race (15; *n*=11), or multiple reasons (2%; *n*=20).

COURT-BASED SERVICES

When an unlawful detainer case is set for trial at the Santa Maria and Lompoc courthouses, litigants are automatically scheduled for a mandatory settlement conference in advance of the trial date. Between January 2013 and December 2014, parties from a total of 337 housing-related lawsuits were scheduled to meet with the Shriver Housing Settlement Master. In 79% of cases, both parties appeared at the settlement conference. However, in 21% of cases, at least one party (most often the defendant) did not appear. When one party does not appear, the other party is still provided with information and the case characteristics and party's goals are discussed. The number of cases with one party failing to appear and the average number of settlement conferences scheduled per case are displayed in Table HA48. Demographic information about litigants participating in Shriver settlement conferences was not available.

Table HA48. Number of Settlement Conferences and Attendance by Parties

	Case Type		
Settlement Conference Characteristics	**Unlawful Detainer**	**Other Property Dispute[a]**	**Total**
Conferences Scheduled per Case			
Mean (*SD*)	1.2 (0.5)	1.3 (0.5)	1.2 (0.5)
Median	1	1	1
Range	1 to 4	1 to 3	1 to 4
Missing N (%)	1 (<1%)	0 (0%)	1 (<1%)
Failed to Appear at Conference			
Defendant	58 (19%)	1 (3%)	59 (17%)
Plaintiff	6 (2%)	1 (3%)	7 (2%)
Both parties	6 (2%)	0 (0%)	6 (2%)
Neither party (all parties attended)	240 (77%)	25 (93%)	265 (79%)
Total	310 (100%)	27 (100%)	337 (100%)

Note. Data from the Shriver Settlement Master services database (as of 12/31/14). [a] This category includes civil cases where possession is no longer at issue.

Case Proceedings and Outcomes for Full Representation Clients

The remainder of this section on the Santa Barbara housing pilot project reflects only the Shriver cases that received full representation from legal aid.[153] Cases receiving unbundled services are not included because attorneys did not follow these cases to resolution and the outcomes were unknown.

Participation in the Justice System

Answers Filed

To participate in the justice system—that is, to avoid defaulting on an unlawful detainer case—defendants must file an answer (or other response) to the complaint filed by the landlord. As shown in Table HA49, defendants in 83% of Shriver full representation cases (*n*=187) filed a response with the court. In most cases (81%), an answer was filed; in a few cases (2%), a demurrer or other response was filed. (Recall that only 3% of clients had an answer filed at intake.) In 14% of cases, an official response to the complaint was not needed, as the case was settled outside of court. In 1% of cases, there was no official response needed because the plaintiff dismissed the case. In 1% of cases, an official response was never entered and a default judgment remained. (Recall that at intake, 2% of defendants had defaulted, so legal aid was successful getting some to be set aside.)

Among full representation cases, nearly all defendants (99%) participated in the judicial system. Notably, only two default judgments remained because the tenant failed to respond to the unlawful detainer complaint.

Table HA49. Response to Unlawful Detainer Complaint by Defendants in Full Representation Cases

Response to Unlawful Detainer Complaint	*N* (%)
Action filed with court:	
Answer	183 (81%)
Other response (e.g., motion to set aside default, demurrer)	4 (2%)
No official response:	
Settled outside of court	32 (14%)
Plaintiff dismissed case[a]	2 (1%)
Default remains	2 (1%)
Missing/unknown	0 (0%)
Total	225 (100%)

Note. Data from the Shriver program services database (as of 10/18/15). [a] Not through negotiated settlement.

[153] Four full representation cases (2%) were excluded from these analyses because there was never an unlawful detainer complaint filed with the court system (*n*=3) or because the litigant did not return for services (*n*=1).

COURT EFFICIENCY

Case Resolution

Legal Aid Services. The majority (80%) of Shriver full representation cases were resolved by settlement, 12% of cases were dismissed by the plaintiff, and 6% were resolved through a trial or hearing. Of those resolved through trial or hearing, none were known to have resolved via jury trial.[154] The method of resolution for all full representation cases is displayed in Table HA50.

Table HA50. Case Resolution Method for Full Representation Clients

Case Resolution Method	*N* (%)
Settlement/stipulation	180 (80%)
Plaintiff dismissal	26 (12%)
Trial/hearing	13 (6%)
Other	6 (3%)
Missing/unknown	0 (0%)
Total	225 (100%)

Note. Data obtained from the Shriver program services database (as of 10/18/15).

Point of Settlement. Of the 180 full representation cases that were settled, 5% were settled before an official unlawful detainer complaint was filed with the court and 83% were settled post-filing but before the trial. These options are the most efficient for the court. Five percent of cases were settled on the day of trial, and 3% of cases were settled during at some other point post-filing (see Table HA51).

Table HA51. Point of Settlement for Full Representation Clients

Point of Settlement	*N* (%)
Pre-filing	9 (5%)
Post-filing, pre-trial	150 (83%)
On the day of trial	8 (4%)
During trial	0 (0%)
Other post-filing	6 (3%)
Other, not specified	3 (2%)
Missing/unknown	4 (2%)
Total	180 (100%)

Note. Data obtained from the Shriver program services database (as of 10/18/15). Limited to cases that settled.

[154] Information on trial type was missing for 54% of trials (*n*=7); the other 6 trials were resolved via bench trial.

Case Length

As mentioned earlier, the California Administrative Office of the Courts have a goal to resolve 90% of unlawful detainer cases within 30 days of complaint filing, and 100% of cases within 45 days of filing. Across full representation cases with available data, 42% were resolved within 30 days of the complaint filing and 60% were resolved within 45 days (note that 14% were missing data). The average length of unlawful detainer cases (measured from the date of complaint filing to the date of disposition) was 44 days for full representation cases (median = 31).[155] Table HA52 shows the percent of cases resolved within each benchmark period.

Table HA52. Case Age for Full Representation Clients

	Case Resolution Method				
Case Age	**Landlord Dismissal *N* (%)**	**Settlement *N* (%)**	**Trial/ Hearing *N* (%)**	**Other/ Missing *N* (%)**	**Total *N* (%)**
Less than 30 days	11 (42%)	78 (43%)	2 (15%)	3 (50%)	94 (42%)
31 to 45 days	4 (15%)	35 (19%)	2 (15%)	0 (0%)	41 (18%)
46 days or more	1 (4%)	51 (28%)	5 (38%)	2 (33%)	59 (26%)
Missing/unknown	10 (38%)	16 (9%)	4 (31%)	1 (17%)	31 (14%)
Total	26 (100%)	180 (100%)	13 (100%)	6 (100%)	225 (100%)

Note. Data from the Shriver program services database (as of 10/18/15).

CASE OUTCOMES

Housing Stability

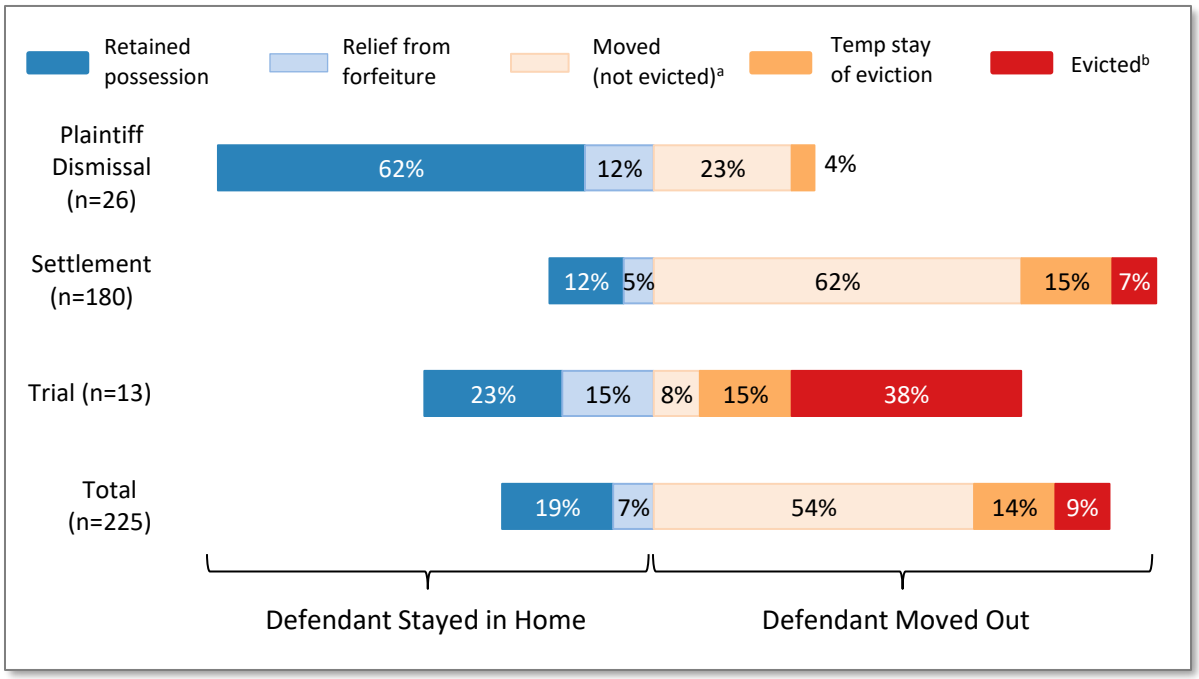
From the perspective of the tenants, staying in one's home and avoiding the burden and disruption of a forced relocation is a noteworthy and positive outcome. However, in instances when the tenant must relocate, other factors—such as having additional time to move, retaining neutral references from landlords, or retaining Housing Choice Vouchers—can contribute to the ability to secure new and affordable housing more quickly. Finding new housing quickly can help tenants avoid interstitial periods of homelessness or "couch-surfing" and provide stability for families and children attending school. This section describes outcomes of full representation cases, including whether tenants were able to remain in the home and other outcomes that may aid successful housing transition, when moving is necessary.

Possession of Property. At Shriver intake, legal aid clients were asked by their attorneys whether they wished to remain in the home. Of the 225 full representation cases, defendants in 57% of cases (*n*=129) wished to remain in their current residence, 30% (*n*=68) did not want to stay, and the remaining 12% (*n*=28) were uncertain or the information was unknown. At the end of the court case, tenants in 25% of cases (*n*=56) were able to remain in the home, either because the client retained possession of the unit or was granted relief from forfeiture.[156] In 75% of cases (*n*=168), the plaintiff obtained possession and the tenants had to move out.

[155] Ranging from 0 to 341 days, median = 31 days, *SD* = 47 days.
[156] Relief from forfeiture typically applies when a defendant experiences a temporary income shortage and has the ability to pay back rent or other money owed.

