

Right to Counsel Evaluation Report

January 2023 to December 2023

In November 2021, the New Orleans City Council approved a \$2M budget to fund the Right to Counsel Program to provide free legal assistance to residents facing eviction. The City of New Orleans contracted with Southeast Louisiana Legal Services to implement the program and Louisiana Fair Housing Action Center and Jane Place Neighborhood Sustainability Initiative were hired as subcontractors. The program started in April 2022. Calendar year 2023 is the first full year during which the right to counsel protections have been in place for 12 months.

The Right to Counsel program offers legal assistance to individuals at the point of eviction – once an eviction has been filed, the individual(s) facing that eviction is/are eligible for representation and services in eviction court to help them remain in their home(s) longer or permanently. As will be discussed later in the report, the Right to Counsel program additionally endeavors to ensure individuals who may be facing eviction are made aware of these resources, both through targeted notification to specific households facing eviction and general community education on the eviction process and relevant tenant protections.

Eviction Filings in 2023

In 2023, an average of 501 evictions were filed per month and 6,012 were filed for the year in New Orleans:

- 385 per month on the East Bank at First City Court
- 116 per month on the West Bank at Second City Court

These numbers represent a slight increase of about 3% to the number of evictions filed in 2022, during which an average of 487 evictions were filed per month and a total of 5,841 were filed for the year:

- 389 per month on the East Bank at First City Court
- 97 per month on the West Bank at Second City Court

Based on historical eviction filing data previously provided through collaborative research projects with Davida Finger, Loyola College of Law Clinic Professor and Director, we know the 2023 (and nearly equivalent 2022) levels of eviction filings represent a return to the levels seen prior to the Covid-19 pandemic.

First City Court – East Bank		Second City Court – West Bank		Orleans Parish Total Filings
Month	Evictions Filed	Month	Evictions Filed	
Jan	491	Jan	116	607
Feb	181	Feb	95	276
Mar	392	Mar	87	479
Apr	338	Apr	109	447
May	400	May	95	495
Jun	443	Jun	130	573
Jul	366	Jul	111	477
Aug	459	Aug	144	603
Sep	390	Sep	172	562
Oct	422	Oct	117	539
Nov	364	Nov	108	472
Dec	369	Dec	113	482
Grand Total	4,615	Grand Total	1,397	6,012

Figure 1: Total eviction filings in 2023 by court and across Orleans Parish as a whole.

	2022 Eviction Filings	2023 Eviction Filings
First City Court – East Bank	4,672	4,615
Second City Court – West Bank	1,169	1,397
All Orleans Parish	5,841	6,012

Figure 1a: Total eviction filings in 2022 and 2023 by court and across Orleans Parish as a whole. The program operated for nine months in 2022, beginning April 1, 2022.

The following graphs show just how quickly eviction filings returned to their historic levels in September 2021, when the last of the Covid-19 and Hurricane Ida-related moratoria on non-payment evictions were lifted (two months prior to the approval of Right to Counsel funding), after historically low levels of eviction filings in most of 2020 and early 2021.

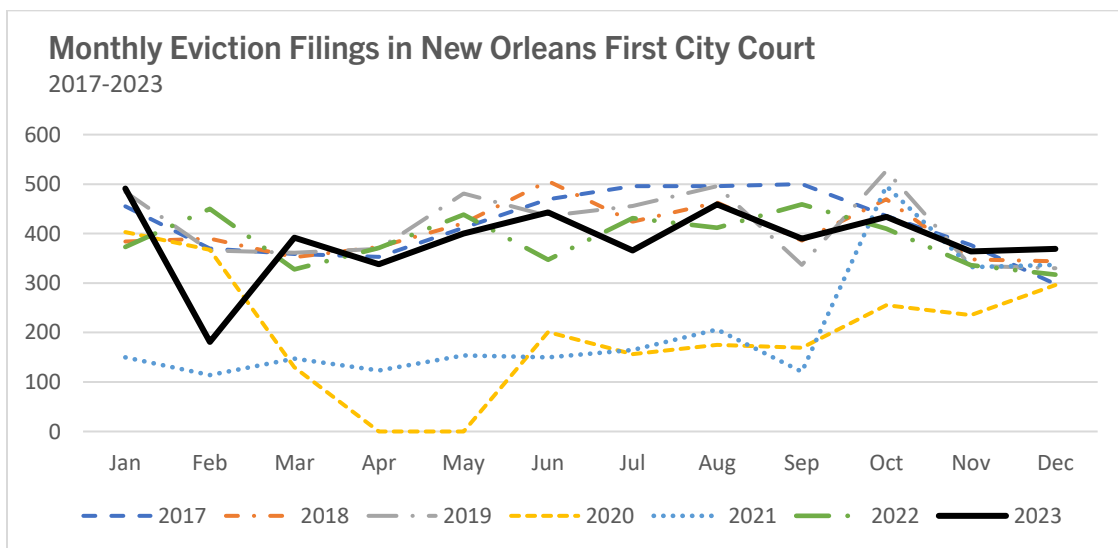


Figure 2: Monthly eviction filings per year in First City Court from 2017-2023.

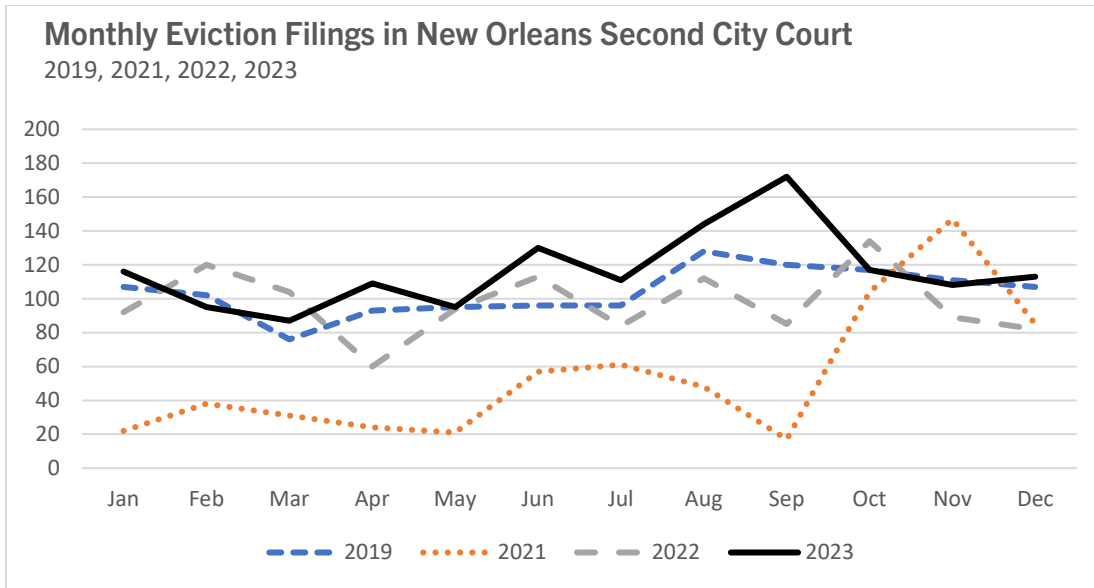


Figure 3: Monthly eviction filings per year in Second City Court, where available, from 2019 and 2021-2023.

