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# MEMORANDUM

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Date: April 16, 2021

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

From: C.H. Huckelberry   
County Administrator

Re: **Establishment of the Office of Emergency Eviction Legal Services**

Increased legal services for persons facing eviction was approved at the March 16, 2021 Board Meeting, I was directed to create an office within the Community Workforce Development Department that provides legal services and can advise appropriate or counseling to persons facing eviction. Such an office has been established and is known as the Office of Emergency Eviction Legal Services, the office is now headed by Community and Workforce Development Deputy Director Andrew Flagg. In addition to supervising this office, Mr. Flagg is a licensed attorney who also will be assisting in a number of other functional areas within Community and Workforce Development.

We know in general that access to counsel improves outcomes for tenants. In addition, the monetary cost of providing counsel is substantially less than rehousing a person. We also know there has been an increase in filings seeking eviction for "material breaches" for reasons other than non-payment of rent.

Many tenants will be best served by assistance when negotiating with landlords as well as provided with directions to apply for rental assistance programs or some other housing assistance.

The Office of Emergency Eviction Legal Services will be integrated into the larger County array of housing services within Community Workforce and Development including rental assistance being provided now through the Consolidated Appropriations Act as well assistance that will flow from the American Rescue Plan Act. This office is now reviewing proposals from Southern Arizona Legal Aid and Step Up to Justice to expand their provision of legal services to those facing eviction. We are also evaluating a number of other programs and options as well as working with other stakeholders to help prevent unfair, unjust evictions.

Based on the immediate need to broaden the availability of legal services to tenants, I have approved an additional \$18,500 in General Funds to facilitate a rapid modest expansion of legal services with Step Up to Justice.

We also have been working with the Presiding Judge of Superior Court to improve the handling of the eviction cases in the Consolidated Justice Court. The Presiding Judge has offered two important changes. First, contingent upon my approval of \$125,000, the Justice Court will develop a court that specializes in evictions. This court will specialize in the eviction

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process and be staffed with a pro-tem judge that has specialized in evictions within Pima County. One of the benefits of this action is the ability to focus solely on an effective and efficient adjudication of eviction cases in an environment that continues to evolve rapidly.

Second, the Court will offer settlement conferences for those landlords and tenants who agree to participate. This will be a voluntary program where no one is obligated to participate. If they do participate in such and a settlement is reached, it will be memorialized immediately in a binding court order that is enforceable by the Court.

This is a welcome alternative to present process now used by the Consolidated Justice Court handling eviction cases and should lead to better and fairer outcomes for all parties involved.

In the meantime, Community and Workforce Development staff continue to actively process eviction rental assistance requests and continue to increase productivity in processing these requests. I will be forwarding an update of the number of cases processed and assistance provided by the end of the week.

CHH/sp

c: The Honorable Kyle Bryson, Presiding Judge, Superior Court  
Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer,  
Health and Community Services  
Daniel Sullivan, Director, Community and Workforce Development  
Andrew, Flagg, Deputy Director, Community and Workforce Development