Most tenants moved as part of a negotiated agreement. There were comparably fewer instances of evictions.[157] In 14% of cases, defendants received a temporary stay of eviction, whereby the court granted possession of the unit to the plaintiff, but postponed the eviction due to extreme hardship on behalf of the defendant.

Figure HA6. Housing Stability for Full Representation Clients by Case Resolution Method



Note. Data for case resolution method were missing for 6 cases; these cases were included in the total above, but not represented separately. [a] Defendant moved as part of negotiated agreement or before unlawful detainer hearing or trial judgment. [b] Court granted possession of the unit to the plaintiff (landlord), but postponed the eviction due to extreme hardship on behalf of the defendant. [c] Defendant was ruled against in court hearing, trial, or through default judgment, or failed to comply with the conditions of a settlement.

<u>Other Outcomes among Defendants who Moved.</u> Clients in 75% of full representation cases moved out of their homes at the end of their court case. Importantly, in 64% of these cases, the move-out date was extended, allowing tenants more time to find alternate housing. This result most frequently occurred in cases that were settled (see Table HA53).

Among full representation cases of the Santa Barbara housing pilot project, 96% (*n*=161) resulted in some positive outcome that supported the tenant's longer term housing stability (Table HA53). In 31% of cases, the amount of back-owed rent was reduced, and in 38%, it was waived. In 15% of cases, the defendant agreed to repay all of the back-owed rent, and 18% established a payment plan. (Note that information on money owed was missing for 16% of cases). Among defendants who lived in subsidized housing, 54% retained their Housing Choice Voucher. Analysis combined the outcomes related to decreasing the out-of-pocket expenses for

[157] Evictions describe the situation where a defendant was ruled against in a court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement; this usually results with an unlawful detainer case viewable on their public record.

the defendant and yielded a single indicator of financial benefit to the defendant. Among cases in which the defendant had to move, 83% received some sort of positive financial outcome.

Among cases in which the tenants had to move, legal aid attorneys were able to achieve a positive credit-related outcome 73% of the time. Specifically, defendants in 60% of cases had their unlawful detainer cases masked from public view, those in 51% of cases avoided having their unlawful detainer judgment reported to credit agencies, and those in 44% obtained neutral references from the landlord.

Table HA53. Tenants who Moved Out:
Percentage of Full Representation Cases Receiving Each Outcome

	Case Resolution Method				
Outcome	**Plaintiff Dismissal** *N* (%)	**Settlement** *N* (%)	**Trial/ Hearing** *N* (%)	**Other/ Missing** *N* (%)	**Total** *N* (%)
Clients Moving Out	*n*=7	*n*=149	*n*=8	*n*=4	*n*=168
Physical Outcomes					
Move Out Date Adjusted	4 (57%)	102 (68%)	2 (25%)	0 (0%)	108 (64%)
Mean Number of Days to Move (*SD*)[a]	23 (*18*)	54 (*47*)	34 (*19*)	--	52 (*46*)
Financial Outcomes					
Pay Plaintiff's Attorney Fees	0 (0%)	14 (9%)	2 (25%)	1 (25%)	17 (10%)
Pay All Rent Owed	0 (0%)	23 (15%)	1 (13%)	2 (50%)	26 (15%)
Rental Amount Owed Reduced	0 (0%)	47 (32%)	5 (63%)	0 (0%)	52 (31%)
Rental Amount Owed Waived	3 (43%)	58 (39%)	1 (13%)	1 (25%)	63 (38%)
Payment Plan for Money Owed	0 (0%)	30 (20%)	0 (0%)	0 (0%)	30 (18%)
Preserved Housing Choice Voucher/Sec. 8[b]	0 (0%)	21 (60%)	1 (50%)	0 (0%)	22 (54%)
Received Any Positive Financial Outcome[c]	***3 (43%)***	***130 (87%)***	***6 (75%)***	***1 (25%)***	***140 (83%)***
Credit-Related Outcomes					
Neutral References from Landlord	0 (0%)	72 (48%)	0 (0%)	1 (25%)	73 (43%)
Not Reported to Credit Agencies	1 (14%)	84 (56%)	0 (0%)	1 (25%)	86 (51%)
Record Masked from Public View	5 (71%)	92 (62%)	2 (25%)	2 (50%)	101 (60%)
Received Any Positive Credit Outcome[d]	***5 (71%)***	***113 (76%)***	***2 (25%)***	***2 (50%)***	***122 (73%)***
Total Received Any Positive Outcome[e]	**6 (86%)**	**146 (98%)**	**7 (88%)**	**2 (50%)**	**161 (96%)**

Note. Data from the Shriver program services database (as of 10/18/15). [a] Calculated as the number of days from complaint filing to move out date. [b] Calculated out of the number of defendants living in subsidized housing (*n*=41). [c] Calculated from all monetary items, except where the litigant had to pay for the plaintiff's (landlord's) attorney fees or had to pay back all money owed. [d] Calculated from all credit-related outcomes. [e] Calculated from all monetary and/or credit-related outcomes, except where indicated above.

Case Proceedings and Outcomes for those Receiving Court-Based Shriver Settlement Conferences

The remainder of this section on the Santa Barbara housing pilot project reflects only the Shriver cases that received court-based services, namely mandatory settlement conference by the Housing Settlement Master.

SHRIVER PROGRAM SERVICES DATA

Between January 2013 and December 2014, a total of 337 housing-related lawsuits were scheduled with the Shriver housing settlement master. When an unlawful detainer case is set for trial in Santa Barbara County Superior Court, litigants are also scheduled to meet with the settlement master prior to the scheduled trial date, and the settlement conference is considered mandatory (i.e., the parties cannot proceed to trial unless at least one party appears at the settlement conference). If only one party appears for the settlement conference, while a discussion with both parties is obviously not feasible, the attending party is still shown a video on the unlawful detainer process and the benefits of trying to reach a settlement. The legal issues and challenges with proof are discussed, as well as party's goals for outcomes.

According to program services data, of the 337 cases scheduled for a settlement conference with the Housing Settlement Master, 69% ultimately settled their cases (Table HA54). Of those that settled, the majority (67%) did so during the conference with the Settlement Master. Of the 96 cases that did not settle and were ultimately decided by the court, 84% of rulings were in favor of the plaintiff and 5% were in favor of the defendant. Of the 96 cases decided in court, all were decided via bench trial. A small minority (3%; *n*=10) initially settled their lawsuit, but appeared before the court at some point later for a court ruling.

Table HA54. Case Resolution Method for Litigants Receiving Court-Based Services

	Case Type		
Case Resolution Characteristic	**Unlawful Detainer** *N* (%)	**Other Property Dispute[a]** *N* (%)	**Total** *N* (%)
Method of Resolution			
Settlement/stipulation	216 (70%)	19 (66%)	235 (69%)
Plaintiff dismissal	1 (<1%)	0 (0%)	1 (<1%)
Trial/hearing	86 (28%)	8 (34%)	94 (28%)
Other	1 (<1%)	0 (0%)	1 (<1%)
Missing/unknown	6 (2%)	0 (0%)	6 (2%)
Total	310 (100%)	27 (100%)	337 (100%)
If Settlement/Stipulation, Point of Settlement			
Before Settlement Conference	28 (13%)	4 (21%)	32 (14%)
During Settlement Conference	154 (71%)	4 (21%)	158 (67%)
After Settlement Conference	34 (16%)	11 (58%)	45 (19%)
Total	216 (100%)	19 (100%)	235 (100%)
If Trial/Hearing, Judgment in Favor of			
Defendant	3 (4%)	2 (20%)	5 (5%)
Plaintiff	80 (93%)	1 (10%)	81 (84%)
Court Dismissal	2 (2%)	1 (1%)	3 (3%)
Missing/unknown	1 (1%)	4 (40%)	5 (5%)
Total	86 (100%)	8 (100%)	94(100%)

Note. Data obtained from the Shriver Settlement Master services database (as of 12/31/14). [a] This category includes civil cases where possession is no longer at issue.

COURT CASE FILE REVIEW DATA

Of the 337 cases scheduled on the settlement master's calendar, 152 (46% of cases served) were selected for case file review,[158] and the review was performed approximately 2 years after complaint filing, which allowed sufficient time for case closure and permitted the reviewer to verify compliance with any settlement terms. Ultimately, 95 were reviewed (62% of sample). However, three cases were excluded after review, because the parties reached an agreement prior to the first settlement conference (*n*=2) or because the case was actually a small claims matter (*n*=1). Information in the court case file about these 92 cases receiving assistance from the housing settlement master is presented below.

Settlement Conference Characteristics. In 78% of cases, both parties appeared and participated in a mandatory settlement conference (MSC). In the remaining cases (22%), only one party appeared for the scheduled conference. In 19 of these 20 cases (95%), the defendant did not appear and the plaintiff did.

On average, the first MSC was held about one month (median = 31 days, mean = 47 days) after the date of complaint filing. In 13% of cases (*n*=12), when special pleadings (e.g., demurrers) were filed, the case was diverted directly to the settlement master before proceeding to a hearing. Diverting cases with special pleadings can be beneficial to the court, as these matters often take more time for the judge and research attorney to investigate (compared to a regular UD trial). In cases for which both parties appeared and tried to negotiate, 24% resulted in more than one settlement conference (76% had a single conference).

Table HA55. Mandatory Settlement Conference (MSC) Characteristics

	MSC Participation		
Characteristic	**Both Parties Appeared**	**One Party Appeared**	**Total**
Number of Cases, *N* (%)	72 (78%)	20 (22%)	92 (100%)
Days from Complaint to First MSC			
Mean (*SD*)	48 (43)	43 (30)	47 (41)
Median	31	30	31
Range	14 to 205	18 to 122	14 to 205
Number of MSCs Held			
1	55 (76%)	20 (100%)	75 (82%)
2 or more	17 (24%)	0 (0%)	17 (18%)
Range	1 to 5	1 to 1	1 to 5

[158] These 152 cases were selected for case file review based on the following criteria: (1) the conference was scheduled in Santa Maria (the prime location for Shriver services); at least one party appeared at the settlement conference; (3) the case not had settled, defaulted, or been dismissed prior to the settlement conference; and (4) were unlawful detainer cases (i.e., not long cause or small claims issues).

Case Characteristics. Most MSC cases (85%, *n*=78) were unlawful detainer for a typical landlord-tenant lease agreement, but there were also 10 (11%) unlawful detainer cases related to foreclosure, 2 (2%) related to mobile homes, and 2 (2%) cases involving a trustee sale (not depicted). In each of these cases, issues related to possession of the property were at issue.

The typical unlawful detainer case had one plaintiff and two defendants. Most (90%) plaintiffs did not request or receive a fee waiver, whereas at least one defendant in 77% of cases did. In most cases, plaintiffs were represented by a private attorney (79%), and defendants were unrepresented (78%). Of the 18 cases where the defendant(s) obtained attorney representation, there was only one instance where the plaintiff was unrepresented; in all other instances, both sides were represented. Table HA56 shows the breakdown of party characteristics, split by MSC participation level.