Additionally, address data from eviction filings allows us to see that the neighborhoods most affected by eviction are in City Council Districts C and E, which together cover parts of Downtown, New Orleans East, and the West Bank. This was true in 2022 as well.

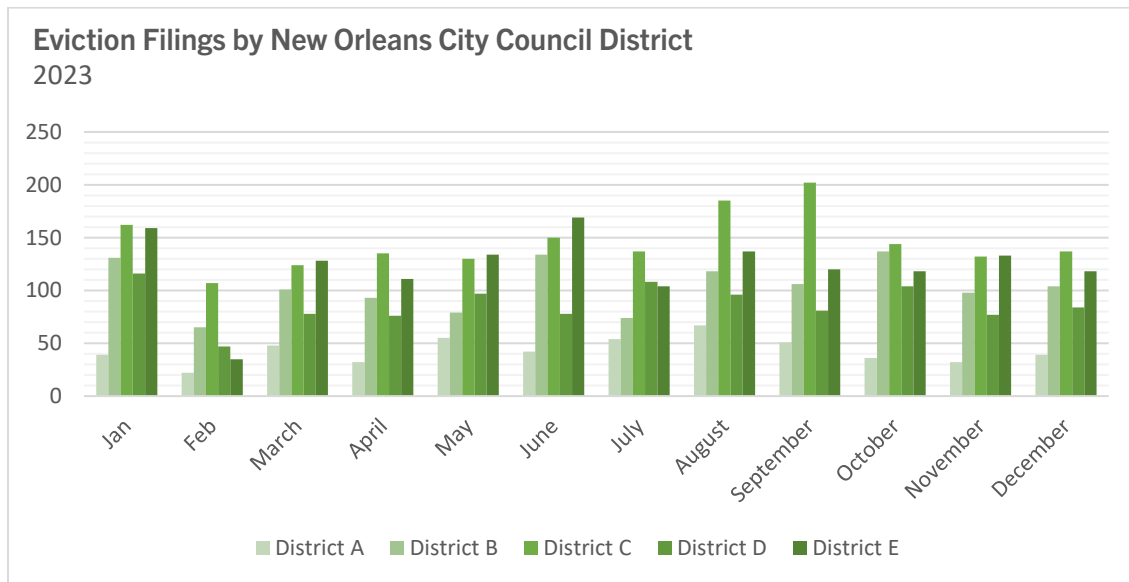


Figure 4: Monthly eviction filings in 2023 by City Council District.

Court Monitor Observations: Tenant Demographics

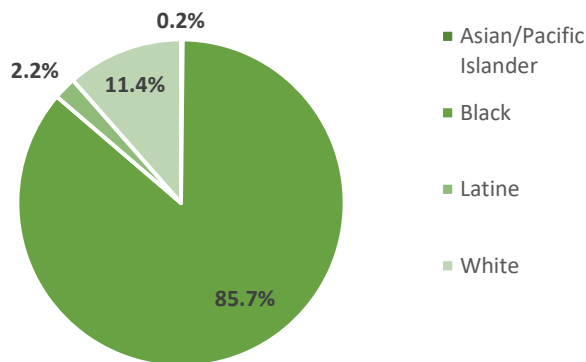
Jane Place began our Eviction Court Monitoring Project in Fall 2019 to better understand who is being evicted and why, as well as to capture details about the eviction process that do not make it into the court's records. The historical in-court observation data in this report is taken from the first six months of Jane Place's Eviction Court Monitoring Project, before the COVID-19 pandemic caused

courthouses to close to the public. Between September 9, 2019, and March 11, 2020 (the day that the mayor’s stay at home order was issued) our monitors observed 669 eviction hearings. This period was chosen for comparison in this report because the tenant protections provided throughout the rest of 2020 and 2021 by the CARES Act, Center for Disease Control and Hurricane Ida moratoria, and SLLS eviction help-desk pilot program skew pre-Right to Counsel eviction data. If used, the data would have painted an overall more positive picture than what our monitors observed before these eviction diversion mechanisms were put in place.

Below data on the observed demographics of tenants are a best-guess made by the in-court monitor as no demographic data is captured in the court’s records. Our observations show that the biggest demographic commonality in tenants facing eviction in 2023 is that Black women continue to be the most affected by the eviction process, making up 55.7% of all observed cases in 2023. This is only a small shift from the Pre-Right to Counsel period during which Jane Place’s eviction court monitors identified 56.8% of tenants facing eviction as Black women and from 2022 during which monitors identified 54.7% of tenants facing eviction as Black women.

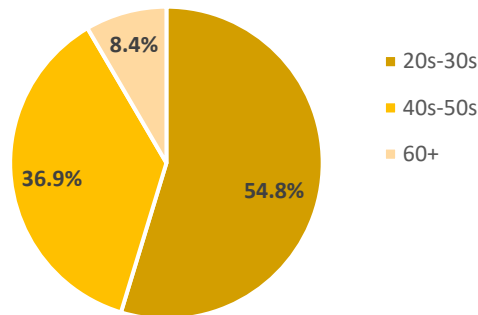
Data for race, gender, and age consistently show similar demographic representation in eviction hearings throughout 2023 as was seen both in 2022 as well as in the pre-RTC period where tenants 82% of tenants were Black, 58% were between 20 to 30 years old, and 68% were women. In 2023, monitors observed 85.7% of tenants facing eviction to be Black (84.1% in 2022), 54.8% to be in their 20s or 30s (57.2% in 2022), and 63.9% to be women (62% in 2022). Charts detailing all the observed/perceived demographics of tenants facing eviction in 2023 are below.

Best-Guess Demographics:
Tenant Race 2023



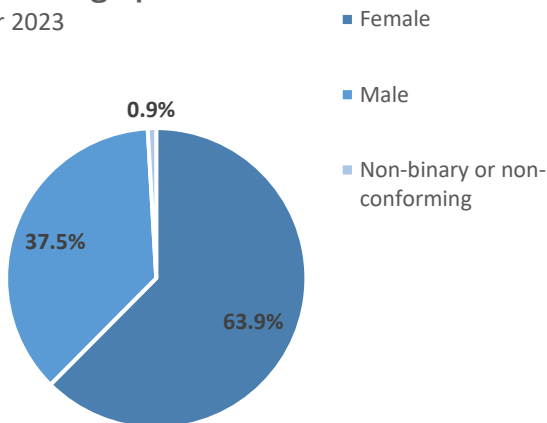
Best-Guess Demographics:

Tenant Age 2023



Best-Guess Demographics:

Tenant Gender 2023



Figures 5-7: Observed demographics in eviction court during 2023 detailing race, age, and gender.

Language Access in Eviction Court

Court monitors took note of instances in which any party in an eviction court proceeding – a tenant/defendant or a landlord/plaintiff seemed to need language access services (i.e., interpretation) to fully understand and participate in eviction court proceedings. Notably, there may be many individuals whose language access needs cannot be captured simply by a court monitor’s observations, or whose access needs may be different than translation, such as needing court actors to speak louder, slower, to have written agreements and instructions read aloud to them, or to have verbal agreements and instructions written down for them.

Accordingly, the below table reflects only instances where an eviction court monitor felt very certain that an individual’s first spoken language did not seem to be English *and* that that individual likely would have benefitted from interpretation services.

