SHRIVER ACT EVALUATION

- AB590, passed in 2009, established the Shriver Program
- Pilot projects first funded in 2011. Evaluation began in 2012. Data have been collected since.
- AB330, passed in 2019, added funding, modified program requirements, and mandates an evaluation report every 5 years
- The current report presents data collected from FY2015 to FY2019

Because this reporting period overlaps with the previous reporting period for AB590, some of the data shown here have been previously reported.
LEGAL NEEDS IN CALIFORNIA

2019 California Justice Gap Study: Statewide civil legal needs assessment conducted by the State Bar. Surveyed ~4,000 Californians.

- 60% of low-income Californians experienced at least one civil legal problem in the past year
- For 7 out of 10 civil legal problems, no legal help was sought or received.
- Reasons for not seeking legal help: belief that they needed to deal with the problem on their own, uncertainty about whether problem was a legal issue, fear of pursuing legal action, and concerns about costs
- For those who did receive legal assistance, services were usually one-time help (self-help, advice, hotline). Legal representation was rare.

SINCE SHRIVER PROGRAM INCEPTION

Across all projects, 43,266 litigants have received civil legal assistance.

- Housing Projects (Total served = 39,461)
  - Full Representation: 18,764
  - Unbundled Services: 15,477
  - Court-based Services: 5,220

- Custody Projects (Total served = 2,824)
  - Full Representation: 1,589
  - Unbundled Services: 1,235
  - Court-based Services: 184

- Guardianship/Conservatorship Project (Total served = 981)
  - Full Representation: 127
  - Unbundled Services: 184
  - Court-based Services: 670
From FY2015 to FY2019, across all six pilot projects:

- **19,460 low-income tenants were served**
  - 73% were people of color and 62% were female
  - 52% had **minors** living in the household
  - 37% had a **disability** or chronic health condition
  - 29% lived in **subsidized housing**
  - Median monthly household income: $1,069 -- well below FPL
  - Many experienced **rental cost burden:**
    - 82% spent >30% of their income on rent; 61% spent >50%

10,855 (56%) were provided **full representation** by a Shriver attorney
8,605 (44%) were provided at least one **unbundled legal service**.
FULL REPRESENTATION OUTCOMES

Among the 10,855 full rep. cases:
- Defaults were prevented.
- Two thirds of cases settled, 18% were dismissed, and 4% went to trial
- 71% of tenants moved out. Most did so as part of a negotiated agreement.
  - Only 3% were evicted.
  - 18% of tenants retained possession.
- Settlements supported tenants’ longer-term housing stability. Most had their cases sealed, not reported to credit agencies, and neutral references.
- Representation eased tenants’ financial burdens.
  - Median amount saved per case was $903.

RANDOM ASSIGNMENT STUDY

Compared to self-represented tenants, Shriver representation clients were:
- Less likely to default (8% vs 26%)
  [No Shriver clients defaulted during service provision. These tenants presented for service with a default entered and the attorney was unable to have it set aside.]
- More likely to raise defenses (84% vs 60%)
- More likely to settle their case (67% vs 34%)
- Less likely to go to trial (3% vs 14%)
RANDOM ASSIGNMENT STUDY cont’d

Possession Outcomes
• ~75% of Shriver clients and comparison tenants had to move
• Shriver clients more often retained possession (5% vs 1%)

Monetary Outcomes
• Shriver clients were less likely to pay holdover damages than comparison tenants were (9% vs 17%) and attorney’s fees (19% vs 34%)
• Median amount saved by tenants per case was higher for Shriver clients ($2,127) than for comparison tenants ($1,365)

Other Outcomes
• Shriver clients less likely to forfeit lease (5% vs 13%)
• 50% of Shriver clients received at least one beneficial case outcome (e.g., record sealed, neutral references), versus 25% of comparison tenants