Table HA56. Unlawful Detainer Party Characteristics by Mandatory Settlement Conference (MSC) Participation

	MSC Participation					
	Both Parties Appeared		One Party Appeared		Total	
	Role in Dispute		Role in Dispute		Role in Dispute	
Party Characteristics	**Plaintiff**	**Defendant**	**Plaintiff**	**Defendant**	**Plaintiff**	**Defendant**
Individuals per Case						
Mean (*SD*)	1.1 (0.3)	1.7 (0.8)	1.1 (0.3)	2.1 (1.2)	1.1 (0.3)	1.8 (0.9)
Median	1	2	1	2	1	2
Range	1 to 3	1 to 4	1 to 2	1 to 5	1 to 3	1 to 5
Missing	3 (4%)	3 (3%)	0 (0%)	1 (5%)	3 (3%)	4 (4%)
Fee Waiver Requests, *N* (%)						
None	63 (88%)	12 (17%)	20 (100%)	0 (0%)	83 (90%)	12 (13%)
Approved	5 (7%)	52 (72%)	0 (0%)	17 (85%)	5 (5%)	69 (75%)
Denied	0 (0%)	2 (3%)	0 (0%)	2 (10%)	0 (0%)	4 (4%)
At least one approved, one denied[a]	0 (0%)	2 (3%)	0 (0%)	0 (0%)	0 (0%)	2 (2%)
Missing	4 (6%)	4 (6%)	0 (0%)	1 (5%)	4 (4%)	5 (5%)
Attorney Representation, *N* (%)						
None	16 (22%)	52 (72%)	3 (15%)	20 (100%)	19 (21%)	72 (78%)
Legal Aid	0 (0%)	6 (8%)	0 (0%)	0 (0%)	0 (0%)	6 (7%)
Private	56 (78%)	12 (17%)	17 (85%)	0 (0%)	73 (79%)	12 (13%)
Missing	0 (0%)	2 (3%)	0 (0%)	0 (0%)	0 (0%)	2 (2%)
Total, *N* (%)	**72 (100%)**	**72 (100%)**	**20 (100%)**	**20 (100%)**	**92 (100%)**	**92 (100%)**

[a] Cases with multiple defendants in which at least one defendant had a fee waiver approved and one had a fee waiver denied.

According to the information listed on the unlawful detainer complaint, in addition to requesting that the defendant surrender possession of the property, most plaintiffs (88%) demanded holdover damages (the amount of rent accrued after the expiration of the eviction notice), 76% demanded forfeiture of the tenancy agreement, 61% demanded past rent be paid, and 45% demanded the plaintiff's attorney's fees be paid. When past rest was demanded, the average amount was $2,654 (median = $1,675), and when holdover damages were demanded, the average amount was $38 (median = $39) per day. Information about the demands on the unlawful detainer complaint are presented in Table HA57.

Table HA57. Unlawful Detainer Complaint Demands by Mandatory Settlement Conference (MSC) Participation

	MSC Participation		
Demands on Complaint	**Both Parties Appeared**	**One Party Appeared**	**Total**
Holdover Damages, *N* (%)	63 (88%)	18 (90%)	81 (88%)
Forfeiture of the Agreement, *N* (%)	54 (75%)	16 (80%)	70 (76%)
Past Rent, *N* (%)	42 (58%)	14 (70%)	56 (61%)
Reasonable Attorney's Fees, *N* (%)	31 (43%)	10 (50%)	41 (45%)
Statutory Damages, *N* (%)	6 (8%)	1 (5%)	7 (7%)
Other Requests, *N* (%)	13 (18%)	1 (5%)	14 (15%)
Missing, *N* (%)	1 (1%)	1 (5%)	2 (2%)
Total	72 (100%)	20 (100%)	92 (100%)
If Past Rent Demanded, Amount			
Mean (SD)	$2,887 (2,530)	$1,953 (1,199)	$2,654 (2,298)
Median	$1,839	$1,550	$1,675
Range	$393 to $9,710	$875 to $5,500	$393 to $9,710
Missing, *N* (%)	0 (0%)	0 (0%)	0 (0%)
If Hold Over Damages Demanded, Amount Per Day			
Mean (*SD*)	$36 (14)	$42 (10)	$38 (13)
Median	$37	$44	$39
Range	$8 to $70	$18 to $55	$8 to $70
Missing, *N* (%)	2 (3%)	0 (0%)	2 (2%)

Settlement Terms. Of the 72 cases where both parties appeared and participated in a MSC, 79% (*n*=57) were able to reach an agreement before trial. Most (81%) of these agreements were conditional, and many specified that if the defendants met certain terms (such as vacating the premises, 72%), the plaintiff would meet other terms, such as dismissing the unlawful detainer case (42%) and/or reducing or waiving the amount owed. According to the settlement details, if all terms were met, defendants in 61% of cases would not have to pay any money and defendants in 28% cases agreed to pay the plaintiff (this information was unknown for 11%). In cases where the parties agreed that the defendant would pay the plaintiff, the average amount was $3,002 (median = $1,993; range = $700 to $13,354), and this included money for past due

rent, holdover damages, costs, and other charges.[159] In 9% of agreements, the parties agreed the plaintiff would pay the defendant, averaging $1,990 (median = $2,000; range = $450 to $3,500).[160] The terms of the MSC agreements are presented in Table HA58.

Table HA58. Terms of Agreements Reached via Mandatory Settlement Conference (MSC)

Terms of MSC Agreement	*N* (%)
Defendant to:	
Vacate premises	41 (72%)
Pay nothing	35 (61%)
Pay something[a]	16 (28%)
Plaintiff to:	
Dismiss UD case	24 (42%)
Extend move out date	10 (18%)
Pay relocation costs	3 (5%)
Reinstate tenancy	3 (5%)
Return security deposit	1 (2%)
Pay/waive other costs	3 (5%)
Other terms:	
Conditional agreement	46 (81%)
Payment plan for money owed	3 (5%)
Record sealed	3 (5%)
Neutral credit references from plaintiff	1 (2%)
Defendant to make repairs	1 (2%)
Temporary stay of eviction	1 (2%)
Total	57 (100%)

Note. Table includes 57 cases where both parties participated in a MSC and came to an agreement before trial.
[a] 16% holdover damages; 14% partial amount of rent claimed on notice; 11% all rent claimed on notice; 11% costs; 9% plaintiff's attorney's fees; 9% forfeit security deposit; 2% other non-rent items; 14% other costs/fees.

[159] Standard deviation of amount defendant would pay was $2,309.
[160] In 13 cases (23%), the parties agreed the plaintiff would pay nothing, and in 39 cases (68%), the information was missing; *SD* of amount agreed to pay: $1,513.

Case Resolution. In cases where only one party appeared at the MSC, about half (55%) resolved through a trial or hearing and the other half (45%) resolved via default "prove-up."[161] Among cases where both parties appeared at the MSC, 79% resolved through settlement or stipulation, 18% resolved through a trial or hearing and 1% through default "prove-up" (see Table HA59). Two years post complaint filing, court records indicated that, of the 57 cases resolved through settlement, 81% of parties successfully complied with the terms of the agreement.[162]

Table HA59. Case Resolution Method and Compliance by Mandatory Settlement Conference (MSC) Participation

	MSC Participation		
Resolution Method	**Both Parties Appeared *N* (%)**	**One Party Appeared *N* (%)**	**Total *N* (%)**
Case Resolved Via:			
Settlement/stipulation through MSC	57 (79%)	0 (0%)	57 (62%)
Trial/hearing	13 (18%)	11 (55%)	24 (26%)
Default "prove-up" [a]	1 (1%)	8 (40%)	9 (10%)
Other	1 (1%)	1 (5%)	2 (2%)
Total	72 (100%)	20 (100%)	92 (100%)
If Settlement/Stipulation, Compliance with Agreement:			
Defendant complied	46 (81%)	--	46 (81%)
Defendant did not comply	11 (19%)	--	11 (19%)
Total	57 (100%)	--	57 (100%)

[a] Default was entered because defendant did not appear at trial/hearing.

Case Outcomes. Regardless of how the case was resolved, the plaintiff obtained possession of the property in more than 90% of cases. In cases where both parties complied with the terms of the MSC agreement, the unlawful detainer case was dismissed 69% of the time, considerably more often than other cases. Additionally, fewer writs of possession were issued and posted[163] for cases in which parties settled and complied with the MSC agreement. Among these cases, just one writ was posted, per the settlement agreement, compared to roughly two-thirds of cases in the other groups. This indicates that the settlement conferences were effective in creating agreements that held up and had benefits for both parties. The final outcomes of the unlawful detainer case are presented in Table HA60.

[161] A default "prove up" occurs a default judgment is entered against the defendant because the defendant fails to appear at the trial or hearing.
[162] Of the 11 cases in which the defendant did not comply with the terms of the agreement, case files indicate that two did not vacate the premises on time, four did not fulfill their payment obligations, and three did not vacate and did not fulfill their payment obligations (data were missing for 2 cases).
[163] Writs of possession can be issued by the court as part of a settlement and they do not have to be posted (if tenants vacate the premises on the agreed upon date, there is no need to post the writ). Writs are posted by the Sheriff when the tenant has not vacated.

Table HA60. Final Case Outcomes (Possession and Dismissals) of Unlawful Detainer Cases by Mandatory Settlement Conference (MSC) Participation

	MSC Participation				
	Both Parties Appeared			One Party Appeared *N* (%)	Total *N* (%)
Case Outcome	**Complied with Agreement *N* (%)**	**Did Not Comply with Agreement *N* (%)**	**No Agreement Reached *N* (%)**		
Party Awarded Possession					
Plaintiff	42 (91%)	10 (91%)	14 (93%)	19 (95%)	84 (91%)
Defendant	4 (9%)	1 (9%)[a]	1 (7%)[b]	1 (5%)	8 (9%)
Case Dismissed					
By Plaintiff	18 (39%)	1 (9%)[a]	1 (7%)[b]	0 (0%)	20 (22%)
By Court	14 (30%)	0 (0%)	0 (0%)	0 (0%)	14 (15%)
No	11 (24%)	9 (82%)	14 (93%)	20 (100%)	54 (59%)
Unknown	3 (7%)	1 (9%)	0 (0%)	0 (0%)	4 (4%)
Writ of Possession					
Not Issued	40 (87%)	3 (27%)	4 (27%)	4 (20%)	51 (55%)
Issued, but not posted	5 (11%)	0 (0%)	2 (13%)	5 (25%)	12 (13%)
Issued and posted	1 (1%)[c]	8 (73%)	9 (60%)	11 (55%)	29 (32%)
Total	**46 (100%)**	**11 (100%)**	**15 (100%)**	**20 (100%)**	**92 (100%)**

[a] The defendant initially did not comply with the terms of the MSC agreement, but after attending a subsequent MSC, the parties reached another agreement and the tenant was able to stay and the case was dismissed. [b] Case dismissed without stipulation on file. [c] Writ to issue forthwith, but no lockout before move out date.