Party Needing Interpretation	Instances observed in which party seemed to need interpretation	Instances in which court provided interpretation same day	Instances in which court continued case to new date for interpretation	Instances in which no party provided interpretation	Instances in which family/friend provided interpretation
Tenant	22	15	4	0	3
Landlord	20	2	0	14	4

There were 19 other cases in which a tenant’s first language did not appear to be English and 70 other cases in which a landlord’s first language did not appear to be English, but it was not immediately clear to court monitors that interpretation was needed in those 89 cases.

Proportion of Tenants with Known Legal Representation

The Right to Counsel program’s principal endeavor is to give tenants facing eviction the opportunity to have legal representation in Orleans Parish eviction court. Jane Place court monitors observe how many tenants in eviction court are represented by attorneys, and the below information is based on that observation. In some rare cases, tenants may have legal representation who assisted them but did not observably join them on the stand, or who assisted at a later stage in an eviction case after a single case hearing was observed without representation.

Prior to the passage and implementation of Right to Counsel (during the period of eviction court monitoring between 2019-2020 conducted by Jane Place), out of 669 observed eviction hearings, only 6% of people, or fewer than 1 in 16, were observed to have legal representation in Orleans Parish eviction court.

Throughout the second half of 2020 and during 2021, tenants accessed unique, Covid-19 protections, i.e., emergency rental assistance, national and local eviction moratoria, and the SLLS helpdesk. When those protections ended in September 2021 and eviction filings resumed in huge numbers, it is not known exactly how many individuals had known legal representation in eviction court, though it is likely to have been near the previous average of 6% as no new efforts to represent tenants yet existed.

The implementation of the Right to Counsel Program in April 2022 allowed the percentage of tenants with known representation to increase to an average of 34% of tenants – meaning that very slightly more than 1 in 3 tenants facing eviction in 2022 had access to legal representation.

By the end of 2023, this number rose again to 39%, meaning that, from a pre-Right to Counsel low of fewer than 1 in 16 tenants having known legal representation in eviction court, now 1 in every 2.5 tenants has known legal representation in eviction court.

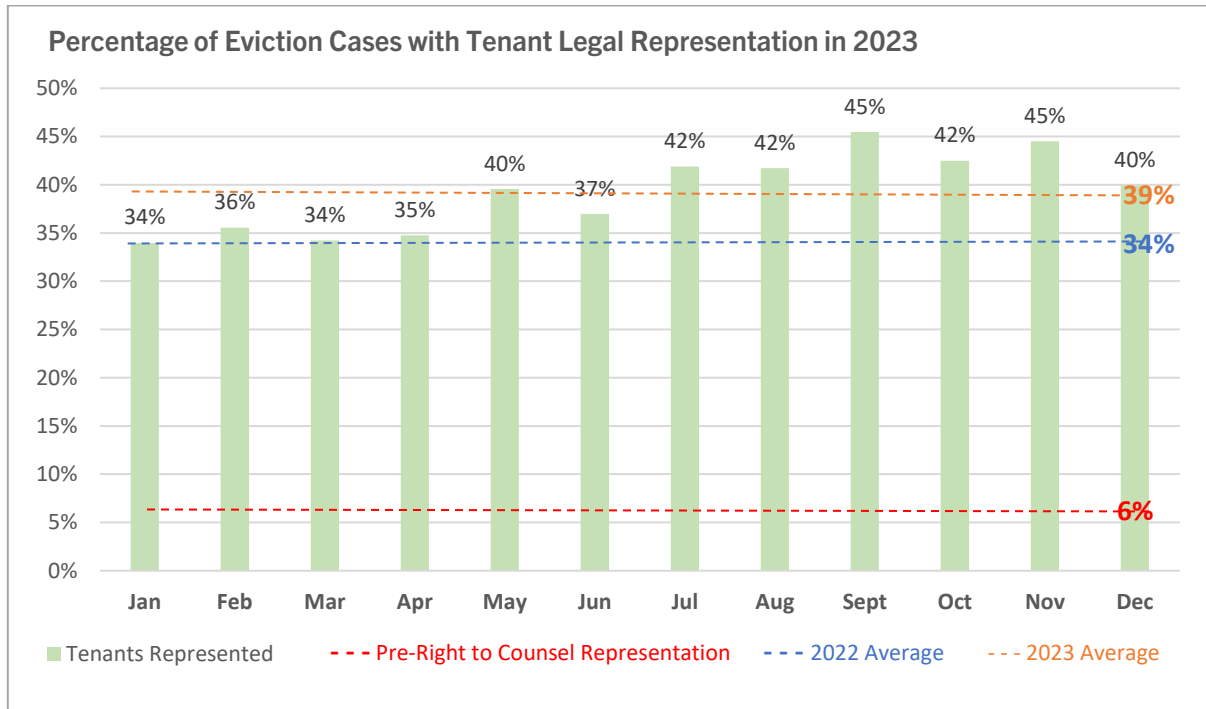


Figure 8: Percentage of tenants with legal representation in eviction court by month in 2023 (pale green), as well as dotted lines showing the pre-RTC average in red, the 2022 average in blue and the 2023 average in orange.

Outcomes of Eviction Court Proceedings

In bringing legal representation to more tenants facing eviction through Right to Counsel, the hope is that those tenants will more often receive favorable judgments in their eviction cases. The stress and drain of going through eviction court may create a situation in which tenants feel they face no positive outcomes: even if they are not evicted or if their gets dismissed as wrongful or illegal, they then continue to live in housing under a potentially hostile landlord who attempted to remove them from the property. Participating in eviction court proceedings can also present significant difficulties for tenants who have limited time off work, face transportation barriers, and/or must arrange childcare during their time in court. However, for this report's purpose and while evaluating the impacts of Right to Counsel, all judgments resulting in dismissal or consent judgment will be considered as positive outcomes, as neither result in an absolute rule of eviction.

Dismissal entails the judge dismissing the landlord's claim that the tenant should be evicted, thus allowing the tenant to stay in the property and the current effort to have them removed from the property considered nullified. Consent Judgment entails the tenant and landlord coming to an agreement about moving forward – often, this is for the tenant to still leave the property by a certain date but without the eviction then showing up on the tenant's rental history or credit report, though

it could entail the landlord and tenant coming to a different agreement that would allow the tenant to stay at the property (most often negotiated through some form of payment plan to recoup past-due rent).

Considering that stopping or delaying an eviction can offer immense financial, logistical, and personal relief in the short term, and that preventing a formal eviction record can preserve future housing access for tenants in the long term, both dismissals and consent judgments are positive protective factors for tenants.

During 2023, the average number of monitored eviction hearings resulting in a positive judgment (dismissals or consent judgments) was 53.9%, versus an average of 23.75% of hearings ending with an eviction judgment. Relative to 2022, these 2023 averages represent 3 percentage points fewer of dismissal decisions but also 5.25 percentage points fewer of eviction judgments. Relative to the period prior to Right to Counsel’s implementation, these 2023 averages represent 19 percentage points more in the average rate of dismissal decisions and 38.25 percentage points fewer in the average rate of eviction judgments, when, on average, only 35% of cases yielded positive judgments and 62% of cases resulted in eviction judgments.

The percentage of judgments not represented in this data are primarily those postponed to a later date, as well as a small number of cases where the in-court monitor was unable to determine the final judgment due to a lack of clarity from the judge, or where the decision was made outside of the courtroom and not read aloud into the record.

