



MEMORANDUM

Date: August 24, 2021

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

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to read "CHH", is written over the printed name "C.H. Huckelberry".

Re: **Office of Emergency Eviction Legal Services Update**

The Office of Emergency Eviction Legal Services has been providing full services to the community since the beginning of August. These services include courtroom navigators for eviction cases, legal services to qualifying tenants facing eviction, and community outreach to inform tenants facing eviction of available services prior to their initial court date.

I am extremely pleased with the efforts of staff to date and the success of the services being provided. Staff continue to explore additional strategies to reach those in our community facing eviction. The work of this office will prove highly beneficial when the eviction moratorium eventually is lifted.

Attached for your information is a detailed update of each of the services currently provided. (Attachment) I will continue to update you as on the success of these new programs and new strategies that are implemented to prevent and/or reduce the impact of the eviction process.

CHH/dym

Attachment

c: Jan Leshar, Chief Deputy County Administrator
Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer,
Health and Community Services
Dan Sullivan, Director, Community & Workforce Development



PIMA COUNTY

COMMUNITY & WORKFORCE
DEVELOPMENT

MEMORANDUM

Date: August 18, 2021

To: Francisco García, MD, MPH
Deputy County Administrator & Chief
Medical Officer

From: Andy Flagg
Deputy Director, CWD

RE: **Emergency Eviction Legal Services Update**

The Office of Emergency Eviction Legal Services (EELS) has now been successfully providing full services for just over two weeks. A preliminary report on our first two weeks is provided below. As we collect and are able to report demographic and case-related data, we anticipate that navigation services and legal services, coupled with programs implemented (and to be implemented in the future) by the court, will reduce eviction judgments and keep more tenants housed. But I can already share one success story from a tenant who contacted us to offer her thanks. Through the EELS program, the tenant was connected with counsel to offer her a legal consultation and helped with rental assistance through our navigation program and our partner organization, Community Investment Corporation. As a result, her eviction case settled, her landlord was paid, and she was able to remain housed. In an email to one of our navigators, she said EELS “helped [her] through the eviction process very fast” and thanked staff for “doing all they can to help people and with this program so they have a place to still sleep at night.”

Court Navigation

The eviction process is complicated for the lay person, whether landlord or tenant. So EELS has implemented the first courtroom navigation program for eviction cases in Arizona. Under the direction of Bonnie Bazata, County staff who are trained in both the eviction process and an array of other resources that may be available to litigants, including the Emergency Rental Assistance Program, are available to any litigant in an eviction case, free of charge. Working with our Community Action Agency and our nonprofit rental-assistance partner Community Investment Corporation, we have developed a process to prioritize EELS referrals in the rental-assistance process. Importantly, our navigators can also quickly determine whether tenants qualify for legal services and, if so, refer them to counsel for consultation (see below). Navigation services are provided in English and Spanish.

We began with two navigators, Bill Finch and Chula Robertson, stationing one in the Consolidated Justice Court to respond to referrals from the Court with the other available to inquiries from our phone number ((520) 724-3357) and web form (www.pima.gov/evictionlegalservices). We are pleased to have recently added Nahrin Jabro, a Community Engagement Specialist previously employed by the Constables, to our team of navigators. In addition to continuing to accept referrals from the Constables, Ms. Jabro will handle internal referrals from EELS. Her expertise is focused on helping those tenants who will be evicted and need rehousing resources to avoid homelessness. All three of our navigators came to us with prior experience with and knowledge of an array of available resources, along with the demonstrated ability to serve people with heart and urgency. These characteristics have been critical to the rapid deployment of navigation services.



In the first two weeks, our navigators received 152 inquiries and referred 84 qualifying tenants to counsel. Finally, our navigators are collecting demographic data on those who we work with. As this data comes in and we are able to analyze it, we expect, for the first time, to begin to get a picture of who is facing eviction in Pima County.

Our navigation program has been warmly received by the Court and other stakeholders, including landlord representatives. In particular, the ability of navigators to help move forward applications for Emergency Rental Assistance has already proven key to avoiding preventable evictions.

Legal Services

In creating this program, the Board specifically directed that legal services would be made available to qualifying tenants through the creation of a roster of qualified lawyers who would be assigned to take cases at “tiered flat-rate reimbursement rates established by the County ahead of time.” Implementing this direction in compliance with federal requirements associated with the American Rescue Plan Act Coronavirus Local Fiscal Recovery Fund requires a competitive process. A formal process is currently under development, but in order to deploy services rapidly, EELS, working with our internal partners at Grants Management & Innovation, Procurement, and the County Attorney’s Office, completed an informal solicitation process to develop an initial roster. A brief solicitation was communicated to lawyers who had expressed to EELS an interest in providing these services (all lawyers who expressed interest were included in the solicitation).