When defendants complied with the terms of the agreement reached during their settlement conference, they paid nothing to the plaintiff 70% of the time. This contrasts with defendants who did not comply with their agreements, did not reach an agreement, or did not appear at the settlement conference. Among these cases, defendants paid something to the plaintiff roughly 70% of the time. Across all cases in which the defendant agreed, or was ordered, to pay the plaintiff,[164] the average amount to be paid was $3,884 (median = $3,192; range = $27 to $13,354).[165] Table HA61 shows the final stipulated judgments or court orders for MSC cases.

In addition to the monetary terms/orders regarding tenant debt, there were a small number of other terms/orders, such as the plaintiff paying the defendant, the move-out date being adjusted, the unlawful detainer record being sealed, and repairs being made. These orders occurred in a minority of cases (see Table HA61). However, quite notably, these other terms only occurred in cases where both parties came to agreement during the settlement conference and complied with the terms.[166]

[164] In 17 cases (18%), the final amount owed to the plaintiff was unknown.
[165] Standard deviation = $3,004.
[166] In the five cases where the plaintiff agreed to pay the defendant, the average amount to be paid was $1,990 (median = $2,000; range = $450 to $3,500; standard deviation = $1,513).

Table HA61. Other Final Judgments and Orders for Unlawful Detainer Cases by Mandatory Settlement Conference (MSC) Participation

	MSC Participation				
	Both Parties Appeared				
Other Final Stipulated Judgments or Court Orders	**Complied with Agreement *N* (%)**	**Did Not Comply with Agreement *N* (%)**	**No Agreement Reached *N* (%)**	**One Party Appeared *N* (%)**	**Total *N* (%)**
Defendant to:					
Pay nothing	32 (70%)	1 (9%)	0 (0%)	0 (0%)	33 (36%)
Pay something:	10 (22%)	7 (64%)	10 (67%)	15 (75%)	42 (46%)
Costs	3 (7%)	5 (45%)	7 (47%)	14 (70%)	29 (32%)
Hold over damages	5 (11%)	4 (36%)	5 (33%)	14 (70%)	28 (30%)
All rent claimed on notice	2 (4%)	6 (55%)	5 (33%)	13 (65%)	26 (28%)
Plaintiff attorney's fees	3 (7%)	4 (36%)	3 (20%)	8 (40%)	18 (20%)
Partial amount of rent claimed on notice	5 (11%)	1 (9%)	1 (7%)	0 (0%)	7 (8%)
Non-rent items	1 (2%)	2 (18%)	1 (7%)	2 (10%)	6 (7%)
Forfeit security deposit	4 (9%)	1 (9%)	0 (0%)	0 (0%)	5 (5%)
Plaintiff to:					
Pay relocation costs	3 (7%)	0 (0%)	0 (0%)	0 (0%)	3 (3%)
Pay other costs	2 (4%)	0 (0%)	0 (0%)	0 (0%)	2 (2%)
Return security deposit	1 (2%)	0 (0%)	0 (0%)	0 (0%)	1 (1%)
Other terms:					
Move out date adjusted	9 (20%)	0 (0%)	0 (0%)	0 (0%)	9 (10%)
Record sealed	2 (4%)	0 (0%)	0 (0%)	0 (0%)	2 (2%)
Tenancy reinstated	2 (4%)	0 (0%)	0 (0%)	0 (0%)	2 (2%)
Defendant to make repairs	1 (2%)	0 (0%)	0 (0%)	0 (0%)	1 (1%)
Payment plan for money owed	1 (2%)	0 (0%)	0 (0%)	0 (0%)	1 (1%)
Neutral credit references from plaintiff	1 (2%)	0 (0%)	0 (0%)	0 (0%)	1 (1%)
Total	**46 (100%)**	**11 (100%)**	**15 (100%)**	**20 (100%)**	**92 (100%)**

Summary of Findings regarding Shriver Mandatory Settlement Conferences

Between January 2013 and December 2014, the Shriver Housing Settlement Master provided court-based services to litigants in 332 housing-related cases. Information from a sampling of 92 unlawful detainer cases receiving these services show that:

- The typical unlawful detainer case is comprised of one plaintiff and 2 defendants.
- Most defendants were low-income (defendants in 77% of cases received a fee waiver).
- Defendants in 78% of cases were unrepresented, compared to 79% of plaintiffs who were represented by private attorneys.
- In 78% of cases with a settlement conference scheduled, both parties appeared.
- Of the cases in which both parties appeared at the settlement conference, 79% reached an agreement.
- Of the cases that reached an agreement during their settlement conference, parties in 81% of these cases complied with the terms of the agreement.
- Plaintiffs obtained possession of the property in more than 90% of all cases.
- Defendants participating in the settlement conference and complying with the terms of the agreement ended their cases with more favorable terms. Most notably, having the unlawful detainer case against them dismissed (70%), owing nothing to the plaintiff (70%), and having their move-out date adjusted (20%).

Shriver Service Summary: Yolo County

Information regarding the types of services provided, case characteristics, and outcomes were obtained from the program services databases. Data from the Yolo pilot housing project were collected on all parties seeking Shriver legal aid services from Legal Services of Northern California (LSNC)-Yolo or court-based services between February 2012 and October 2015.

What Services were Provided?

Shriver services were provided by the legal aid agency and by the court, and because these services and their eligibility criteria differed, they are presented separately. In this section, data are presented for litigants receiving ***full representation*** from a legal aid attorney, those receiving ***expanded self-help*** (i.e., the only unbundled service) from legal aid, and those receiving ***court-based services*** from the self-help attorney/mediator.

Legal Aid Services

The Yolo pilot housing project provided legal aid services to litigants, all of whom were defendants, on a total of 1,041 unlawful detainer cases. Of these cases, 38% received full representation and 62% received expanded self-help (Table HA62). Shriver attorneys tracked the number of hours they worked on cases in 6-minute increments. Overall, Shriver attorneys worked an average of 9 hours per case (median = 5). Full representation cases received an average of 16 hours (median = 11) and expanded self-help clients received an average of 4 hours (median = 2). Importantly, these estimates reflect attorney time only and do not reflect time worked by other staff.

Table HA62. Number of Legal Aid Cases and Attorney Hours Provided per Case

Characteristic	Full Representation	Expanded Self-Help	Total
Number (%) of Litigants	393 (38%)	648 (62%)	1,041 (100%)
Attorney Hours Provided			
Mean (*SD*)	15.9 (21.4)	3.9 (4.7)	8.6 (15.1)
Median	11.2	2.4	4.9
Range	1.6 to 240.6	0.2 to 50.1	0.2 to 240.6
Missing *N* (%)	61 (16%)	131 (20%)	192 (18%)

Note. Data from the Shriver program services database (as of 10/01/15).

Court-Based Services

The Yolo housing pilot project provided court-based Shriver services to litigants in 1,711 unlawful detainer cases. The large majority (*n*=1,630) of these cases received self-help assistance provided by an attorney; due to the brief exchange between the attorney and litigant, information about demographics or case characteristics was not collected. The remaining 81 cases were provided mediation services. As of October 2015, when the service data were collected, 65 cases had completed mediation and had available data. Among these cases, the primary litigants (i.e., the person initially seeking Shriver services from the court) included both defendants (55%; *n*=36) and plaintiffs (45%; *n*=29).

Who Received Services?

Legal Aid Services

Client Characteristics. At intake, LSNC attorneys collected data about their clients, including demographics, living situation, and case characteristics. Sixteen percent of Shriver cases had multiple defendants (e.g., couples). One litigant's data was used to represent each case (the "primary client" with whom the LSNC attorney had the most contact). The average age of the primary client was 43 years, the majority (67%) were female, 47% were White (non-Hispanic), 30% were Hispanic or Latino, and 33% had a disability. Table HA63 shows the demographic characteristics of the primary client on the 1,041 cases served by legal aid, by level of service.

Table HA63. Demographic Characteristics of Shriver Legal Aid Clients

	Level of Service		
Client Level Characteristics	**Full Representation** *N* (%)	**Expanded Self-Help** *N* (%)	**Total** *N* (%)
Age (years)			
18 to 24	33 (8%)	72 (11%)	105 (10%)
25 to 44	183 (47%)	291 (45%)	474 (46%)
45 to 61	138 (35%)	223 (34%)	361 (35%)
62 or older	37 (9%)	61 (9%)	98 (9%)
Missing/unknown	2 (1%)	1 (0%)	3 (<1%)
Gender			
Male	119 (30%)	219 (34%)	338 (32%)
Female	270 (69%)	429 (66%)	699 (67%)
Transgender	0 (0%)	0 (0%)	0 (0%)
Missing/unknown	4 (1%)	0 (0%)	4 (%)
Race/Ethnicity[a]			
Black or African American	39 (10%)	67 (10%)	106 (10%)
Hispanic/Latino	101 (26%)	210 (32%)	311 (30%)
White	199 (51%)	288 (44%)	487 (47%)
Other	46 (12%)	72 (11%)	118 (11%)
Missing/unknown/declined	8 (2%)	11 (2%)	19 (2%)
Education			
High school degree or less	86 (22%)	102 (16%)	188 (18%)
Any post-secondary	81 (21%)	106 (16%)	187 (18%)
Missing/unknown	226 (58%)	440 (68%)	666 (64%)
Disability			
Yes	137 (35%)	203 (31%)	340 (33%)
No	239 (61%)	415 (64%)	654 (63%)
Missing/unknown	17 (4%)	30 (5%)	47 (5%)
Total	393 (100%)	648 (100%)	1,041 (100%)

Note. Data from the Shriver program services database (as of 10/01/15). Limited English Proficiency was not routinely assessed. [a] Litigants who identified as Hispanic/Latino and any other race/ethnicity are included in the Hispanic/Latino row.

Half (52%) of Shriver cases served by legal aid had at least one minor living in the home, and one third (34%) of households received CalFresh benefits.[167] The median monthly household income was $935 (mean = $1,139) and the median monthly rental amount was $693 (median = $717). By comparison, recall that the average fair market value for a two-bedroom apartment in Yolo County is $1,104 and the median monthly household income is $4,659. Table HA64 shows the household characteristics for Shriver clients served by legal aid by level of service.