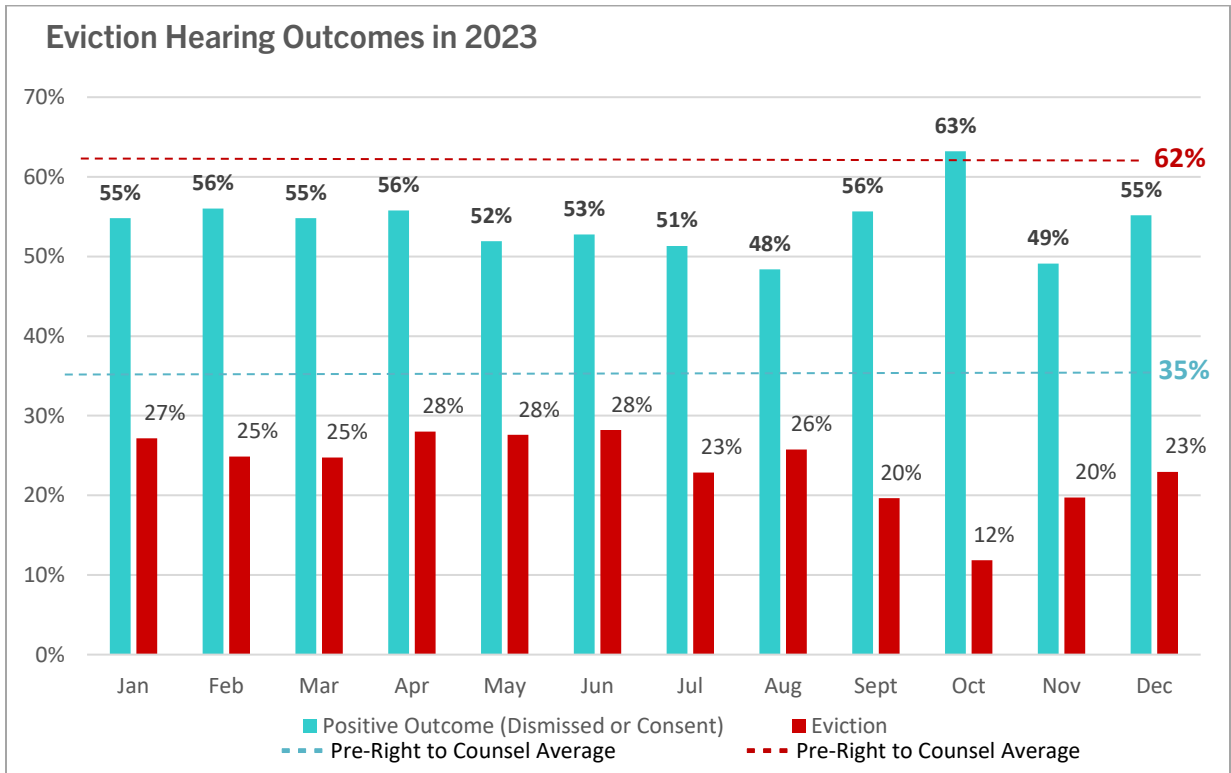


Figure 9: Percentage of judgments in eviction by positive outcomes (those ending in dismissal or a consent judgement) versus those with eviction judgements showing how many more cases are ending favorably for tenants since Right to Counsel has been implemented.

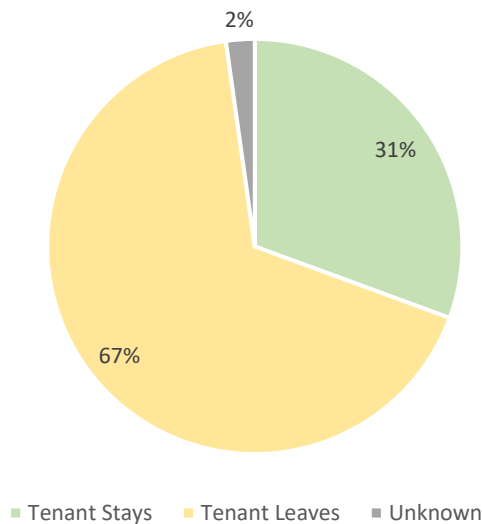
Consent Judgment Types: Stayers and Leavers

As discussed above, consent judgments entail the tenant and landlord coming to an agreement about moving forward. Often, this agreement is for the tenant to still leave the property by a certain date but without the eviction then showing up on the tenant’s rental history or credit report, though it could entail the landlord and tenant coming to a different agreement that would allow the tenant to stay at the property (most often negotiated through some form of payment plan to recoup past-due rent).

Whether a tenant will stay in or leave their residence is the central question of eviction court, and thus data on consent judgments has been sorted below into agreements where the tenant was permitted to stay (“stayers”) and agreements where the tenant would have to leave (“leavers”).

In 2023, court monitors observed 1255 consent judgments. Of these, 843 (67.17%) involved agreements in which the tenant would leave the property - anywhere from that same day to over a month later – this group is the “leavers.” 384 observed consent judgments involved agreements in which tenants would be able to stay in the property (representing 30.59% of all consent judgments), primarily by committing to follow through on some form of payment plan – this group is the “stayers.” Additionally, court monitors observed 28 instances in which a consent judgment was reached by parties outside of the court room but not then read aloud in the court room, so it is uncertain whether those 28 cases were stayers or leavers.

Consent Judgments - Stayers vs. Leavers



Consent Judgments for Stayers: Payment Plans and Emergency Rental Assistance

Of those 384 consent judgments in which a tenant was able to stay in the property, 374 (97.39%) involved the tenant committing to a payment plan to catch up on their past-due rent.

For tenants without sufficient financial means to cover their own payment plans, the City of New Orleans' Office of Community Development administers an Emergency Rental Assistance Program (ERAP) that, in its iteration throughout 2023, disburses funds for past-due rent directly to landlords of households facing eviction. The program is funded by federal dollars issued during the pandemic.

Households in Orleans Parish must apply to ERAP with their ID and lease, must have a landlord who is willing to wait for and accept the ERAP funds, must be income-eligible, and must have not previously received ERAP assistance after programmatic rules changed in 2022. If these conditions are met, the ERAP program will cover the amount of past-due rent that was enumerated on the eviction filing as well as the amount of rent that accrues during the time it takes for ERAP processing (usually 2-3 months more rent) plus one month of forward rent.

Of those 374 payment plans that monitors heard read aloud in court, 297 (79.41%) of them did not mention the use of the City's Emergency Rental Assistance Program (ERAP) funds or other non-profit rental assistance funds, though it is possible that ERAP funds were used or were planned to be used even in situations where no explicit mention of ERAP was made.

62 payment plans read aloud in court (16.57%) involved a combination of ERAP funds and non-ERAP funds, such as "good faith" payments made directly from the tenant to the landlord while all parties awaited ERAP application and disbursement processing (often for 8-10 weeks or more). 14 payment plans read aloud in court (3.74%) only mentioned ERAP funds and did not include any mention of funds independently contributed by the tenants. In total, 19.79% of all payment plans read aloud in court as part of consent agreements that allowed tenants to remain in their units involved the planned use of ERAP funds from the City's Office of Community Development.

