

Sargent Shriver Civil Counsel Act Pilot Program Evaluation: *Summary of Findings*

**Judicial Council of California Meeting
San Francisco, CA
July 27, 2017**

Shriver Pilot Projects

- 10 pilot projects in 7 counties funded in 2011
 - 6 housing, 3 custody, 1 probate (guardianship/conservatorship)
- **Goal:** To assist low-income individuals and families facing critical civil legal issues involving basic human needs
- **Components:** Legal aid services including full representation and a range of unbundled services; court innovations varied across projects
- Evaluation began in 2012

Areas of Evaluation Inquiry

1. **Implementation** across all 10 projects

- Project Description
- Service Summary

2. **Case Outcomes** for a subset of projects

- Random Assignment (3 housing)
- Selected Comparison (2 custody, 1 probate)

3. **Impacts** of the program

- Litigant perceptions (2 housing, 1 custody)
- Staff and Stakeholder perceptions (all)

4. **Cost**

- Program costs (all)
- Potential cost savings (1 housing, 1 custody, 1 probate)

Comprehensive Data Collection

Shriver Program Services Database

- Client characteristics and legal aid services data collected for more than 20,000 litigants

Court Case File Review

- Individual court case files reviewed and coded for more than 700 cases

Litigant Interviews

- Interviews conducted with more than 150 litigants

Stakeholder Interviews

- Interviews conducted with dozens of legal aid agency staff and court staff

Court Data

- Administrative data collected from several courts

STUDY FINDINGS

Shriver Service Reach

Through December 2016,

Housing pilot projects:

- 25,198 individuals received legal aid services*
- Over 73,000 household members impacted by services

Child custody pilot projects:

- 1,505 parents received legal aid services*
- 1,878 children impacted by services

Guardianship/conservatorship pilot project:

- 323 cases received legal aid services*

**does not include court-based services*

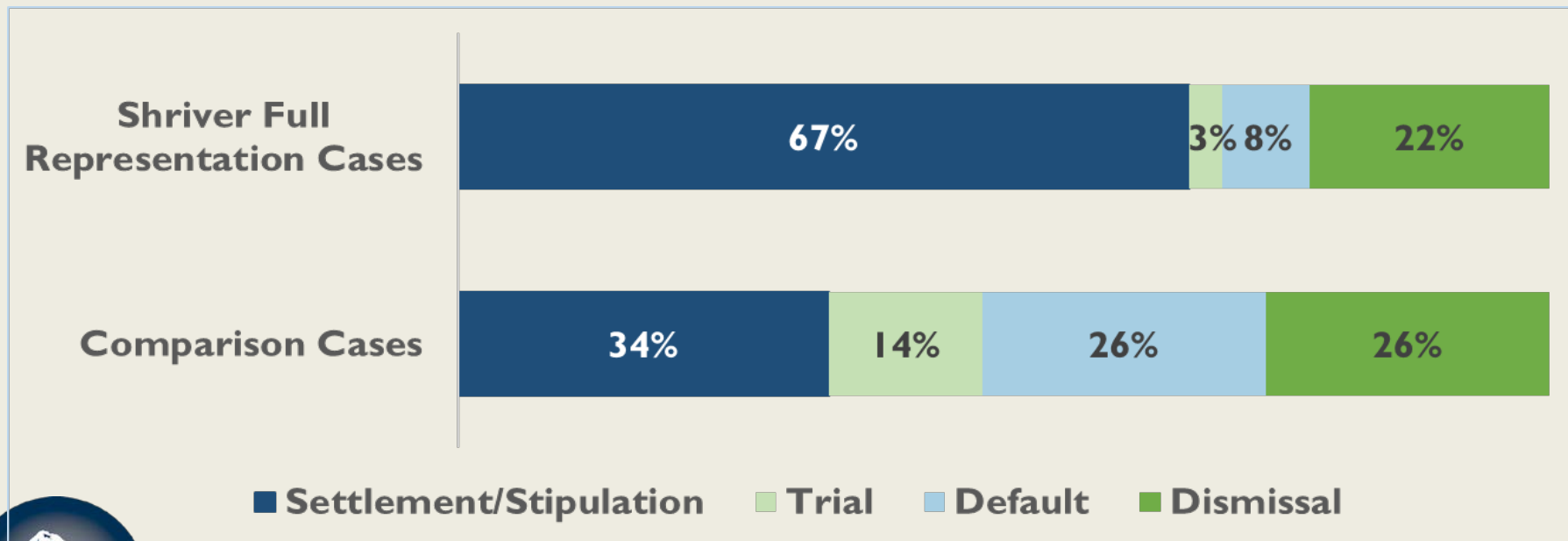
Shriver Service Recipients

- Majority were **women** and **nonwhite**.
- Most had **minors** living in their homes.
- All had **very low incomes**.
 - Average household income was just over \$1,000/month
 - 73% of housing clients spent >50% of income on rent
- **Severe risk factors** were prevalent.
 - 56% of custody cases involved issues of domestic violence
 - Guardianship cases often involved parental mental health problems, substance use, incarceration, homelessness, or maltreatment risk.

Notable Impacts of Housing Projects

Among cases with representation by Shriver counsel:

- Most cases **settled**.
- Few cases ended by trial.
- Fewer cases ended by default.