Table HA64. Household Characteristics of Shriver Legal Aid Clients

	Level of Service		
Household Level Characteristics	**Full Representation**	**Expanded Self-Help**	**Total**
Minors in Household, *N* (%)			
Yes	202 (51%)	333 (51%)	535 (51%)
No	190 (48%)	315 (49%)	505 (49%)
Missing/unknown	1 (<1%)	0 (0%)	1 (<1%)
Received CalFresh Benefits, *N* (%)			
Yes	150 (38%)	169 (26%)	319 (31%)
No	198 (50%)	334 (52%)	532 (51%)
Missing/unknown	45 (11%)	145 (22%)	190 (18%)
Monthly Income			
Mean (SD)	$1,129 (859)	$1,146 (961)	$1,139 (923)
Median	$950	$916	$935
Range	$0 to $6,996	$0 to $9,600	$0 to $9,600
Missing/unknown	0 (0%)	0 (0%)	0 (0%)
Monthly Rental Amount[a]			
Mean (SD)	$686 (428)	$739 (470)	$717 (454)
Median	$665	$710	$693
Range	$0 to $2,475	$0 to $3,500	$0 to $3,500
Missing/unknown, *N* (%)	29 (7%)	126 (19%)	155 (15%)
Total	393 (100%)	648 (100%)	1,041 (100%)

Note. Data from the Shriver program services database (as of 10/01/15). SD=standard deviation. [a] Monthly rental amount according to defendant at time of intake.

Most (80%; *n*=834) Shriver legal aid clients were renters/tenants of an apartment, house, or condominium. Others were current or prior owners of a foreclosed property (7%; *n*=74) or lodgers in a hotel, motel, or private residence (4%; *n*=45). Remaining cases involved clients staying with friends or family (15; *n*=14); living in a supported environment, nursing home, institution, treatment center, or transitional housing (<1%; *n*=1); living in a shelter, abandoned building, or outside (2%; *n*=22); or living in another place not specified (3%; *n*=28).[168]

[167] The CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP; formerly "food stamps"), provides qualified, low-income households with monthly electronic benefits that can be used to buy most foods at many markets and food stores.
[168] 2% (*n*=23) of cases were missing information about the client's living situation.

Opposing Party Representation. Shriver legal aid staff assessed whether the opposing party had retained legal counsel at the time of intake. As shown in Table HA65, among full representation cases, 90% of defendants faced an opposing party with legal representation (this information was missing for approximately 7% of cases). Among cases that received expanded self-help, 63% defendants faced an opposing party with legal representation, but this information was missing or unknown for 29% of cases.

Table HA65. Opposing Party Representation at Intake for Legal Aid Clients

	Level of Service		
Plaintiff Represented by Counsel	**Full Representation** *N* (%)	**Expanded Self-Help** *N* (%)	**Total** *N* (%)
Yes	353 (90%)	408 (63%)	761 (73%)
No	11 (3%)	54 (8%)	65 (6%)
Missing/unknown	29 (7%)	186 (29%)	215 (21%)
Total	393 (100%)	648 (100%)	1,041 (100%)

Note. Data from the Shriver program services database (as of 10/01/15).

Case Characteristics. At the time of Shriver intake, an answer had not yet been filed in 76% of cases. Specifically, in 31% of cases, a complaint had not yet been filed with the court (pre-filing status), and in 45%, a complaint was filed, but no response. In 3% of cases, the litigant had already missed the window to file an answer and a default judgment had been entered. In 1% of cases, an answer had been filed prior to seeking Shriver services.

The most common type of eviction notice was a 3 day pay, perform, or quit (71%; *n*=569), followed by a 30- to 90-day notice to terminate (17%; *n*=136), which is used for tenancies with indefinite rental agreements.[169] Of those cases with information about an eviction notice, the most frequent reason listed was for non-payment of rent (65%), followed by violation of lease terms (7%), and foreclosure (6%). In cases where the notice indicated non-payment of rent, the median amount demanded on the notice was $1,050 (mean = $1,555; range = $0 to $15,000). In 61% of cases, defendants owed between $501 and $2,000 according to the eviction notice. In 14% of cases, the amount was $500 or less, highlighting the financial vulnerability of many litigants. Table HA66 shows the reason listed on the eviction notice (if applicable), and for cases that included non-payment of rent, the amount demanded.

[169] The remainder of eviction notices were 7 to 14 day terminations (*n*=14; 2%) or other types of notices (*n*=45; 6%); 42 (5%) cases were missing information about the eviction notice, likely because the unlawful detainer is based on the end of a fixed term lease and no notice was necessary.

Table HA66. Status at Intake for Shriver Legal Aid Cases

	Level of Service		
Case Characteristics	**Full Representation** *N* (%)	**Expanded Self-Help** *N* (%)	**Total** *N* (%)
Case Status at Shriver Intake			
No formal eviction notice served	15 (4%)	87 (13%)	102 (10%)
Service of notice to terminate tenancy	85 (22%)	129 (20%)	214 (21%)
Complaint or Summons and Complaint filed	230 (59%)	242 (37%)	472 (45%)
Default judgment entered	8 (2%)	25 (4%)	33 (3%)
Answer/response filed	9 (2%)	6 (1%)	15 (1%)
Judgment entered (not through default)	3 (1%)	0 (0%)	3 (0%)
Writ issued/notice to vacate from sheriff	14 (4%)	39 (6%)	53 (5%)
Other	3 (1%)	13 (2%)	16 (2%)
Missing/unknown	26 (7%)	107 (17%)	133 (13%)
Total	393 (100%)	648 (100%)	1,041 (100%)
If Eviction Notice Served, Reason Listed			
Non-payment of rent	222 (63%)	298 (66%)	520 (65%)
Foreclosure	31 (9%)	17 (4%)	48 (6%)
Violation of lease terms	28 (8%)	27 (6%)	55 (7%)
Nuisance (e.g., dispute with neighbors)	4 (1%)	4 (1%)	8 (1%)
Other	18 (5%)	29 (6%)	47 (6%)
Multiple reasons	14 (4%)	15 (3%)	29 (4%)
None needed[a]	24 (7%)	33 (7%)	57 (7%)
Missing/unknown	11 (3%)	31 (7%)	42 (5%)
Total	352 (100%)	454 (100%)	806 (100%)
If For Non-Payment of Rent, Amount Demanded on Eviction Notice[b]			
$0 to $100	5 (2%)	9 (3%)	14 (3%)
$101 to $500	27 (11%)	34 (11%)	61 (11%)
$501 to $1,000	73 (31%)	107 (34%)	180 (33%)
$1,001 to $2,000	75 (32%)	76 (24%)	151 (28%)
$2,001 to $3,000	19 (8%)	35 (11%)	54 (10%)
$3,001 to $4,000	11 (5%)	13 (4%)	24 (4%)
$4,001 to $5,000	3 (1%)	8 (3%)	11 (2%)
$5,001 or more	8 (3%)	8 (3%)	16 (3%)
Missing/unknown	15 (6%)	23 (7%)	38 (7%)
Total	236 (100%)	313 (100%)	549 (100%)

Note. Data from the Shriver program services database (as of 10/01/15). [a] Some types of eviction notices (e.g., 30- to 90-day notices) do not require the landlord to state a reason for the eviction. [b] Includes cases where non-payment of rent or multiple reasons were listed as reasons on the notice.

In 13% of cases (*n*=134), the tenant lived in subsidized housing, which often requires a different process for unlawful detainer cases (e.g., a longer notification period or different reasons for tenancy termination). The Yolo pilot housing project also indicated that 12% (*n*=124) of Shriver cases had other special characteristics, including owner or tenant of a foreclosed property (3%; *n*=35), military personnel or veterans living in household (1%; *n*=13), housing provided as part of employment (1%; *n*=11), or bankruptcy (<1%; *n*=2).[170]

Just over 2% (*n*=18) of Shriver cases had a defendant with an active domestic violence restraining order in place at the time of intake. In 9% of cases (*n*=98), the Shriver client alleged some type of discrimination from the landlord, with the most common allegations based on disability status (3%), race (1%), retaliation (1%), and familial status (1%); 2% involved multiple allegations.

COURT-BASED SERVICES

Due to the short duration of interactions between the Shriver self-help attorney and litigants, information about litigant demographics and case characteristics was only available for litigants who received mediation services (*n*=65). The mediator provided assistance to both low-income defendants and plaintiffs, and case information was entered into the project database from the perspective of the primary Shriver litigant (i.e., the party initially seeking Shriver services).

Litigant and Case Characteristics. The average age of the primary litigant receiving Shriver court-based mediation services was 46 years (median = 45), although the median age of plaintiffs was higher (between 45 and 61 years) than for defendants (between 25 and 44 years). A little over half of both groups were female. Table HA67 shows the available demographic information for the litigants receiving court-based mediation.

[170] An additional 56 cases (5%) had another special circumstance not listed, which included issues like residing in a mobile home park (a particular focus of the project), residing in Low Income Housing Tax Credit units, as well as a variety of other factors indicating some level of client vulnerability.

Table HA67. Demographic Characteristics of Litigants Receiving Shriver Court-Based Mediation Services

Litigant Characteristics	Litigant Role		
	Defendant ***N*** **(%)**	**Plaintiff** ***N*** **(%)**	**Total** ***N*** **(%)**
Age			
17 to 24	3 (8%)	2 (7%)	5 (8%)
25 to 44	18 (50%)	5 (17%)	23 (35%)
45 to 61	10 (28%)	13 (45%)	23 (35%)
62 or older	2 (6%)	8 (28%)	10 (15%)
Missing/unknown	3 (8%)	1 (3%)	4 (6%)
Gender			
Male	12 (33%)	13 (45%)	25 (38%)
Female	20 (56%)	16 (55%)	36 (55%)
Missing/unknown	4 (11%)	0 (0%)	4 (6%)
Total	36 (100%)	29 (100%)	65 (100%)

Note. Data from the Shriver program services database (as of 10/01/15). Demographic data describe the primary litigant (the one initially seeking Shriver court services). Information about other background characteristics was not tracked consistently over the years, and is therefore omitted from the table above.

At the conclusion of Shriver mediation services, 51% of cases successfully negotiated a settlement, 6% were dismissed by the plaintiff (typically because the tenant moved out of the unit, and possession was no longer at issue), and 18% of cases proceeded to trial (Table HA68). The remaining 25% of cases included those where no official unlawful detainer complaint was filed (pre-filing status) and resolved through some other means, or the outcome was unknown to the mediator because one of the parties was unable to be reached.

Table HA68. Outcomes for Cases Receiving Shriver Court-Based Mediation Services

Mediation Outcome	Litigant Role		
	Defendant ***N*** **(%)**	**Plaintiff** ***N*** **(%)**	**Total** ***N*** **(%)**
Dismissed	3 (8%)	1 (3%)	4 (6%)
Settled	17 (47%)	16 (55%)	33 (51%)
Proceeded to trial	8 (22%)	4 (14%)	12 (18%)
Other/unknown	8 (22)%	8 (28%)	16 (25%)
Total	36 (100%)	29 (100%)	65 (100%)

Note. Data from the Shriver program services database (as of 10/01/15).