Consent Judgments and Vacate Timelines for Leavers

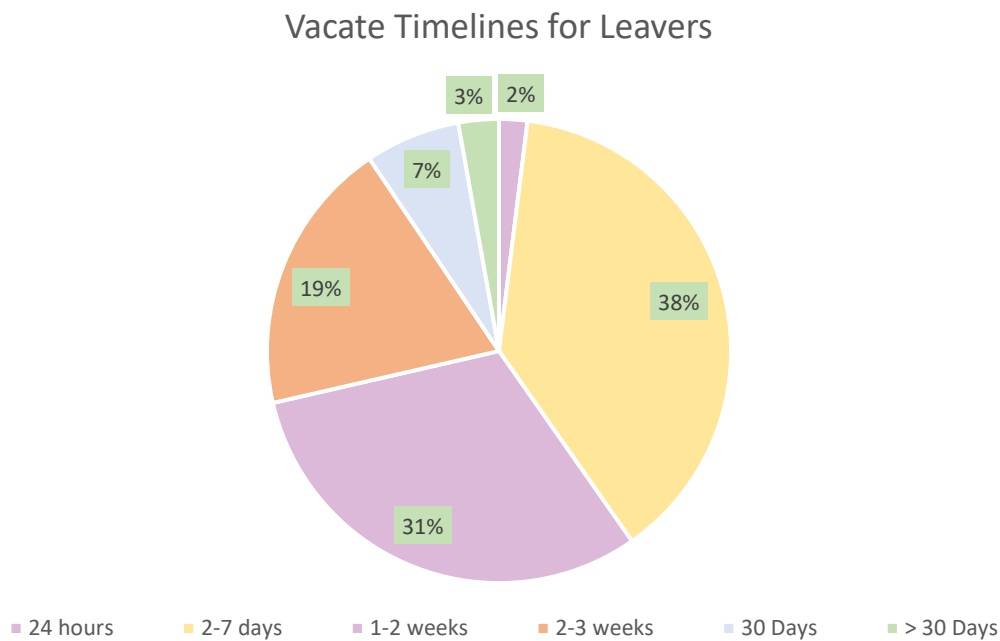
As Jane Place eviction court monitors often observed prior to the implementation of Right to Counsel, when a defendant is not present in court, they are very likely to be evicted and for that eviction to be issued as a "rule absolute" enforceable by the landlord on a 24-hour timeline, meaning the tenant would have just one day to vacate the premises themselves, let alone to pack up and move their belongings.

It is a major success of the Right to Counsel program that very few individuals who show up to their eviction hearings are now evicted via "rule absolute" on 24-hour vacate timelines. Now, through consent judgments to vacate (the proportion of which among all eviction court outcomes has risen significantly since the implementation of Right to Counsel), even those tenants who must leave their properties do not have an eviction ruling entered onto their rental or credit history as they would under a "rule absolute." Additionally, these tenants now very rarely face vacate timelines that are just 24 hours. Most often, judges, tenant attorneys, and tenants themselves are successful in petitioning for more time before they and their belongings must be out of the property.

While vacate timelines for leavers vary considerably, only 14 - or 1.66% - of leavers whose consent judgments were read aloud in court in 2023 faced 24-hour vacate timelines. In four of these instances, the tenant stated in court they had already begun or completed leaving the property prior

to their court hearing, meaning only 10 individuals, or just 1.18% of leavers who did not already report being in the process of moving out faced just 24 hours to do so after their eviction hearing.

The majority (slightly more than half) of leavers faced vacate timelines ranging from two days to two weeks, but some were granted more than a month to leave their homes. The chart below details the proportion of leavers who faced known vacate timelines as part of their consent judgments: 2% of leavers with known timelines had to vacate on 24-hour timelines (slight discrepancy from above paragraph due to <1% of leavers with unclear timelines); 38% of leavers had to vacate within 2-7 days; 31% of leavers had to vacate within 1-2 weeks; 19% of leavers had to vacate within 2-3 weeks; 7% of leavers had to vacate within 30 days; and 3% of leavers had over a month to vacate.



The Role of Continuances/Postponements in Eviction Court Outcomes

In 2023, court monitors observed that 22% of eviction court hearings (1,412) resulted in the case being postponed to another date on which the case could be “continued.” These continuances or postponements may have been asked for by the tenant’s attorney so they could have more time to review the tenant’s case or to apply for ERAP. The postponements also could have resulted from logistical issues in court, such as not having a translator available in court that day and some parties in the case being unable to continue until translation could be made available.

In the broadest consideration, continuances give tenants more time to live in their homes. Even if tenants whose cases have been continued eventually have to leave their homes, any time(s) during which their case is postponed grants them some additional time to explore other options, whether those be options to come up with back rent or options of other places to live.

In 2023, 747 or 52.9% of all case continuances observed by court monitors involved mention that the case was continued (entirely or partly) because parties were waiting for some stage of the ERAP process to progress – tenants needed time to apply, landlords needed time to submit their own documents, the City Office of Community Development needed time to review the application, or an approved application was in queue for actual fund disbursement.

At current time, Jane Place does not have the capacity to investigate how all 1,412 observed hearing continuances in 2023 concluded (to determine if continuances have any impact on final case outcomes) due to the volume of data reconciliation this would require, as some cases are continued three or more times. However, it is notable that half as many continuances were observed in the nine months of Right to Counsel programming in 2022 as were observed in the twelve months of Right to Counsel programming in 2023. Jane Place is endeavoring to build such data reconciliation into our tracking so that future data can more clearly indicate how continuances affect final case outcomes.

One notable data point is that, because continuances themselves are not final case outcomes, just one given day's *hearing* outcomes, it is the opinion of Jane Place that they should not truly be counted as positive or negative eviction final case outcomes (beyond the reality that they extend tenant timelines to remain housed until a final case decision is reached).

Given that continuances accounted for 22% of observed hearing outcomes in 2023, if they are discounted from the total pool of positive or negative eviction court outcomes, positive eviction case outcomes (dismissals and consent judgments combined) then rise from the above-noted proportion of 53.9% to 69.24% of all eviction case outcomes. We have left untouched the narrative and data/graphs included elsewhere in this report that cite a proportion of 53.9% positive outcomes for consistency, because neither pre-RTC nor 2022 data counting methods removed continuances when calculating the proportions of final positive or negative case outcomes. This is likely because continuances occurred much more rarely prior to the implementation of Right to Counsel and, even under Right to Counsel, occurred 2.6 times more frequently in 2023 than in 2022. This significant increase in the frequency of continuances as hearing outcomes over time may itself be an indicator of the success of the Right to Counsel programming, as attorneys are usually the ones to ask for continuances, and these continuances then give tenants more time to remain in their homes, apply for ERAP, and have all facets of their cases considered by all parties in court.

Impact of Presiding Judge on Eviction Outcomes

Eviction court monitor data demonstrates how the presiding judge may affect outcomes. Data shows up to a 20% difference in eviction rates between some judges throughout the year. This is similar to 2022's data.

One small notable difference between 2022 and 2023's judge-specific data, shown below, is that while the same judges remained the most likely to evict or dismiss from 2022 to 2023, every judge who presided over eviction cases in both 2022 and 2023 had a higher rate of dismissals in 2023, ranging from a 2% to a 5% increase in dismissals per judge. In parallel, every judge who presided

over eviction cases in both 2022 and 2023 had a lower rate of eviction judgments, ranging from a 3% to a 10% decrease in eviction judgments per judge.