The solicitation provided for two tiers of service: “lawyer of the day” service and full representation. “Lawyer of the day” service consists of being available to take referrals of tenants from EELS on pre-scheduled days and provide a brief consultation to those tenants. Lawyers of the day are compensated at a flat rate per day or half day. The lawyer of the day can then accept full representation of those tenants whose case merits full representation. Each full-representation case is compensated at a separate flat rate.

Lawyers solicited were asked to provide a brief description of their relevant experience, ability to provide services, and flat rates they would accept. The solicitation resulted in the following roster of approved providers, which includes both nonprofits and private-practice lawyers, some of whom can provide services in Spanish:

- Southern Arizona Legal Aid
- Step Up to Justice
- Barton Mendez Soto, PLLC
- Ferguson Hill Law, PLLC
- Roach Law Firm, LLC
- The Law Office of Paul Gattone

EELS Program Coordinator Lenora Anderson is responsible for managing the calendar and counsel contracts. A lawyer of the day has been available each day beginning on August 2. We have emphasized



a combination of relevant experience and cost in scheduling lawyer-of-the-day services. Scheduling for the remainder of August and all of September is complete. Our contract lawyers are required to report monthly the number of brief consultations provided, along with detailed case-related data for full-representation cases. As those reports begin to arrive in September, we anticipate being able to begin to look at measurable impact and trends.

Outreach

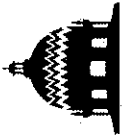
Some of our most difficult challenges are logistical. Eviction cases move very quickly—a case filed on a Monday, for example, will result in an initial appearance the next Monday, if not sooner. If the tenant does not appear, or does not present an adequate case, at that initial appearance, judgment will be entered for the landlord that date. There is no procedural mechanism for counsel to be assigned to tenants, and we have very little time to reach them. Our best chance to help tenants with legal assistance is to reach them *before* the initial appearance. Targeted outreach is therefore critical, and this has thus far been our focus.

Every evening at 9:00 p.m., we receive a report from Justice Court Administration with a list of that day's new eviction filings that have been set for hearing. Lately, the number of daily filings has ranged from as low as 10 to as many as 78. Typically, the initial appearance will be set about 5-6 calendar days from the date of the report. The report includes the names and addresses of tenants, and about 10-15% of the time (only when the landlord voluntarily provides it) a phone number for the tenant. The next morning, EELS staff call each of the tenants whose number is listed on the report to notify them that they may be eligible for free legal assistance and, if the tenant is interested and eligible, they are referred to counsel. In addition, the Communications Department and Print Shop worked with us to develop a postcard in English and Spanish (see attached) that EELS staff mails each day to every tenant on the report. Through August 13, we made 139 calls and mailed 425 postcards. Qualifying tenants who we connect with in advance of the initial appearance can quickly be connected with counsel in advance of their initial appearance, which provides critical time for legal advice, case evaluation, and potential full representation. We have seen evidence that our targeted outreach is working—one tenant who contacted us, for example, was notified of the case by EELS staff before the landlord had served the eviction summons on her.

We are also rolling out broader outreach. Our Communications Department developed a press release for us, which resulted in multiple media outlets covering the initiation of the program over the last few weeks. We have provided postcards and flyers at community events such as resource fairs, backpack-distribution events, and the recent South Tucson Street Fair. Flyers have been provided to the Constables to distribute. A training was given to outreach staff at the Health Department on both rent assistance and EELS so they felt comfortable explaining the program at their outreach and vaccination events. They've also been given flyers on both programs for distribution. The program has been promoted through County social media. We are working to implement other strategies, including "apartment sweeps" targeted to areas with high eviction rates.

ALF

Attachment – EELS mailer



PIMA COUNTY

COMMUNITY & WORKFORCE
DEVELOPMENT

Get FREE legal help on your eviction case.

Reciba ayuda legal GRATUITA en su caso de desalojo.

Are you facing an eviction? ¿Está enfrentando ser desalojado?

There's help! ¡Hay ayuda!

You may be entitled to **FREE** legal services. **Pima County's Emergency Eviction Legal Services program (EELS)** can ensure you know your rights and be your advocate.

Usted puede ser elegible para recibir servicios legales **GRATUITOS**.

El programa de Servicios Legales en Emergencias de Desalojo del

Condado Pima (EELS) puede asegurar que usted esté al tanto de sus derechos y puede ser su defensor.

Find out if you qualify. Call **520-724-EELS (3357)** or visit the **EELS** website at **pima.gov/EvictionLegalServices**.

Vea si califica. Llame al **520-724-EELS (3357)** o visite el sitio web de **EELS** en **pima.gov/EvictionLegalServices**.