Case Proceedings and Outcomes

The remainder of this section on the Yolo project reflects only Shriver cases that received full representation from LSNC-Yolo.[171] Attorneys did not follow expanded self-help clients through to the resolution of their case, so outcomes of these cases were unknown.

Participation in the Justice System

Answers Filed

To participate in the justice system—that is, to avoid defaulting on an unlawful detainer case—defendants must file an answer (or other response) to the complaint filed by the landlord. As shown in Table HA69, defendants in 74% of Shriver full representation cases (*n*=279) filed a response with the court. In most cases (71%), an answer was filed; in a few cases (3%), a demurrer or other response was filed. (Recall that only 1% of full representation cases had an answer filed at intake.) In 17% of cases, an official response to the complaint was not needed, because the case was settled outside of court. In 1% of cases, there was no official response filed by the defendant because the plaintiff dismissed the case. A common reason for a plaintiff to dismiss a case is that the defendant moved out, and possession of the unit is no longer at issue,[172] although the exact reason for dismissal was unknown for these cases.

Among full representation cases, 92% of defendants participated in the judicial system. Notably, only one default judgment was entered because the client failed to respond.

Table HA69. Response to Unlawful Detainer Complaint by Defendants in Full Representation Cases

Response to Unlawful Detainer Complaint	*N* (%)
Action filed with court:	
Answer	279 (71%)
Other response (e.g., motion to set aside default, demurrer)	10 (3%)
No official response:	
Settled outside of court	66 (17%)
Plaintiff dismissed case[a]	4 (1%)
Default remains	1 (<1%)
Other	5 (1%)
Missing/unknown	27 (7%)
Total	392 (100%)

Note. Data from the Shriver program services database (as of 10/01/15).
[a] Not through negotiated settlement.

[171] There was one full representation case (<1%) that was excluded from these analyses because there was never an unlawful detainer complaint filed with the court.
[172] In these instances, the plaintiff has the option to convert the UD case or refile as a general civil proceeding for money owed, so although the UD case may be over, the defendant could still face other civil litigation.

COURT EFFICIENCY

Case Resolution

Three fourths (75%) of Shriver full representation cases were resolved by settlement, 7% were dismissed by the plaintiff, and 7% were resolved through a trial or hearing. Of those resolved through trial or hearing, one resolved via jury trial. The method of resolution for full representation cases is displayed in Table HA70.

Table HA70. Case Resolution Method for Full Representation Cases

Case Resolution Method	*N* (%)
Settlement/stipulation	293 (75%)
Plaintiff Dismissal	29 (7%)
Trial/hearing	28 (7%)
Other	12 (3%)
Missing/unknown	30 (8%)
Total	392 (100%)

Note. Data from the Shriver program services database (as of 10/01/15).

Point of Settlement. Of the 293 full representation cases that were settled, 12% were settled before filing, and 45% were settled before the trial (see Table HA71). Both of these scenarios maximize efficiency for the court. One quarter (26%) were settled on the day of (or during) trial, which is when most parties are able to come together to discuss the terms of the case. Thirteen percent (*n*=36) were settled at some other point post-filing.

Table HA71. Point of Settlement for Full Representation Cases

Point of Settlement	*N* (%)
Pre-filing	34 (12%)
Post-filing, pre-trial	133 (45%)
On the day of trial	72 (25%)
During trial	2 (1%)
Other post-filing	34 (12%)
Other, not specified	15 (5%)
Missing/unknown	3 (1%)
Total	293 (100%)

Note. Data obtained from the Shriver program services database (as of 10/01/15). Limited to settled cases.

Case Length

As mentioned earlier, the California Administrative Office of the Courts has a goal to resolve 90% of unlawful detainer cases within 30 days of complaint filing, and 100% of cases within 45 days of filing. Across full representation cases, 32% were resolved within 30 days of the complaint filing and 54% were resolved within 45 days (note that 20% were missing data). The average length of unlawful detainer cases (measured from the date of complaint filing to the

date of disposition) was 46 days for full representation cases (median = 35).[173] Table HA72 shows the percent of full representation cases resolved within each benchmark period.

Table HA72. Case Age for Full Representation Cases

	Case Resolution Method				
Case Age	**Plaintiff Dismissal** *N* (%)	**Settlement** *N* (%)	**Trial/ Hearing** *N* (%)	**Other/ Missing** *N* (%)	**Total** *N* (%)
Less than 30 days	6 (21%)	113 (39%)	5 (18%)	3 (7%)	127 (32%)
31 to 45 days	5 (17%)	71 (24%)	9 (32%)	3 (7%)	88 (22%)
46 days or more	9 (31%)	75 (26%)	11 (39%)	2 (5%)	97 (25%)
Missing/unknown	9 (31%)	34 (12%)	3 (11%)	34 (81%)	80 (20%)
Total	29 (100%)	293 (100%)	28 (100%)	42 (100%)	392 (100%)

Note. Data obtained from the Shriver program services database (as of 10/01/15).

CASE OUTCOMES

Housing Stability

From the perspective of the tenants, being able to stay in one's home and avoiding the burden and disruption of a forced relocation is a noteworthy and positive outcome. However, in instances when a tenant must relocate, other factors—such as having additional time to move out, retaining neutral references from landlords, or retaining Housing Choice Vouchers—can support one's ability to find new and affordable housing more quickly. Finding new housing quickly can help tenants avoid interstitial periods of homelessness or "couch-surfing" and provide stability for families and children attending school. This section describes the outcomes of full representation cases, including whether tenants were able to remain in the home and other outcomes that can contribute to successful housing transition, when moving is necessary.

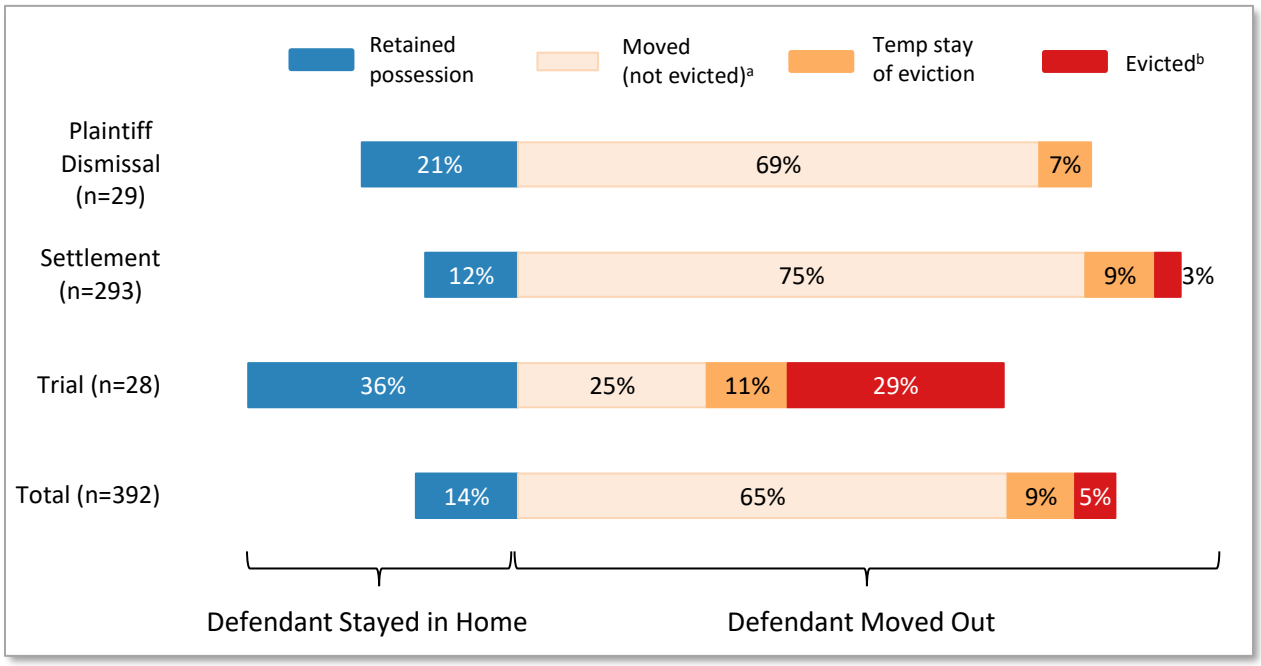
Possession of Property. At the time of Shriver intake, clients were asked by LSNC attorneys whether they wished to continue to reside in the home. Of the 392 full representation cases, defendants in 61% of cases (*n*=240) wished to remain in their current residence, 31% (*n*=122) did not want to stay, and the remaining 8% (*n*=30) were uncertain or their response was unknown. At the end of the court case, tenants in 14% of cases (*n*=53) were able to remain in the home, because they retained possession of the unit. In 79% of cases (*n*=310), the landlord obtained possession and the tenants had to move out of the home. Figure HA7 depicts the proportions of cases in which the tenants moved versus stayed.

Most tenants moved as part of a negotiated agreement. There were comparably fewer instances of evictions.[174] A small but notable group received a temporary stay of eviction,

[173] Ranging from 1 to 377 days, median = 35 days, *SD* = 44 days.
[174] Evictions describe the situation where a defendant was ruled against in a court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement; this usually results with an unlawful detainer case viewable on their public record.

whereby the court awarded possession of the unit to the plaintiff, but postponed the eviction due to extreme hardship on behalf of the defendant.

Figure HA7. Housing Stability for Full Representation Clients by Case Resolution Method



Note. There were 42 cases where the method of cases resolution was missing or resolved through some other method; these cases were included in the total above, but not represented separately. [a] Defendant moved as part of negotiated agreement or before unlawful detainer hearing or trial judgment. [b] Court granted possession of the unit to the plaintiff (landlord), but postponed the eviction due to extreme hardship on behalf of the defendant. [c] Defendant ruled against in court hearing, trial, or through default judgment, or failed to comply with the conditions of their settlement.

Other Outcomes among Defendants who Moved. Tenants in 79% of full representation cases moved out of their home at the end of their court case. Importantly, in 76% of these cases, the move-out date was extended, allowing the tenants more time to find alternate housing. Cases that were settled had the highest rate of extended move-out periods. Recall that 56% of settled cases were resolved *before* the day of trial, which contributes to an overall shorter case length for settled cases compared to those that proceeded to trial. That is, it is not necessarily the situation that trials result in more time to move out than negotiated settlements. Findings are shown in Table HA73.

Among full representation cases of the Yolo pilot housing project, 88% resulted in some sort of positive outcome that supported the tenant's longer term housing stability. In 52% of cases, the amount of back-owed rent was reduced, and in 10% of cases, it was waived. In 16% of cases, the defendant agreed to pay all of the back-owed rent. Eighteen percent established a payment plan to handle repayment. In cases where the defendant lived in subsidized housing, 28% retained their Housing Choice Voucher. Analysis combined outcomes related to decreasing out-of-pocket expenses for the defendant to yield a single indicator of any financial benefit to the defendant at case closure. Across cases in which the tenant moved out, 74% resulted in some positive financial benefit—this was 81% among settled cases.

