



Judicial Council of California

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Title

Judicial Council Report to the Legislature: Sargent Shriver Civil Counsel Act (Action Required)

Summary

The Shriver Civil Counsel Act Implementation Committee recommends that the Judicial Council approve the *Evaluation of the Sargent Shriver Civil Counsel Act (AB 590)* and forward the report to the Legislature. The Judicial Council submitted a preliminary evaluation to the Legislature on January 31, 2016--*Report to the Legislature on the Sargent Shriver Civil Counsel Act*--as required by Government Code section 68085.1(c). That report examined the effect of providing legal representation to low-income persons in cases involving landlord/tenant matters, highly conflicted child custody cases, and guardianship and conservatorship matters of the person. This more comprehensive evaluation reviews data from legal services case records, court files, and interviews with clients, courts, and legal services programs and other stakeholders, in addition to providing a comprehensive review of other research.

Recommendation

The Shriver Civil Counsel Act Implementation Committee recommends that the Judicial Council:

1. Approve for submission *the Evaluation of the Shriver Civil Counsel Act (AB 590)* along with the *Findings and Recommendations from the Sargent Shriver Civil Counsel Pilot Projects*, which are a supplement to the report submitted to the Legislature on January 31, 2016, as required by Government Code section 68085.1(c);
2. Direct Judicial Council staff to transmit the evaluation as well as the findings and recommendations to the Legislature; and
3. Within the context of overall judicial branch priorities, consider the following recommendations based on the evaluation findings:
 - a. Continue the Shriver civil counsel pilot project to build on the positive results reflected in the evaluation.
 - b. Explore ways to seek additional funding for legal representation of low-income people across the state facing critical legal issues affecting basic human needs.
 - c. Encourage courts to build on the lessons from the Shriver pilot projects and experiment with more structured opportunities for settlement discussions, such as mediation and early settlement conferences with judges.
 - d. Expand litigant education.
 - e. Expand use of triage and conduct further study within the Shriver pilot projects to clarify the best procedures for ensuring effective and efficient triage methods involving all key stakeholders.
 - f. Simplify forms and procedures, particularly for guardianship, conservatorship, and housing cases.
 - g. Expand e-filing wherever possible, and explore increased use of technology.
 - h. Encourage regular planning meetings between legal services agencies and courts participating in the Shriver pilot projects.

- i. Develop best practices based on the evaluation of the pilot projects.

Speakers

Hon. Earl Johnson, Jr. (Ret.), Chair, Shriver Civil Counsel Act
Implementation Committee

Hon. Laurie D. Zelon, Vice-chair, Shriver Civil Counsel Act
Implementation Committee

Dr. Kelly Jarvis, Principal Researcher, NPC Consulting

Ms. Bonnie Rose Hough, Center for Families, Children & the Courts