LITIGANT PERSPECTIVES

Housing Stability
• One month after case closure, 31% of Shriver rep. clients and 22% of comparison tenants had moved to a new rental unit
• One year after case closure, 71% of Shriver clients and 43% of comparison tenants lived in a new rental unit

Satisfaction with Case Outcomes
• Full representation clients were more satisfied with case outcomes, even when they had to move
• When asked about the impact of the case on their lives, Shriver clients often described the positive impacts of having an attorney on their side
TRIAGE PROCESS STUDY

- Identified 11 factors integral to projects’ triage processes
- Some factors worked for offering representation, others against
- Collected data for 205 cases

<table>
<thead>
<tr>
<th>Triage Factor</th>
<th>Factor Present in Case</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opposing party (OP) is represented</td>
<td>170 (83%)</td>
</tr>
<tr>
<td>Case has merit</td>
<td>162 (79%)</td>
</tr>
<tr>
<td>Client is vulnerable</td>
<td>132 (64%)</td>
</tr>
<tr>
<td>Housing is subsidized/rent control</td>
<td>75 (37%)</td>
</tr>
<tr>
<td>Case is pre-filing</td>
<td>56 (27%)</td>
</tr>
<tr>
<td>Tenant has other plans</td>
<td>55 (27%)</td>
</tr>
<tr>
<td>Case is complex</td>
<td>31 (15%)</td>
</tr>
<tr>
<td>OP/counsel known to Shriver agency</td>
<td>28 (14%)</td>
</tr>
<tr>
<td>Rent exceeds tenant income</td>
<td>21 (10%)</td>
</tr>
<tr>
<td>Tenant has money to pay back-owed rent</td>
<td>16 (8%)</td>
</tr>
<tr>
<td>Other factor</td>
<td>40 (20%)</td>
</tr>
</tbody>
</table>

TRIAGE PROCESS STUDY: CHAID Model

Chi-square Automatic Interaction Detection (CHAID) algorithm assesses when there is a statistically significant difference in the outcome based on levels of a predictor variable (e.g., a difference in service decision based on whether the client had a vulnerability indicator), and then creates a "branch" of the tree based on that variable.
STAFF & STAKEHOLDER PERSPECTIVES

Project Successes and Accomplishments

• Increased access to services for low-income tenants
• Better access to justice: balanced the playing field, fairer settlements
• Established collaborations between legal services and the courts
• Higher settlement rate
• Improved court efficiency

Challenges

• Social service needs among clients
• Service reach and capacity
• Income eligibility requirements omit people who need help but cannot afford it
**SHRIVER CUSTODY CLIENTS**

From FY2015 to FY2019, across all three pilot projects:

1,565 low-income parents were served (4,798 children were impacted)
- 79% were female and 62% Latinx
- 23% had a disability or chronic health condition
- Median household income: $1,200 /month
  - 2019 FPL for a household with one adult, two kids: $1,778 /month
- 35% of cases involved current or previous allegations of DV
- 28% of cases had current or previous involvement with CWS

736 (47%) were provided representation by a Shriver attorney
829 (53%) were provided at least one unbundled legal service.

**REPRESENTATION OUTCOMES**

Among the 736 representation cases:

**Legal Custody Orders:**
- 33% of Shriver clients got sole custody
- 43% of cases ended with joint custody

**Physical Custody Orders:**
- 52% of Shriver clients got sole custody
- 15% of opposing parties got sole custody

Some cases involved other orders beyond custody:
- 26% parenting classes, 26% therapy, 23% temp. restraining orders
CLIENT SOCIAL SERVICE NEEDS

One custody project assessed service needs across 13 domains:

- housing
- income
- employment
- job readiness
- food security
- healthcare coverage
- safety
- health/disabilities
- mental health
- child care
- transportation
- family/social relations
- life skills

At service intake, 5 areas of greatest need among clients:

<table>
<thead>
<tr>
<th>Service Category</th>
<th>In Crisis</th>
<th>At Risk</th>
<th>Building Capacity</th>
<th>Stable</th>
<th>Thriving</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing</td>
<td>5%</td>
<td>17%</td>
<td>29%</td>
<td>15%</td>
<td>35%</td>
</tr>
<tr>
<td>Job Readiness</td>
<td>23%</td>
<td>9%</td>
<td>25%</td>
<td>22%</td>
<td>19%</td>
</tr>
<tr>
<td>Food</td>
<td>1%</td>
<td>30%</td>
<td>42%</td>
<td>20%</td>
<td>7%</td>
</tr>
<tr>
<td>Income</td>
<td>13%</td>
<td>28%</td>
<td>42%</td>
<td>14%</td>
<td>5%</td>
</tr>
<tr>
<td>Employment</td>
<td>39%</td>
<td>29%</td>
<td>16%</td>
<td>8%</td>
<td>7%</td>
</tr>
</tbody>
</table>

COMPARATIVE OUTCOMES STUDY

Shriver representation cases more often settled.

<table>
<thead>
<tr>
<th>Shriver Representation Cases</th>
<th>53% Settlement</th>
<th>40% Decided at Hearing</th>
<th>3% Became Dependency Case</th>
<th>5% Other</th>
<th>3% Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comparison Cases</td>
<td>30% Settlement</td>
<td>63% Decided at Hearing</td>
<td>4% Became Dependency Case</td>
<td>3% Other</td>
<td>3% Unknown</td>
</tr>
</tbody>
</table>

Shriver representation cases more often involved orders beyond custody.

<table>
<thead>
<tr>
<th>Shriver Representation Cases</th>
<th>38% Parenting Class</th>
<th>8% Mental Health Treatment</th>
<th>8% Substance Abuse Counseling</th>
<th>4% Other</th>
<th>7% Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comparison Cases</td>
<td>18% Parenting Class</td>
<td>7% Mental Health Treatment</td>
<td>7% Substance Abuse Counseling</td>
<td>4% Other</td>
<td>7% Unknown</td>
</tr>
</tbody>
</table>
The image contains two sections: a comparative outcomes study and litigant perspectives. Here is the text from the image:

**COMPARATIVE OUTCOMES STUDY cont’d**

Custody orders among Shriver cases were more durable over a 2-year period.
- 11% of Shriver cases returned to court to modify orders (89% did not)
- 32% of comparison cases returned to court to modify orders (68% did not)

Durability in orders was especially noticeable among families that were farther along in their custody case and had already used the court to modify orders.

**LITIGANT PERSPECTIVES**

Parents expressed high satisfaction with Shriver services, regardless of their case outcomes.
- When parents were dissatisfied with their case outcomes, they perceived the legal process to be less fair and diminished procedural justice.
- However, they still perceived Shriver services positively.

Shriver clients explained how important Shriver services were to them:

“Having somebody in the court is very important. The Shriver attorney helped me. He is knowledgeable and fair. He knows the law and could tell me what was possible.”

“The other lawyer might have pushed me around or confused me with legal jargon. The Shriver attorney was able to make sure my voice was heard. It leveled the playing field. When it came from an attorney, it weighed more. Having the Shriver attorney there for me, it was priceless. He was phenomenal.”

“Yes, through the Shriver attorney’s support I got my children. He made me believe in the court system.”
STAFF & STAKEHOLDER PERSPECTIVES

Project Successes and Accomplishments
• Better access to justice: balanced the playing field, fairer settlements
• Provided legal education, eased tensions
• Increased collaboration between parties
• Improved court efficiency

Challenges
• AB590 eligibility requirements too restrictive
  • AB330 has remedied some of this concern
• Emotions and stress of poverty
• Capacity and resources

SHRIVER GUARDIANSHIP/CONSERVATORSHIP (PROBATE) PILOT PROJECT
SHRIVER GUARDIANSHIP/CONSERVATORSHIP CLIENTS

From FY2015 to FY2019, at the sole probate pilot project:

Low-income litigants in 173 cases were served by legal services
• 122 guardianship cases, impacting 154 wards, and 51 conservatorship cases

Of these litigants:
• 62% were multiple people (e.g., grandparents)
• 75% were people of color
• 29% had a disability or chronic health condition
• 57% had a HS diploma or less
• 31% had limited proficiency with English

71 (41%) were provided full representation by a Shriver attorney
102 (59%) were provided at least one unbundled legal service

FULL REPRESENTATION OUTCOMES

Among the 71 representation (57 guardianship, 14 conservatorship) cases:

Petitions were successfully filed.
• 77% of guardianship cases successfully filed a petition
• 94% (all but one) of conservatorship cases successfully filed a petition

Letters of guardianship/conservatorship were granted.
• 68% of guardianship cases
• 86% (all but two) of conservatorship cases
COMPARATIVE OUTCOMES STUDY

Shriver representation clients more actively participated in case.

<table>
<thead>
<tr>
<th></th>
<th>Full Representation</th>
<th>Probate Facilitator</th>
<th>Comparison</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>31%</td>
<td>22%</td>
</tr>
<tr>
<td>Called Witnesses</td>
<td>12%</td>
<td>7%</td>
<td>5%</td>
</tr>
<tr>
<td>Entered Declarations</td>
<td>3%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Guardianships were granted most often to Shriver representation clients.

<table>
<thead>
<tr>
<th></th>
<th>Full Representation</th>
<th>Probate Facilitator</th>
<th>Comparison</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>86%</td>
<td>14%</td>
</tr>
<tr>
<td>Guardian Appointed</td>
<td>74%</td>
<td>26%</td>
<td>30%</td>
</tr>
<tr>
<td>No Guardian Appointed</td>
<td>70%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Shriver services created cost savings for the court.

- Fewer hearings, fewer continuances, reduced clerk time to review and process petitions, and reduced court probate attorney time to prepare case
- Collectively reduced the cost per case by 28%

COMPARATIVE OUTCOMES STUDY cont’d

Shriver representation cases were more likely to resolve with one hearing and no continuances. As a result, these cases tended to resolve more quickly.

<table>
<thead>
<tr>
<th></th>
<th>Full Representation</th>
<th>Probate Facilitator</th>
<th>Comparison</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hearings</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cases with one hearing</td>
<td>39%</td>
<td>12%</td>
<td>25%</td>
</tr>
<tr>
<td>Cases with more than one hearing</td>
<td>61%</td>
<td>88%</td>
<td>75%</td>
</tr>
<tr>
<td>Average number of hearings</td>
<td>2.4</td>
<td>3.4</td>
<td>3.1</td>
</tr>
<tr>
<td>Continuances</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cases with no continuances</td>
<td>48%</td>
<td>30%</td>
<td>20%</td>
</tr>
<tr>
<td>Cases with at least one continuance</td>
<td>52%</td>
<td>70%</td>
<td>80%</td>
</tr>
<tr>
<td>Average number of continuances</td>
<td>1.0</td>
<td>1.8</td>
<td>2.2</td>
</tr>
</tbody>
</table>
STAFF & STAKEHOLDER PERSPECTIVES

Project Successes and Accomplishments
- Better access to justice; meaningful participation in system; made the probate process accessible
- More petitions successfully filed; fewer rejected or unnecessary petitions
- Probate facilitator position
- Improved court efficiency
- Family harmony

Challenges
- Income eligibility requirements omit people who need help but cannot afford it

SUMMARY
THE SHRIVER PROGRAM HAS...

• Reached the intended populations.
• Provided low-income litigants with improved and more meaningful access to the legal system.
• Helped low-income litigants utilize appropriate legal tools and procedures and fostered their active participation in their cases.
• Educated litigants and helped them settle their cases.
• Improved court efficiency.
• Supported the longer-term stability of low-income litigants.

QUESTIONS?
THANK YOU

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