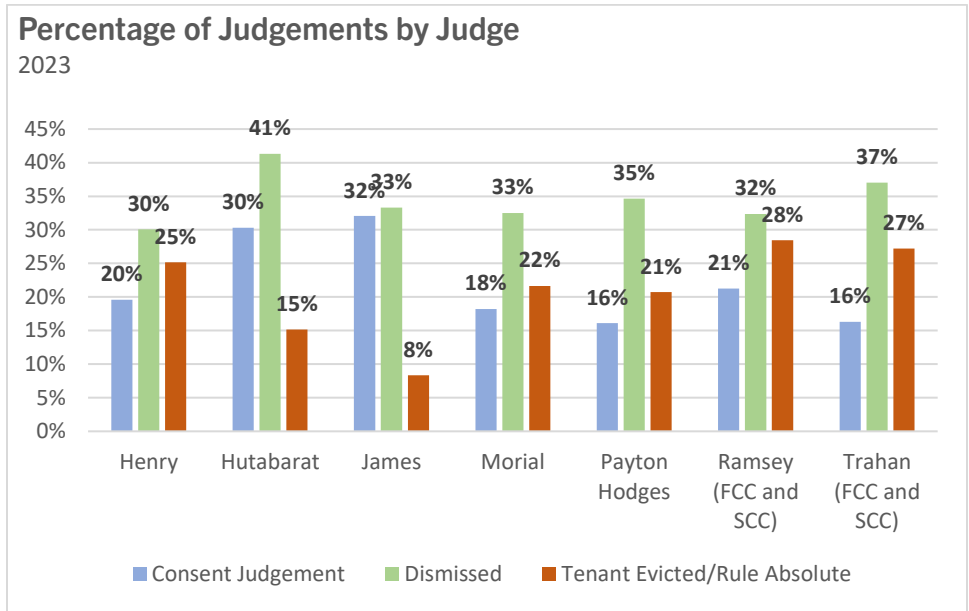


Figure 11: Graph showing judgements in eviction hearings by Judge throughout 2023. Cases not represented here are primarily those postponed to a later date, as well as a small number of cases where the in-court monitor was unable to determine the final judgment due to a lack of clarity from the judge, or cases where the decision was made outside of the courtroom.

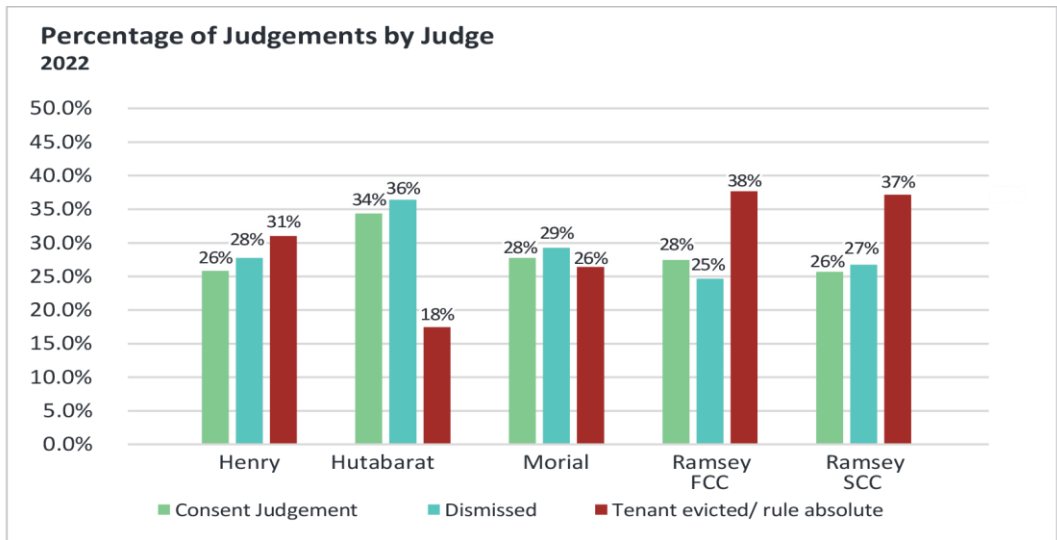


Figure 12: Last year's (2022) graph showing judgements in eviction hearings by Judge throughout the year. Cases not represented here are primarily those postponed to a later date, as well as a small number of cases where the in-court monitor was unable to determine the final judgement due to a lack of clarity from the judge, or cases where the decision was made outside of the courtroom.

Tenant Presence in Court and Rates of Default Judgments

As will be discussed further below in our assessment of the education and outreach elements of the Right to Counsel program, significant time and energy are spent ensuring tenants are aware, generally, of their rights in eviction court and, specifically, of any eviction filings against them and their need to then attend eviction court proceedings in response to those filings.

Right to Counsel includes these education and outreach efforts because our data repeatedly shows that most eviction case decisions are the result of default judgments, in which neither the tenant, nor legal representation to speak on their behalf, were present during the eviction proceedings, and thus the case “defaults” to siding with the eviction filing as initiated by the landlord. Throughout 2023, an average of 93.9% of all eviction rulings in Orleans Parish each month were the result of such default judgments.

This is a higher rate than seen both throughout the pre-Right to Counsel, during which time 87.7% of all observed evictions resulted from default judgments, as well as throughout 2022’s Right to Counsel period, during which time an average of 87.8% of all evictions resulted from default judgments across the twelve months of 2022.

Given the near-identical percentages of evictions resulting from default judgments in the pre-Right to Counsel period and in 2022, the about 6.4 percentage point difference between the 2023 average (93.9%) and those two nearly-identical averages (87.7% and 87.8%) is significant enough to perhaps indicate another success of Right to Counsel: that, increasingly, fewer eviction rulings occur if the tenant is in court. Such rulings were observed just about 6% of the time in 2023 as opposed to more than 12% of the time in 2022 and the pre-Right to Counsel period.

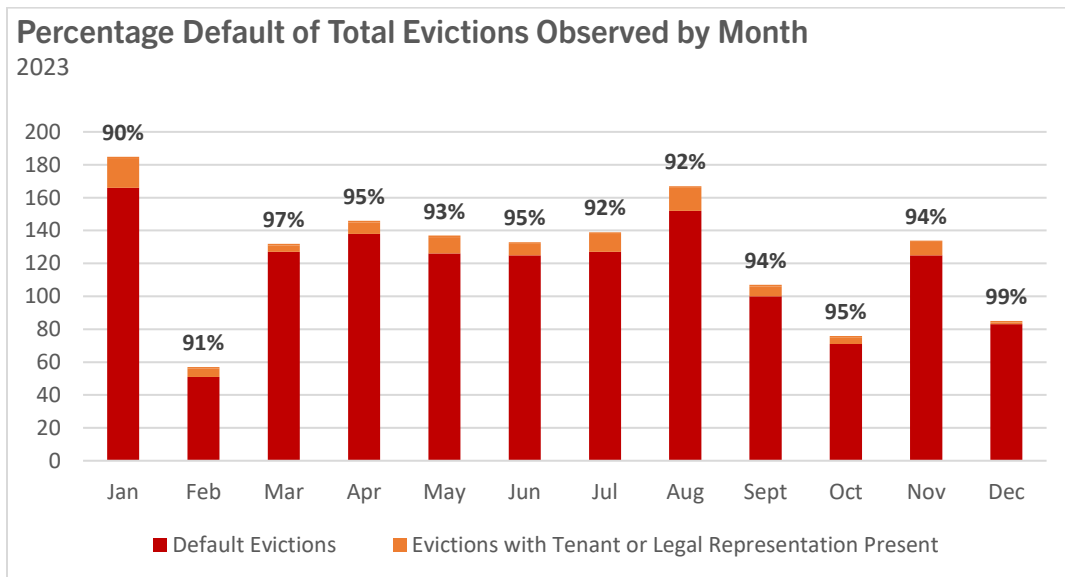


Figure 10: Graph showing the total amount of evictions per month in 2023, and the percentage of which were default judgments where the tenant or legal representation were not present.