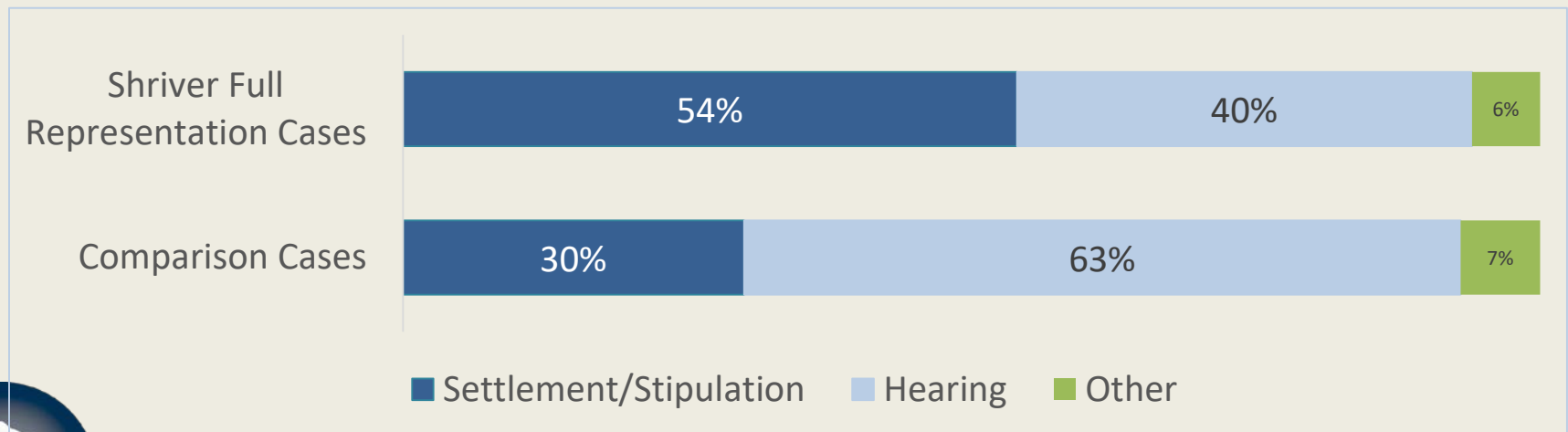
Notable Impacts of Housing Projects

- Most (78%) tenants moved as part of negotiated settlement.
 - **Few (6%) were formally evicted.**
- Settlement terms supported **longer term housing stability.**
 - E.g., more time to move-out, rental debt reduction, credit protection, and masking from public registries.
- One year later, more Shriver clients had moved to new rental units (compared to SRLs).
- Shriver clients felt supported in UD process. They reported **higher satisfaction with outcomes**, despite having to move.
- More settlements and fewer trials **increase court efficiency.**

Notable Impacts of Custody Projects

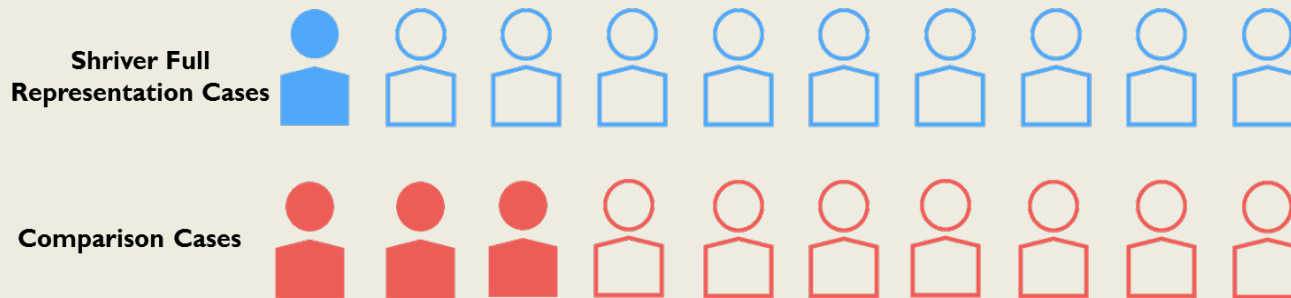
Among cases with Shriver counsel:

- Attorneys **educated parents** about the legal process and helped to shape reasonable expectations for the case.
 - Eased tensions between parties and **increased collaboration**.
 - **Reduced burden** on the court.
- Shriver representation **increased settlement rate**, as did judge-facilitated settlement conferences.



Notable Impacts of Custody Projects

- **Litigants felt supported** and better about the process, even when they were disappointed with their case outcomes.
- Courts benefitted from **more comprehensive information** on which to base decisions.
- Shriver custody **orders were more durable** over 2 years.
 - Thus increasing family stability, decreasing court congestion, and saving court resources.



Notable Impacts of Probate Project

- Petitions were **successfully filed** or other arrangements pursued.
 - **Probate Facilitator** was notable in helping filings succeed.
- Litigants more fully participated in the judicial system.
- Court received more **comprehensive information** on which to base decisions.
- Cases with Shriver counsel involved **fewer continuances** and were **resolved faster**.
- Efficiencies translated into **cost savings** for the court.
 - Combined benefits of Shriver counsel and the Probate Facilitator reduce average court costs to process a case by **30%**.

General Summary

- Balanced representation facilitates settlements.
 - Attorneys help litigants understand when terms are reasonable, reduce emotional tensions, and negotiate settlements that enable more stable transition for all parties.
- Court-based settlement practices show strong promise.
- The court receives more comprehensive and relevant information on which to base decisions.
- Litigants are more educated about and prepared for proceedings. Judges have to intervene and educate less. Clerks have to correct paperwork less.
 - Cases proceed more efficiently, saving resources.
- Having counsel prevents the loss of important legal rights.

Future Research

Areas for further investigation:

- Impact of court-based early dispute resolution practices
- Outcomes related to limited scope (“unbundled”) legal services
- Elements of effective triage protocols
- Disentangling the complexity of custody cases to better substantiate impact of services on case outcomes

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Thank you.

