



MEMORANDUM

Date: September 11, 2020

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: **Step Up to Justice**

Step Up to Justice (SU2J) is a privately funded pro bono law center that provides legal services to low-income families in Pima County. Since its inception in 2017, they have been very involved in eviction prevention. The organization is currently partnering with the U.S. District Court, the Pima County Superior Court, the James E. Rogers College of Law, Emerge Center Against Abuse, and 22 other organizations.

Recently, County Administration partnered with SU2J to provide legal services to tenants facing eviction in the justice court. The pilot project will begin on October 1, 2020, and conclude December 31, 2020. Volunteer attorneys and law students, recruited and managed by SU2J, will help self-represented litigants complete court documents necessary to move their case forward through the legal system and prepare them for their court hearing.

If the program is as successful as we anticipate in preventing evictions in Pima County, we will enter into a Memorandum of Understanding with SU2J in January 2021 to continue these efforts and begin funding the program, which will cost \$16,000 to \$20,000 annually.

It is estimated that 74,000 Pima County renters may face eviction by October 2020, resulting in a cost of \$419 million to the County. The recent eviction moratorium issued by the Centers for Disease Control (CDC) may postpone the surge of evictions until January 2021, but regardless, it is on the horizon.

We are optimistic that this program, as well as recommendations forthcoming by the newly formulated Eviction and Homelessness Prevention Task Force, will successfully curb evictions in Pima County.

CHH/lr

Attachment

c: The Honorable Kyle Bryson, Presiding Judge, Pima County Superior Court
Kent Batty, Interim Administrator, Pima County Consolidated Justice Court
Lisa Royal, Staff Assistant, Pima County Administrator's Office



Step Up to Justice Eviction Prevention Clinic Pilot Project

PROJECT DESCRIPTION

The purpose of Step Up to Justice’s (SU2J) proposed Eviction Prevention Clinic is to assist low-income, self-represented tenants in eviction cases. Volunteer attorneys and law students, recruited and managed by SU2J, will help self-represented tenants complete the paperwork necessary to move their case forward through the legal system.

Projects like the proposed Eviction Prevention Clinic help our community. Tenants assisted by the Clinic will be better equipped to navigate our complicated legal system; and, they will also enter the courtroom prepared, which saves precious time and judicial resources.

Because the proposed Clinic would be a partnership, SU2J and Pima County would work together to ensure that self-represented tenants are served efficiently, and that a quality experience is provided to clients and volunteers who participate in the clinic.

TIMELINE

SU2J proposes that the Eviction Prevention Clinic Pilot run for three months – roughly October 1, 2020 through December 31, 2020. The exact date for launch will be determined by partner agreement. During this time SU2J will periodically share data collected and update Pima County regarding the progress of the Clinic. It is expected that the partners will meet prior to the expiration of the pilot to discuss plans and sign a Memorandum of Understanding that will go into effect in January 2021.

CLIENT ELIGIBILITY

The Eviction Prevention Clinic is being launched to assist low-income tenants in Pima County. Therefore, clients must meet financial eligibility guidelines to receive services through the Clinic. This means, a client must live at or below 125% of the federal poverty guidelines, or in certain cases, at or below 200% of the federal poverty guidelines in order to be eligible for services. The client must also have less than \$10,000 in nonexempt assets.

The 2020 125% and 200% federal poverty guidelines are as follows:

125%			
Family	Annual	Monthly	Weekly
1	\$15,950	\$1,329	\$307
2	\$21,550	\$1,796	\$414
3	\$27,150	\$2,263	\$522
4	\$32,750	\$2,729	\$630
5	\$38,350	\$3,196	\$738
6	\$43,950	\$3,663	\$845
7	\$49,550	\$4,129	\$953
8	\$55,150	\$4,596	\$1,061
Each Add'l	\$5,600	\$467	\$108

200%			
Family Size	Annual	Monthly	Weekly
1	\$25,520	\$2,127	\$532
2	\$34,480	\$2,873	\$718
3	\$43,440	\$3,620	\$905
4	\$52,400	\$4,367	\$1,092
5	\$61,360	\$5,113	\$1,278
6	\$70,320	\$5,860	\$1,465
7	\$79,280	\$6,607	\$1,652
8	\$88,240	\$7,353	\$1,838
Each Add'l	\$8,960	\$747	\$197

LEGAL CONFLICTS OF INTEREST

Applicants who are a conflict of interest per SU2J’s guidelines, and according to the Arizona Rules of Professional Conduct for Lawyers (the “Ethical Rules”) will be denied assistance through the Clinic and will be referred to other community resources.

CLINIC PROCEDURES

The clinic will be held Monday and Friday mornings. The clinic will run for approximately 3 hours each clinic date. Because of Covid-19, the clinic will operate differently during the pandemic verses once it is safe for staff, clients, and volunteers to return to in-person meetings. This proposal addresses the procedures SU2J will use during the community health crisis as well as the procedures that will go into effect post health crisis.

