

NCCRC

National Coalition for a
Civil Right to Counsel



**Civil Right to Counsel
E-Alerts**

May 15, 2024

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NCCRC Updates

Help us share the Tenant RTC Convening Planner RFP!

In Spring 2025, the National Coalition for a Civil Right to Counsel and the Right to Counsel NYC Coalition will host a tenant RTC convening! We're excited to start planning and we've issued a [Convening Planner Request for Proposals](#). **The deadline is Wednesday, May 22, 2024.** We're seeking proposals from talented individuals and organizations who will help plan and host an instructive and fun event. **We appreciate your help in sharing this opportunity!**

Upcoming Events

Join us next
Tues., May 21

2-3:30pm ET

REGISTER

Building Support for a Civil Right to Counsel by Anchoring Your Case in Racial Justice

A Playbook for Justice Seekers Everywhere

May 21, 2024

11-12:30pm PT | 2-3:30pm ET

Webinar & Resource Launch



NEW YORK
LAW SCHOOL

Wilf Impact Center for
Public Interest Law



A growing number of communities are passing right to counsel laws to help tenants fight unfair evictions. We have some successes, but we need more wins, for more tenants, in more places. That means we need a much bigger bench of supporters and advocates. **Because a right to counsel, like so many other issues in this country, is interwoven with issues of race, having thoughtful, strategic conversations about race and racism is the only way for us to draw forward the new champions we need.**

Join us and our partners at TheCaseMade and New York Law School, at the debut of our new resource, **Building Support for a Civil Right to Counsel by Anchoring Your Case in Racial Justice**. The guide, which will be released during the webinar, gives you a framework and sample language to use as you navigate those critical conversations, so we can all get closer to justice.

CIVIL RIGHT TO COUNSEL GENERALLY

- **Many ARPA funds still uncommitted, but obligation deadline is fast approaching!** States and localities that still have fiscal recovery funds from the American Rescue Plan Act have until Dec. 31, 2024, to obligate those funds (or they must be returned to the Dept. of the Treasury) and until Dec. 31, 2026, to use the funds. The U.S. Dept. of the Treasury also issued new [guidance](#) about obligating funds. According to [Reuters](#), "The amount of funding still available for such projects could be as high as about \$40 billion."
- **Seismic rule change increases available federal funding for civil legal aid.** The federal Department of Health and Human Services finalized a landmark [rule change](#) that makes more federal funding available for civil legal representation related to foster care proceedings. Read more on our [website](#). The rule change goes into effect on July 9, 2024.

RIGHT TO COUNSEL FOR TENANTS FACING EVICTION

Generally

- **New law review article explores judicial support for eviction RTC.** Judge Shera Grant, State of Alabama District Court Judge for the Tenth Judicial Circuit, recently wrote [Civil Gideon: A Judge's](#)

[Perspective on the Right to Counsel in Eviction Cases](#), 20 Stan. J. C.R. & C.L. 101 (2024), which provides an overview of the eviction RTC movement and, through interviews with other judges, identifies strong support among the judiciary for eviction RTC.

- **Missouri bill would preempt local eviction moratoria.** [HB 2062](#) provides: "No county, municipality, or other political subdivision shall impose or enforce a moratorium on eviction proceedings unless specifically authorized by state law." The bill has been passed by the Missouri House and Senate and is awaiting the Governor's action. [Empower Missouri has more](#) on the importance of eviction moratoria and details of the progress of the bill.

State and Local Updates

Note: In the updates below, San Francisco is the only jurisdiction with a right to counsel law for tenants. Updates from other cities or states are about efforts to build toward RTC.

Harris County, TX. New Houston and the Keep Harris Housed Coalition published a new report about the eviction crisis in Harris County, TX: "[Keeping Harris County Housed: An Overview of the Eviction Crisis in Harris County.](#)" The report highlights the work being done in the county to expand tenant legal representation and makes recommendations that "address [the] multifaceted approaches to reducing the need for eviction hearings."

San Francisco. An article in the [San Francisco Examiner](#) looks at a hearing held in San Francisco, where tenants and advocates highlighted the benefits of the city's tenant RTC program in advance of expected city-wide budget cuts geared towards closing the city's deficit. There is more about San Francisco's eviction RTC on our [website](#).

Washington, D.C. The DC Bar Foundation, in collaboration with NPC Research, [announced](#) the publication of the [Civil Legal Counsel Projects Program \(CLCPP\) Evaluation](#), which finds that "71% of represented tenants retained their unit (and 83% of tenants who wished to stay in their unit did so)" and "When tenants retained possession [], they generally did so outright due to the case being dismissed either by the Court (21% of tenant possessions) or by the landlord (49%). Other tenants retained possession by agreeing to the terms of a negotiated settlement (22%)."

RIGHT TO COUNSEL AND CHILD WELFARE

Right to Counsel for Children

- **TODAY - May 15!** From the [National Association of Counsel for Children \(NACC\)](#): "May 15 is the anniversary of the case [In re Gault, 387 US 1 \(1967\)](#), which guaranteed lawyers for youth encountering the criminal legal system. At the intersection of access to justice and children lies the unfortunate reality that [13 states do not guarantee legal representation for young people](#) experiencing the child protection system." [NOTE: the [NCCRC's interactive map](#) counts a different number of states as lacking legal representation for children] Help [NACC](#) and [Counsel4Kids](#) (C4K) continue working to fix that, in the following ways: On May 15, please post

about the importance of [#counsel4kids](#) and re-share posts from [@NACCchildlaw](#) (samples are in NACC's [social media kit](#)).

Right to Counsel for Parents

- **Mississippi.** The Mississippi legislature has enacted, and the Governor has approved, [SB 2792](#), which provides indigent custodial parents with the right to counsel in abuse and TPR matters. Head to our website to learn more about the [enactment](#) and about the [long-running pilot project](#) that helped build the case for a RTC. The NCCRC supported the pilot work over many years.

RIGHT TO COUNSEL AND FEES/FINES

- **Delaware.** The legislature has introduced [SB 284](#), which would discharge any outstanding balances owed by an individual for probation supervision and public defender fees. This builds on [HB 244](#), the purpose of which was "to reduce the financial burdens of criminal justice-imposed debts that disproportionately impact the poor", and which eliminated a \$200 probation supervision fee and a \$100 Public Defender fee.

RIGHT TO COUNSEL AND MENTAL HEALTH

- **Alabama.** Alabama enacted [SB 240](#), expanding the reasons for which involuntary medical treatment or civil commitment may be sought. To learn more about the right to counsel in civil commitment in Alabama, visit our [website](#).
- **Missouri.** Missouri enacted [HB 1640](#), amending procedures related to civil commitment and involuntary mental health treatment. To learn more about the right to counsel in civil commitment and involuntary medical treatment matters in Missouri, visit our [website](#).

CIVIL RIGHT TO COUNSEL RESOURCES

[RTC Status Map](#)

[RTC Comprehensive Bibliography](#)

[RTC Legislation](#)



The **National Coalition for a Civil Right to Counsel** (NCCRC) is an association of individuals and organizations committed to ensuring individuals have a right to effective counsel when facing the loss of their basic human needs in the civil legal system. www.civilrighttocounsel.org | [Donate](#)

The National Coalition for a Civil Right to Counsel is a project of the Public Justice Center, Inc. - a 501(c)(3) organization, gifts to which are deductible as charitable contributions for federal income tax purposes. The Public Justice Center is

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