LSNC-Yolo attorneys described that a major objective was to avoid having a client's unlawful detainer judgment appear in the public record. Across full representation cases in which the tenants moved out, attorneys were able to achieve a positive credit-related outcome for 71% of cases. Specifically, in 54% of cases, defendants avoided having the unlawful detainer case reported to credit agencies; in 54%, the unlawful detainer case was masked from public view; and in 30% of cases, defendants obtained neutral references from the landlord.

Table HA73. Tenants who Moved Out:
Percentage of Full Representation Cases Receiving Each Outcome

	Case Resolution Method				
Outcome	**Plaintiff Dismissal** *N* (%)	**Settlement** *N* (%)	**Trial** *N* (%)	**Other/ Missing** *N* (%)	**Total** *N* (%)
Litigants Moving Out	*n*=22	*n*=257	*n*=18	*n*=13	*n*=310
Physical Outcomes					
Move Out Date Adjusted	9 (41%)	214 (83%)	7 (39%)	7 (54%)	237 (76%)
Mean Number of Days to Move (*SD*)[a]	23 (*9*)	8 (*41*)	64 (*20*)	64 (--)	46 (*39*)
Financial Outcomes					
Pay Plaintiff's Attorney Fees	0 (0%)	29 (11%)	8 (44%)	3 (23%)	40 (13%)
Pay All Rent Owed	0 (0%)	41 (16%)	6 (33%)	2 (15%)	49 (16%)
Rental Amount Owed Reduced	8 (36%)	144 (56%)	6 (33%)	3 (23%)	161 (52%)
Rental Amount Owed Waived	0 (0%)	29 (11%)	2 (11%)	0 (0%)	31 (10%)
Payment Plan for Money Owed	0 (0%)	55 (21%)	0 (0%)	1 (8%)	56 (18%)
Preserved Housing Choice Voucher/Sec. 8[b]	2 (50%)	13 (30%)	0 (0%)	0 (0%)	15 (28%)
Received Any Positive Financial Outcome[c]	***10 (45%)***	***207 (81%)***	***8 (44%)***	***4 (31%)***	***229 (74%)***
Credit-Related Outcomes					
Neutral References from Landlord	5 (23%)	82 (32%)	3 (17%)	3 (23%)	93 (30%)
Not Reported to Credit Agencies	9 (41%)	149 (58%)	4 (22%)	5 (38%)	167 (54%)
Record Masked from Public View	14 (64%)	146 (57%)	4 (22%)	3 (23%)	167 (54%)
Received Any Positive Credit Outcome[d]	***15 (68%)***	***194 (75%)***	***6 (33%)***	***5 (38%)***	***220 (71%)***
Received Any Positive Outcome[e]	**16 (73%)**	**238 (93%)**	**10 (56%)**	**8 (62%)**	**272 (88%)**

Note. Data obtained from the Shriver program services database (as of 10/01/15).
[a] Calculated as the number of days from complaint filing to move out date. SD=standard deviation. Not able to be calculated for the cases in the Other/missing column. [b] Calculated out of the number of cases where the defendant(s) lived in subsidized housing (*n*=53). [c] Calculated from all monetary items, except where the litigant had to pay for the plaintiff's (landlord's) attorney fees or had to pay back all money owed. [d] Calculated from all credit-related outcomes. [e] Calculated from all monetary and/or credit-related outcomes, except where indicated above.

Shriver Housing Pilot Projects

Appendix B: Landlord Client Characteristics

LANDLORD CLIENT CHARACTERISTICS

WHAT SERVICES WERE OFFERED TO PLAINTIFFS (LANDLORDS) FROM THE SHRIVER HOUSING PILOT PROJECTS?

There were a variety of Shriver service offerings available to plaintiffs (e.g., landlords) across most of the Shriver housing pilot project locations. Five out of the six projects offered services to plaintiffs, and services were provided by legal aid agencies, court self-help centers, or both. The most common types of services offered were mediation (e.g., early dispute resolution, facilitated discussion, or settlement conferences) and assistance with paperwork. Two Shriver projects (Los Angeles and Santa Barbara) offered unbundled services and full representation from the legal aid services agency.

Shriver services available from the court had varying degrees of income requirements, as some projects necessitated that at least one party in the dispute have an income not greater than 200% of Federal Poverty Level (FPL) in order to participate in early dispute resolution services, while other projects offered services to anyone presenting at the self-help center for assistance. However, in order to receive legal services from one of the legal aid agencies, the plaintiff had to meet the statutory eligibility requirements: a monthly income not greater than 200% of FPL, an unlawful detainer case, facing a represented opposing party, and any other applicable Legal Services Corporation requirements. Very few plaintiffs received Shriver legal aid services (*n*=66), presumably because they were generally not eligible. Table HA74 shows the types of services offered to plaintiffs by each of the participating Shriver projects.

Table HA74. Shriver Legal Aid (L) and Court-Based (C) Shriver Services Offered to Plaintiffs (Landlords) by Project

	Shriver Service Location				
Shriver Services Available	**Kern**	**Los Angeles**	**Sacramento**	**Santa Barbara**	**Yolo**
Language interpretation		L			C
Assistance with filing/paperwork	C	L		L	C
Education	C	L		L, C	
Referral	C			L	
Brief counsel and advice		L		L	
Mediation, facilitated discussion, or other early dispute resolution	C		L[a]	L	C
Settlement conference				C	
Other unbundled services	C	L	L[a]	L	
Full representation		L		L	

[a] Limited assistance representation and represented mediation were services available through LSNC-Sacramento's partnering agency, McGeorge Housing Mediation Center (University of the Pacific).
Note. The San Diego housing pilot project did not serve plaintiffs. Legal aid services were provided for defendants and there were no court-based Shriver services available.

Due to the brief interaction that most court self-help centers have with litigants, information about demographic and background characteristics is not systematically recorded by court staff. Thus, detailed information about plaintiffs seeking court-based Shriver services was generally not available. However, the two projects that offered legal aid services to low-income plaintiffs, Los Angeles and Santa Barbara, gathered this information for all litigants receiving their services. The information represented in the following section therefore represents a subset of all plaintiffs served by the Shriver pilot housing project (namely, those who were eligible for and received help from legal aid).

Legal Aid Services

Litigants receiving full representation from a legal aid attorney are categorized as ***full representation*** clients and those receiving any other type of legal aid service are referred to as ***unbundled services*** clients.

Between March 2012 and October 2015, the Shriver pilot housing projects in Los Angeles and Santa Barbara provided legal aid representation to plaintiffs on a total of 66 cases in unlawful detainer (UD) lawsuits. A large majority (*n*=58) of these litigants were served by the Los Angeles pilot housing project, with the remainder (*n*=8) served by the Santa Barbara pilot housing project. Of all cases, just under half (45%) received full representation (Table HA75).

Shriver attorneys tracked the total number of hours they spent working on cases in 1-hour increments. Table HA75 shows the mean (and median) number of hours attorneys worked on housing cases, by the level of service. Importantly, these estimates reflect attorney time only and do not reflect time worked by other staff, such as intake coordinators or paralegals. Overall, Shriver attorneys worked an average of 6.8 hours per case (median = 1.4 hours). Full representation cases received an average of 12 hours (median = 6) and unbundled services cases received an average of 1 hour (median = 1).

Table HA75. Number of Legal Aid Cases (Plaintiffs) and Attorney Hours Provided per Case

	Level of Service		
Characteristic	**Full Representation**	**Unbundled Services**	**Total**
Shriver Project *N* (%)			
Los Angeles	28 (48%)	30 (52%)	58 (100%)
Santa Barbara	2 (25%)	6 (75%)	8 (100%)
Total	30 (45%)	36 (55%)	66 (100%)
Attorney Hours Provided			
Mean (*SD*)	11.5 (20.2)	1.2 (0.3)	6.8 (15.6)
Median	5.8	1.2	1.4
Range	1.25 to 88.0	0.2 to 1.5	0.2 to 88.0
Missing N (%)	11 (37%)	20 (56%)	31 (47%)

Note. Data obtained from the Shriver project services database (as of 10/18/15).

WHO WERE THE PLAINTIFFS THAT RECEIVED LEGAL AID SERVICES?

Client Characteristics. At the time of Shriver intake, legal aid staff members collected information about clients, including demographics, living situation, and case characteristics. The

majority (62%) of clients were female, about half (48%) were Hispanic/Latino, about one out of five were Black (20%), two out of five (44%) could not effectively communicate in English without the assistance of an interpreter (i.e., had limited English proficiency), and about one out of five (18%) had a known or observable disability (note that 33% of clients were missing this information). Table HA76 shows the demographic characteristics of clients in the 66 cases served by legal aid, broken down by level of service.

Table HA76. Demographic Characteristics of Shriver Legal Aid Clients (Plaintiffs)

	Level of Service		
Client Level Characteristics	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Age			
18 to 24	0 (0%)	1 (3%)	1 (2%)
25 to 44	17 (57%)	24 (67%)	41 (62%)
45 to 61	9 (30%)	9 (25%)	18 (27%)
62 or older	3 (10%)	1 (3%)	4 (6%)
Missing/unknown	1 (3%)	1 (3%)	2 (3%)
Gender			
Male	9 (30%)	15 (42%)	24 (36%)
Female	20 (67%)	21 (58%)	41 (62%)
Transgender	0 (0%)	0 (0%)	0 (0%)
Missing/unknown	1 (3%)	0 (0%)	1 (2%)
Race/Ethnicity[a]			
Black or African American	4 (13%)	9 (25%)	13 (20%)
Hispanic/Latino	19 (63%)	13 (36%)	32 (48%)
White	1 (3%)	4 (11%)	5 (8%)
Other	1 (3%)	2 (6%)	3 (5%)
Missing/unknown/declined	5 (17%)	8 (22%)	13 (20%)
Education			
High school degree or less	18 (60%)	11 (31%)	29 (44%)
Any post-secondary	1 (3%)	5 (14%)	6 (9%)
Missing/unknown	11 (37%)	20 (56%)	31 (47%)
Limited English Proficiency			
Yes	18 (60%)	11 (31%)	29 (44%)
No	12 (40%)	25 (69%)	37 (56%)
Missing/unknown	0 (0%)	0 (0%)	0 (0%)
Disability			
Yes	7 (23%)	5 (14%)	12 (18%)
No	16 (53%)	16 (44%)	32 (48%)
Missing/unknown	7 (23%)	15 (42%)	22 (33%)
Total	30 (100%)	36 (100%)	66 (100%)

Note. Data obtained from the Shriver project services database (as of 10/18/15). Includes only clients who were plaintiffs/landlords served by Los Angeles and Santa Barbara.
[a] Litigants who identified as Hispanic/Latino and any other race/ethnicity are included in the Hispanic/Latino row.