We expect that, during Covid-19, the clinic will operate remotely. After the community health crisis is resolved and it’s safe to return to in person meetings, SU2J will conduct the Clinic in the Pima County Public Service Center located at 240 N Stone Ave, Tucson, Arizona 85701. Space to be provided by Pima County.

Client Appointments

Pima County and Step Up to Justice will engage in efforts to disseminate information about the Clinic and drive applicants to the project. SU2J will make the appointments for the Clinic via email (scheduling@stepuptojustice.org).

There are six appointment slots during each clinic. SU2J will also set aside a small number of appointments for emergencies and follow-ups.

During Covid-19, SU2J staff will make an extra effort to confirm with litigants beforehand whether they have documents they would like to review with the volunteer attorney at their scheduled appointment. If so, SU2J staff will work with the litigant to obtain copies of the documents either electronically or by in-person delivery to SU2J’s office prior to the litigant’s appointment. SU2J will also pre-determine with each litigant whether the appointment will be conducted by phone or video conferencing with the volunteer attorney.

Intake Procedure – During Covid-19 Health Crisis

On the day of the self-represented tenant's appointment, an SU2J staff person will call the client to conduct an intake interview. Over the phone, the client and staff member will complete, (1) a disclaimer, (2) demographic information, (3) financial information, and (4) the attorney notes form, which explains the client's basic situation. This form will be sent to the volunteer attorney electronically so that the attorney has a general sense of the client's legal situation and the exact issues with which the client needs assistance.

The gathered intake information will be used by the SU2J staff member to open the client's case in the SU2J database. It is extremely important that each client case is opened the same day that they attend the clinic to prevent potential conflicts of interest from arising.

Intake Procedure – Post Covid-19 Health Crisis

Once SU2J staff can conduct the clinic in person, the intake interviews will also be completed in person. When the client arrives at the Clinic, the staff member will go through the same intake procedure and will complete the attorney notes form. However, rather than being sent electronically, the attorney notes form will be given to the volunteer attorney so that he or she can write a brief description of the advice given at the client's appointment.

Attorney-Client Session – During Covid-19 Health Crisis

Once all the intake interviews for the day's clinic are completed, SU2J staff will electronically notify the volunteer attorney. The volunteer attorney will then contact each client for their scheduled appointment – either via phone or video conferencing – to discuss the client's case and provide advice and brief services. After each appointment, the volunteer attorney will be instructed to provide notes regarding how he or she advised the client. These notes will be returned to SU2J staff electronically, and the information will be entered into the client's case file.

After the volunteer attorney has completed the session with the first client, this process will be repeated for the remaining clients.

Once the client has received advice for their legal issue, the staff member will request that they complete an electronic satisfaction questionnaire. The questionnaire allows SU2J to evaluate the effectiveness of the project and make necessary changes.

SU2J will also follow up with clients to provide an opportunity to schedule additional clinic appointments, and to arrange for delivery of forms or other resources that may have been discussed during the appointment.

Attorney-Client Session – Post Covid-19 Health Crisis

Once SU2J staff can conduct the clinic in person, appointments with the volunteer attorney will be conducted in space provided by Pima County.

Once the volunteer attorney is ready for his or her first client, staff will provide the attorney notes form to the volunteer and walk the client from the waiting area to the clinic area. The volunteer attorney will be instructed to provide notes regarding how he or she advised the client on the attorney notes form.

This information will be entered into the client's case file after the clinic.

After the volunteer attorney has completed the session with the first client, this process will be repeated for the remaining clients.

Once the client has received advice for their legal issue, the staff member will request that they complete the electronic satisfaction questionnaire. The client will also be given the opportunity to schedule an additional clinic appointment.

PARTNER OBLIGATIONS

SU2J

1. SU2J will provide volunteer civil legal services and assistance to low-income, self-represented tenants in eviction matters. This assistance will include advice, brief services, help completing motions and other pleadings. This assistance may also include direct representation in court for some matters.
2. SU2J will coordinate, train and schedule volunteer attorneys to participate in the Eviction Prevention Clinic.
3. SU2J staff will provide legal support for attorneys volunteering at the Eviction Prevention Clinic.
4. SU2J will gather agreed upon data and will report Clinic outcomes to Pima County.

Pima County

1. Pima County will provide workspace in the Pima County Public Service Center located at 240 N. Stone, Tucson, Arizona for use by volunteer attorneys and law students participating in the Eviction Prevention Clinic; and
2. Wireless access for volunteer attorneys' computers participating in the Eviction Prevention Clinic; and
3. Help to raise awareness about the Eviction Prevention Clinic.

COST OF THE EVICTION PREVENTION CLINIC

SU2J agrees to perform the work of the pilot project at no cost to Pima County. However, it is anticipated that the partners will meet and sign a Memorandum of Understanding that will go into effect January 1, 2021. SU2J estimates that the annual cost of the Eviction Prevention Clinic to the County will be between \$16,000 – \$20,000.

CLINIC EVALUATION

Prior to the launch of the pilot project partners will work to establish metrics by which to measure the success of the pilot. SU2J will track and report on the data captured periodically throughout the pilot project.