Outreach and Education Efforts

As stated above, tenant presence in court is perhaps the largest predictor of an eviction ruling, with a monthly average of 93.9% of eviction rulings throughout 2023 occurring when the tenant facing eviction was not present in court. Thus, it is a significant effort of the Right to Counsel program to educate tenants on the benefits of the program, showing up to court, advocating for themselves, receiving legal assistance, and navigating the aid and decisions available to them once they are there. Jane Place has developed the below efforts to educate tenants on the eviction process and their rights but also of any specific filings against them.

Tenant Early Eviction Notification System

The Tenant Early Eviction Notification System (TEENS) began as a Jane Place project in Spring 2021. The goal was to give tenants early notice of evictions filed against them and other useful information. Staff or volunteers would record eviction filings daily at the First City Court Clerk of Court's office by hand or via photocopy and use the information to send postcards advising tenants on the importance of attending eviction hearings, the Emergency Rental Assistance Program, the Renters' Rights Hotline, and the assistance provided by the SLLS helpdesk.

The Right to Counsel Program increased cooperation from the clerk's office. We now receive scanned filings via email daily, which allows us to more promptly send TEENS postcards and send TEENS texts to tenants whose phone numbers have been included in a filing.

A total of 5,293 TEENS postcards were mailed to tenants during the Right to Counsel program in 2023. Of those sent, 396, or 7.4%, were returned to Jane Place for being undeliverable. During this same period, 3,695 text messages were sent informing tenants of the free legal assistance provided by SLLS with 689 (18.6%) reported as undeliverable. In 2023, 68% of eviction filings had at least one phone number attached to them, meaning for just over 30% of tenants facing eviction, we had no number at which we could reach them. This is a marked improvement from the nine months of Right to Counsel work in 2022. During that time only 52% of eviction filings had a tenant's phone number, meaning we had no number at which we could reach almost half of all tenants facing eviction in 2022.

A total of the outreach efforts and resulting referrals to available legal assistance generated through the TEENS program is included in a table below. While 2022 is included for comparison, Right to Counsel was only implemented in April of that year. No attempts should be made to compare whole number totals between the two years, as 2022's Right to Counsel programming lasted for only three-fourths of the amount of time that 2023's Right to Counsel programming spanned.

TEENS Outreach Efforts	2022 Total	2023 Total
TEENS - Postcards Sent	3,764	5,293
TEENS – Postcards Returned	345 (9%)	396 (7.4%)
TEENS - Texted Contacts	1,965	3,695
TEENS - Total Outbound Messages	2,641	4,046
TEENS - Total Inbound Messages	240	598

Renter’s Rights Hotline

The New Orleans Renter’s Rights Hotline has been in operation since Fall of 2020. It is an emergency information source to help residents facing issues related to housing insecurity find the resources that may be able to assist their situation. While not all calls are eviction related, it has become another place where tenants facing eviction can be funneled into the Right to Counsel Program. The Jane Place Renter’s Rights Hotline phone number is included on all TEENS postcards.

The hotline received 353 calls during 2023’s Right to Counsel efforts. Of those, 99 tenants (28%) were referred directly to Right to Counsel intake at Southeast Louisiana Legal Services.

In-Person Outreach and Education Events

Additional methods Jane Place staff utilized to disseminate information about the Right to Counsel Program to the general public included conducting weekly outreach at bus hubs to engage vulnerable tenant populations, intake and outreach events at public library branches, targeted outreach to buildings with highest rates of tenant evictions, Renters’ Rights After Dark tabling sessions to specifically engage and inform service workers and other residents who may not be able to attend daytime events, and monthly Know Your Rights training sessions throughout the year. A table indicating the totals of such events and resources distributed at these events is included below.

Event Type	2022 Total	2023 Total
Outreach Events	34	112
Outreach Events Attendance	1,009	3,920
Education Events	12	8
Education Events Attendance	286	102
Combined Outreach/Education Events	28	50
Combined Outreach/Education Event Attendance	640	1,070
Total Number of All Events	74	170
Total All-Event Attendance	1,935	5,092

Resources Distributed	2022 Totals	2023 Totals
Eviction Help Comics Distributed to Public	1,126	762
Eviction Help Comics Delivered to Partners	450	600
Flyers Distributed to Public	5,325	4,173
Total Resources Distributed	6,901	5,535

Programmatic Challenges and Recommendations

The extent to which the Right to Counsel program has increased both tenant presence in court and legal representation of those tenants has certainly worked to increase housing stability and prevent sudden displacement for many Orleans Parish renters. Given the considerable time, energy, stress,

and negative health outcomes known to come from eviction and displacement, such successes from Right to Counsel are not only a delivery of justice but also a lifesaving measure for many tenants.

However, room for improvement remains. As discussed below, various technical and structural changes could be explored to improve the program's positive impacts.

1. Eviction Filings: Jane Place staff is not receiving 100% of all eviction filings, which we know from comparing the number of filings we receive daily from court clerks to the total number of eviction case rulings, which we request from Civil District Court as public records. Notable improvements occurred in 2023, especially with filings from Second City Court, but work remains to ensure all filings are accessible ahead of time so that TEENS messages can be sent to all tenants.
 - First City Court
 - a. We usually receive filings within 1-3 days of the date that they were filed along with scheduled court dates, and, increasingly, we receive many filings by the close of business on the day they were filed or the next morning. In situations where there has been a delay, staff have been transparent and communicative.
 - Second City Court
 - a. Many filings that we do receive are incomplete, especially those from large apartment complexes that consistently have the most filings. They are often missing information regarding building numbers, filing dates, or shorthand addresses that contribute to undeliverable postcards.
 - b. As was the case in 2022, there continues to be an inconsistency in how property managers fill out the non-payment portion of a Request for Possession. Some define the “period beginning” when the lease began and others entering the actual period of non-payment. This makes it difficult to track the trends in how long landlords are waiting before filing an eviction for non-payment. The Second City Court eviction filing form also differs from the form provided by First City Court and includes slightly less information by nature of its format.
2. SLLS Right to Counsel Help Desk: The helpdesk is at times overwhelmed by several tenants seeking assistance at the same time, which creates difficulties and longer wait times for all parties in court, especially for tenants and attorneys.
 - In-court monitors continue to report that judges, landlords, and some tenants have expressed frustration at the wait-times that can sometimes arise when many tenants are trying to engage the help desk. The results can be tenants having to go before the judge without having been able to speak to an attorney beforehand. This is not a reflection on individual attorneys, but how the help desk itself and the courts may

need to change to accommodate the assistance that tenants are promised by the program. Jane Place notes that the disposition of a judge and courtroom can directly impact the outcomes for tenants, and in an effort provide more time for tenants to speak with a lawyer so as not to hold up court once it has begun offers these as suggestions:

- a. More attorneys present and available to staff the helpdesk.
 - b. Earlier start time for the help desk and corresponding information sent to tenants unable to receive help before their court date.
 - c. Collaborate with the courts to distribute cases across various time slots, such as 10:00 AM, 11:00 AM, and 1:00 PM, to create a staggered schedule. This approach was employed by judges during the COVID-related safety measures, but some judges have since returned to the pre-pandemic practice of scheduling all cases at 10:00 AM.
 - d. Encourage the courts to reduce the daily caseload. While it may initially appear challenging, it is essential to consider that with an increasing number of tenants seeking legal aid, the average case duration is expected to be longer than during the pre-RTC period when most cases were resolved within a few minutes.
 - e. Court monitors have at times observed a lack of announcements that legal representation is available via the help desk, especially in Second City Court, where announcements are more needed because, due to the layout of the court itself, the SLLS help desk is in a room that could not be noticed by tenants needing help. When announcements are heard, they seem to primarily be made by court security guards or court clerks, but this does not happen in all court sections nor in all days of the same section. Given that attorneys and intake staff with SLLS are likely occupied with tenants before and during the entirety of a court session, it would be beneficial to have court clerks routinely responsible for making this announcement on all court days and in all sections of court.
3. Postcard Delivery: Difficulties continue in guaranteeing TEENS postcards make it to their intended recipients, and often these issues are worst at buildings with the highest rates of eviction.
- Postcards are not effective when they do not make it to tenants facing eviction. As was the case in 2022, many of the postcards that were returned as undeliverable in 2023 come from large apartment complexes where we see the most eviction filings. This is often due to inaccurate or incomplete address data for tenants' units, or sometimes, as Jane Place staff has observed, mailboxes at these complexes being in terrible states of repair. To assist with outreach to tenants in these specific properties, Jane Place staff has begun coordinating in-person delivery of postcards and program information.

- On a few occasions, updates to postcard information have not been timely, delays on new program details, specifically those related to the, sometimes rapidly changing, Emergency Rental Assistance Program operation. This has led to confusion for some tenants and Jane Place staff conducting tenant outreach. In the future, it is important to be kept up to date on changes that touch tenants to ensure the rollout of information is both timely and seamless.

Figure 12: Image of a mailbox taken by Jane Place staff at an apartment complex from where many T.E.E.N.S. postcards have been returned. Broken mailboxes are left unlocked and open, with mail scattered around the parking lot.



4. SLLS Intake Hotline: The main Legal Aid intake hotline is understandably often overwhelmed with calls and thus tenants are unable to hear back about their eviction concerns as quickly as they need, and Jane Place staff need alternate methods to connect such tenants to assistance in advance of their court dates.
 - We have received feedback from tenants that messages left with the SLLS intake hotline have not been returned from a lawyer for periods ranging from a few days to over a week. While we relay to tenants the difficulties that sometimes arise when legal aid attempts to connect, it seems like the burden can fall on tenants who do not necessarily have the resources to be consistently available for communication.
 - a. As a solution, we have begun sharing other ways for tenants to connect with legal aid, primarily providing information about the in-person intake.
 - b. Additionally, it would be helpful for Jane Place staff to have a more direct relationship with SLLS intake to help tenants in another way when they report not hearing back from a lawyer.
5. Emergency Rental Assistance: The availability of emergency rental assistance to tenants in eviction court has been key in both keeping tenants in their homes and in assisting them, when necessary, to relocate to a new home more easily after an eviction. This assistance has been limited and marked by a slow disbursement process, but, per our court monitors' observations, is often what has helped influence case decisions away from eviction.
 - We have received feedback from tenants and landlords as well as observed in court that the timeline for the receipt of rental assistance by landlords can be months long,

assuming the tenant's application for rental assistance is successful. Such delays dissuade some landlords from being willing to accept the assistance in general.

- a. Additional processing support is needed at the city to ensure tenants can receive this assistance more quickly after applying at the Office of Community Development.
- b. Some tenants have reported back to our eviction court monitors or through the helplines we monitor, like the Renters' Rights Hotline, with uncertainty about where their rental application may stand, which has created stress for them and their own communications with their landlord. Additional clarity for and communication with tenants who are seeking to apply or who already have applied to this assistance would be helpful, and again could likely be aided by an increase in processing support at the city office receiving these applications.

Brief Summary of Successes and Looking Ahead

To conclude, a highlight of the successes of the Right to Counsel program are below:

- Prior to the implementation of the Right to Counsel program, only 6% of tenants had legal representation in eviction court. In the first nine months of Right to Counsel in 2022, this number rose to 34%. Throughout 2023, this number rose again and an average of 39% of tenants had observed legal representation in eviction court, representing a more than six-fold increase.
- The rate of evictions happening *not* due to default judgments halved from just over 12% in 2022 to just over 6% in 2023, meaning that almost 94% of eviction decisions now result primarily just from the tenant not being present in eviction court. If a tenant can be present in eviction court, a formal eviction decision will be reached, on average, only 6% of the time.
- Most importantly, the rate of evictions from the pre-Right to Counsel period dropped from 62% of all cases to 23.75% of all cases in 2023, cutting the eviction rate by more than half.

These successes above sourced from the data in this report emphasize that Right to Counsel is a program that significantly aids Orleans Parish renters to stay in their homes longer, increasing housing stability across the city.

Accordingly, when looking ahead to the future of the Right to Counsel, the need to transition to permanent funding streams in 2025 (after which there will be a discontinued availability of ARPA dollars to continue to fund the program) is an important upcoming moment for the program. Jane Place will continue its evaluation throughout 2024 to support the clear case that the Right to Counsel program is protecting tenants' rights in the most fundamental and needed of ways in Orleans Parish.

Similarly, and more immediately, other sources must be sought to continue the availability of emergency rental assistance funding. We understand that, at current moment, this funding is anticipated to cease being available by late Summer of 2023 due to the rate of spending, and

permanent funding should be sought at the city level to maintain a consistent emergency rental assistance fund for tenants facing eviction.

Evaluation Methodology and Court Monitoring Numbers

To support the data included in this above report, numbers on the court monitoring and evaluation process have been included below. All court monitoring was undertaken by Jane Place staff, who maintained a near-constant presence in eviction court. Data was additionally provided, when needed, by the court itself and by SLLS, to yield this report’s above graphs and narratives.

Evaluation	2022 Total	2022 % Total Cases	2023 Total	2023 % Total Cases
Number of Days Observed by Court Monitors	122	-	174	-
Total Cases Observed	3,864	-	6,322	-
Eviction Filings Collected (First & Second City Courts)	3,790	-	5,293	-
Cases w/ Representation	1,326	34.3%	2,430	38.4%
Judgment: Consent	1,082	28.0%	1,230	19.5%
Judgment: Dismissed	1,223	31.7%	2,092	33.1%
Judgment Delayed via Continuance to New Hearing Date				
Judgment: Tenant Evicted/Rule Absolute	1,025	26.5%	1,412	22.3%
- Default Evictions*	912	23.6%	1,340	21.2%

*These Default Evictions are part of the total amount of Eviction/Rule Absolute Judgments: they represent 1,340 of 1,412 or 94.9% of all Eviction judgments.