Plaintiff clients had evidence of low income. One third (33%) received CalFresh benefits.[175] Their median monthly income was $1,159 (mean = $1,335). Table HA77 details the household characteristics for Shriver cases served by legal aid, broken down by level of service.

Table HA77. Household Characteristics of Shriver Legal Aid Clients (Plaintiffs)

	Level of Service		
Household Level Characteristics	**Full Representation**	**Unbundled Services**	**Total**
Received CalFresh Benefits, *N* (%)			
Yes	13 (43%)	9 (25%)	22 (33%)
No	15 (50%)	27 (75%)	42 (64%)
Missing/unknown	2 (7%)	0 (0%)	2 (3%)
Monthly Income			
Mean (SD)	$1,479 (928)	$1,216 (1,202)	$1,335 (1,085)
Median	$1,243	$943	$1,159
Range	$0 to $4,000	$0 to $6,500	$0 to $6,000
Missing/unknown	0 (0%)	0 (0%)	0 (0%)
Total	30 (100%)	36 (100%)	66 (100%)

Note. Data obtained from the Shriver project services database (as of 10/18/15).

Opposing Party Representation. Shriver legal aid staff also tracked whether or not the opposing party acquired legal counsel at the time of client intake. For plaintiffs receiving full representation from legal aid, 97% faced an opposing party with legal representation. Among cases receiving unbundled services, at least 81% faced an opposing party with legal representation, but this information was missing for about 19% of cases. Table HA78 shows the number and percent of cases with opposing parties represented by legal counsel, by level of service received by the Shriver client.

Table HA78. Opposing Party Representation at Intake for Legal Aid Clients (Plaintiffs)

	Level of Service		
Opposing Party Represented by Counsel	**Full Representation** *N* (%)	**Unbundled Services** *N* (%)	**Total** *N* (%)
Yes	29 (97%)	29 (81%)	58 (88%)
No	1 (3%)	0 (0%)	1 (2%)
Missing/unknown	0 (0%)	7 (19%)	7 (11%)
Total	30 (100%)	36 (100%)	66 (100%)

Note. Data obtained from the Shriver project services database (as of 10/18/15).

[175] The CalFresh Program, federally known as the Supplemental Nutrition Assistance Program (SNAP; formerly "food stamps"), provides qualified, low-income households with monthly electronic benefits that can be used to buy most foods at many markets and food stores.

Shriver Housing Pilot Projects

Appendix C: Supplemental Cost Tables

Table HA79. Average Cost per Case for Legal Aid Services in FY2014 – Invoice Calculations – Kern

Level of Service	Total Invoiced amount FY2014	Mean Atty Hours per case	Relative Level of Effort (LOE)[a]	Number Xof cases =	Number of LOE Units in FY2014	Cost per unit[b]	Average cost per case[c]
Full Representation		12.9	4.6	143	659		$289 * 4.6 = $1,333
Unbundled services		2.8	1.0	235	235		$289 * 1.0 = $289
Total	**$258,538**			**378**	**894**	**$258,538/894=$289**	

[a] Relative level of effort (LOE) was estimated to reflect the proportional difference in resources needed to provide the two levels of service. Specifically, the average number of attorney hours for both full representation (12.9 hours) and limited service provision (2.8 hours) was divided by 2.8, to develop a ratio. In this case, the ratio was 4.6 to 1.0.
[b] LOE units were a standardized unit of measure across the levels of service. The cost per LOE unit was calculated by dividing the total amount invoiced ($258,538) by the total number of LOE units (894), yielding a cost per unit of $289.
[c] Average cost per case was calculated by multiplying the cost per LOE unit by the number of LOE units by level of service (i.e., relative level of effort).

Table HA80. Average Cost per Case for Legal Aid Services in FY2014 – Invoice Calculations – Los Angeles

Level of Service	Total Invoiced amount FY2014	Average Atty Hours per case	Relative Level of Effort (LOE)[a]	Number X of cases =	Number of LOE Units in FY2014	Cost per unit[b]	Average cost per case[c]
Full Representation		11.8	8.4	1,392	11,733		$169 * 8.4 = $1,425
Unbundled services		1.4	1.0	1,809	1,809		$169 * 1.0 = $169
Total	**$2,289,762**			**3,201**	**13,542**	**$2,289,762/13,542= $169**	

[a] Relative level of effort (LOE) was estimated to reflect the proportional difference in resources needed to provide the two levels of service. Specifically, the average number of attorney hours for both full representation (11.8 hours) and limited service provision (1.4 hours) was divided by 1.4, to develop a ratio. In this case, the ratio was 8.4 to 1.0.
[b] LOE units were a standardized unit of measure across the levels of service. The cost per LOE unit was calculated by dividing the total amount invoiced ($2,289,762) by the total number of LOE units (13,542), yielding a cost per unit of $169.
[c] Average cost per case was calculated by multiplying the cost per LOE unit by the number of LOE units by level of service (i.e., the relative level of effort).

Table HA81. Average Cost per Case for Legal Aid Services in FY2014 – Invoice Calculations – Sacramento

Level of Service	Total Invoiced amount FY2014	Average Atty Hours per case	Relative Level of Effort (LOE)[a]	Number Xof cases =	Number of LOE Units in FY2014	Cost per unit[b]	Average cost per case[c]
Full Representation		13.4	4.5	282	1,260		$235 * 4.5 = $1,050
Unbundled services		3.0	1.0	501	501		$235 * 1.0 = $235
Total	**$413,952**			**783**	**1,761**	**$413,952/1,761=$235**	

[a] Relative level of effort (LOE) was estimated to reflect the proportional difference in resources needed to provide the two levels of service. Specifically, the average number of attorney hours for both full representation (13.4 hours) and limited service provision (3.0 hours) was divided by 3.0, to develop a ratio. In this case, the ratio was 4.5 to 1.0.
[b] LOE units were a standardized unit of measure across the levels of service. The cost per LOE unit was calculated by dividing the total amount invoiced ($413,952) by the total number of LOE units (1,761), yielding a cost per unit of $235.
[c] Average cost per case was calculated by multiplying the cost per LOE unit by the number of LOE units by level of service (i.e., relative level of effort).

Table HA82. Average Cost per Case for Legal Aid Services in FY2014 – Invoice Calculations – San Diego

Level of Service	Total Invoiced amount FY2014	Average Atty Hours per case	Relative Level of Effort (LOE)[a]	Number Xof cases =	Number of LOE Units in FY2014	Cost per unit[b]	Average cost per case[c]
Full Representation		11.9	2.2	1,146	2,525		$601 * 2.2 = $1,325
Unbundled services		5.4	1.0	76	76		$601 * 1.0 = $601
Total	**$1,564,291**			**1,222**	**2,601**	**$1,564,291/2,601=$601**	

[a] Relative level of effort (LOE) was estimated to reflect the proportional difference in resources needed to provide the two levels of service. Specifically, the average number of attorney hours for both full representation (11.9 hours) and limited service provision (5.4 hours) was divided by 5.4, to develop a ratio. In this case, the ratio was 2.2 to 1.0.
[b] LOE units were a standardized unit of measure across the levels of service. The cost per LOE unit was calculated by dividing the total amount invoiced ($1,564,291) by the total number of LOE units (2,601), yielding a cost per unit of $601.
[c] Average cost per case was calculated by multiplying the cost per LOE unit by the number of LOE units by level of service (i.e., the relative level of effort).

Table HA83. Average Cost per Case for Legal Aid Services in FY2014 – Invoice Calculations – Santa Barbara

Level of Service	Total Invoiced amount FY2014	Average Atty Hours per case	Relative Level of Effort (LOE)[a]	Number Xof cases =	Number of LOE Units in FY2014	Cost per unit[b]	Average cost per case[c]
Full Representation		14.0	5.8	71	414		$672 * 5.8 = $3,923
Unbundled services		2.4	1.0	308	308		$672 * 1.0 = $672
Total	**$485,604**			**379**	**722**	**$485,604/722=$672**	

[a] Relative level of effort (LOE) was estimated to reflect the proportional difference in resources needed to provide the two levels of service. Specifically, the average number of attorney hours for both full representation (14.0 hours) and limited service provision (2.4 hours) was divided by 2.4, to develop a ratio. In this case, the ratio was 5.8 to 1.0.
[b] LOE units were a standardized unit of measure across the levels of service. The cost per LOE unit was calculated by dividing the total amount invoiced ($489,425) by the total number of LOE units (722), yielding a cost per unit of $672.
[c] Average cost per case was calculated by multiplying the cost per LOE unit by the number of LOE units by level of service (i.e., the relative level of effort).

Table HA84. Average Cost per Case for Legal Aid Services in FY2014 – Invoice Calculations – Yolo

Level of Service	Total Invoiced amount FY2014	Average Atty Hours per case	Relative Level of Effort (LOE)[a]	Number X of cases =	Number of LOE Units in FY2014	Cost per unit[b]	Average cost per case[c]
Full Representation		14.6	3.0	113	337		$359 * 2.9 = $1,071
Unbundled services		4.9	1.0	139	139		$359 * 1.0 = $359
Total	**$170,961**			**252**	**475**	**$170,961/475=$359**	

[a] Relative level of effort (LOE) was estimated to reflect the proportional difference in resources needed to provide the two levels of service. Specifically, the average number of attorney hours for both full representation (14.6 hours) and limited service provision (4.9 hours) was divided by 4.9, to develop a ratio. In this case, the ratio was 3.0 to 1.0.
[b] LOE units were a standardized unit of measure across the levels of service. The cost per LOE unit was calculated by dividing the total amount invoiced for legal aid services ($170,961) by the total number of LOE units (475), yielding a cost per unit of $359.
[c] Average cost per case was calculated by multiplying the cost per LOE unit by the number of LOE units by level of service (i.e., the relative level of effort).

Table HA85. Average Cost of a Bench Trial, Settlement, and Dismissal in FY2014 (San Diego)

Staff involved	Hourly rate	Average time worked	Cost
Bench Trial			
Judicial Assistant	$41	40 minutes (scheduling, calendar preparation, trial, judgment)	$27.34
Court Reporter	$45	15 minutes (trial, judgment)	$11.25
Bailiff	$61	15 minutes (trial, judgment)	$15.25
Judge	$109	15 minutes (trial, judgment)	$27.00
Total cost per trial			**$80.84**
Settlement			
Judicial Assistant	$41	5 minutes	$3.42
Court Reporter	$45	5 minutes	$3.75
Bailiff	$61	5 minutes	$5.08
Judge	$109	5 minutes	$9.00
Total cost per settlement			**$21.25**
Dismissal			
Judicial Assistant	$41	5 minutes	**$3.42**