



JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue
San Francisco, CA 94102-3688
Tel 415-865-4200
TDD 415-865-4272
Fax 415-865-4205
www.courts.ca.gov

HON. TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MR. MARTIN HOSHINO
Administrative Director,
Judicial Council

SHRIVER CIVIL COUNSEL ACT IMPLEMENTATION COMMITTEE

HON. EARL JOHNSON, JR. (Ret.)
Chair

HON. LAURIE D. ZELON
Vice-chair

Mr. Kevin G. Baker
Ms. Erika Frank
Hon. Terry B. Friedman (Ret.)
Ms. Pauline W. Gee
Ms. Luz E. Herrera
Md. Donna Hershkowitz
Hon. James R. Lambden (Ret.)
Ms. S. Lynn Martinez
Mr. John F. O'Toole
Ms. Clare Pastore
Ms. Shirley Sanematsu
Mr. Thomas Smegal
Ms. Julia R. Wilson

COMMITTEE STAFF

Ms. Bonnie Rose Hough

Tel 415-865-7668

SHRIVER CIVIL COUNSEL PILOT PROJECTS **EXECUTIVE SUMMARY OF KEY FINDINGS AND** **RECOMMENDATIONS**

STUDY SHOWS IMPROVED OUTCOMES FOR THOSE **WHO RECEIVED LEGAL SERVICES**

Theresa received notice that she had to move out of her apartment due to loud fighting when her boyfriend was hitting her. She went to the Shriver program for help. The Shriver attorney helped Theresa get a restraining order and explained the situation to her landlord. The landlord would not agree to let her stay until they went to court. In court, the Shriver attorney negotiated an agreement that allowed Theresa to stay in her apartment as long as she called the police to enforce her restraining order when she saw her abuser on site.

These findings and recommendations highlight the results of a multi-year evaluation of access to justice pilot projects funded by the Sargent Shriver Civil Counsel Act (AB590)¹. The Shriver pilot projects are collaborative efforts between legal services programs and their local superior courts. They provide legal assistance and judicial system innovations to help low-income individuals and families facing critical civil legal problems involving basic human needs.

In the first five years, the ten pilot projects served nearly 27,000 individuals facing the loss of their homes, child custody disputes, or the urgent need for a family guardianship or conservatorship. The housing services, alone, helped over 73,000 household members.

The Sargent Shriver Civil Counsel Act Implementation Committee, appointed by the Chief Justice, was responsible for all aspects of the project, including the selection of the pilot projects and the evaluation process, conducted by NPC Research.

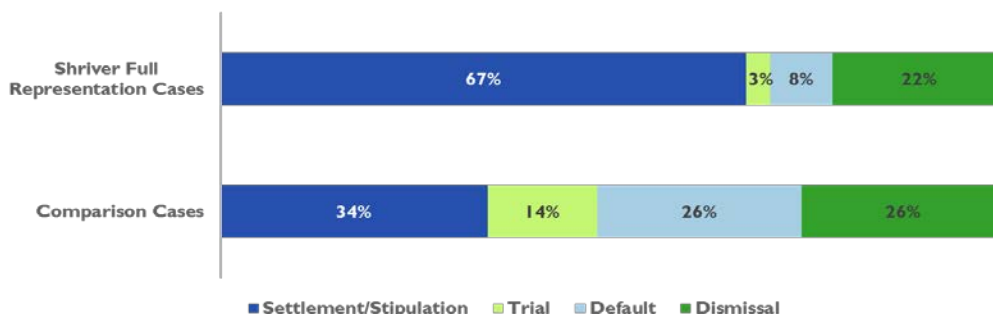
¹ Assem. Bill 590; Stats. 2009, ch. 457.

KEY EVALUATION FINDINGS:

Housing/Unlawful Detainers – Eviction is one of the most critical 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. Families can become homeless, children’s education can be undermined, and even the health of family members can be at risk. Most Shriver clients had very low incomes. Half of them survived on only a little over \$1,000 per month or less, and three-quarters spent over half of their income on rent.

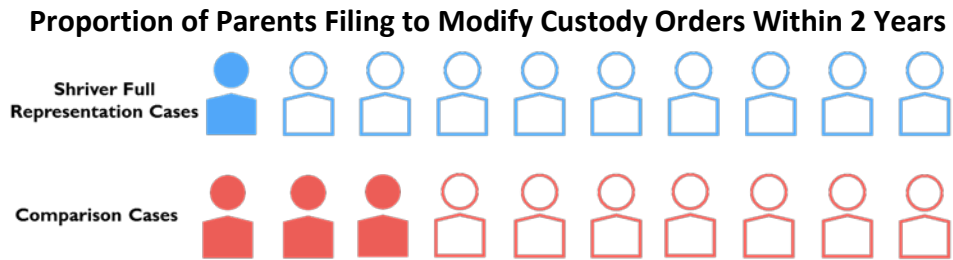
The study found that, among cases that involved full representation by Shriver attorneys, significantly fewer cases ended by default, most cases settled, and Shriver attorneys helped tenants avoid formal evictions, even though the majority of tenants ultimately moved. Tenants who were represented by Shriver attorneys were able to stay in their homes for longer periods of time. The terms of the agreements negotiated by the Shriver attorneys supported tenants’ ability to find replacement housing while also facilitating the return of the landlords’ premises.

How Housing Cases Were Resolved




Child custody – Child custody cases are complex, emotionally charged, contentious, and have critical implications for families and children. Shriver services helped parents in cases where the opposition had an attorney and sole custody of the child was at stake. Roughly half of these cases had intertwined issues of domestic violence.

Representation by Shriver attorneys, particularly in combination with judge-led settlement conferences, increased collaboration between parties and yielded a higher rate of settlement, fewer hearings, and longer lasting court orders. Two years following Shriver child custody court orders, only 1 in 10 Shriver cases had filed a request to change their orders, versus 1 in 3 similar cases that did not receive Shriver services.



Guardianships and Conservatorships – Improving family stability through the establishment of guardianships was the goal of the probate pilot project, particularly when there were significant risk factors for the children involved.

Guardianship petitions, which are complex and frequently abandoned, were successfully filed, and the project helped prevent the need for additional governmental services. The Shriver attorneys prepared proper forms and helped ensure that all family members and interested parties got proper notification. This meant that court proceedings in Shriver cases were more efficient, which translated into cost savings.

 The combined benefits of Shriver representation and assistance from the Probate Facilitator reduced the average court costs to process a case by approximately 30%.

Findings Concerning the Role of Attorneys and the Impact of Legal Assistance:

The evaluation findings demonstrated the vital role attorneys play in representing clients, reaching settlements, and ensuring more efficient use of judicial resources. Balanced representation encourages settlement of cases, improving litigant satisfaction and enhancing court efficiency. Shriver cases involve more efficient court proceedings, including fewer continuances, fewer trials, and more settlements across all three case types. Attorney involvement combined with special settlement conferences improves the likelihood of lasting court orders.

Findings Concerning Court Innovations:

Court-based opportunities for dispute resolution, including mediation and settlement masters, are an effective way to resolve cases before trial, benefiting all parties and the court. The improved use of technology, including expansion of e-filing that is accessible for low income people, helps facilitate the efficient handling of cases. In housing cases, the masking of the court files from public view is a key component to encourage settlements. Finally, expanded court-based self-help centers are a critical piece of the continuum of service.

July 25, 2017

Page 4

The support provided by the Sargent Shriver Civil Counsel Act has not only helped balance the scales of justice – particularly for low income citizens – but also improved the efficiency of the court thereby saving taxpayers' money. The impact of the program has been significant for the state, people who enter the legal system, and the court system itself.