



**JUDICIAL COUNCIL
OF CALIFORNIA**

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FACT SHEET

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Sargent Shriver Civil Counsel Program

The Sargent Shriver Civil Counsel Act (Assem. Bill 590 [Feuer]; Stats. 2009, ch. 457) provides that commencing in fiscal year 2011-2012, one or more pilot projects selected by the Judicial Council will be funded to provide legal representation to low-income Californians on critical legal issues affecting basic human needs. The pilot projects are operated by qualified legal services providers working in collaboration with their local superior courts.

Pilot Project Overview

The purpose of the pilot projects is to improve timely and effective access to justice in civil cases and thereby avoid undue risk of erroneous court decisions resulting from the nature and complexity of the law or the disparities between parties in legal representation, education, sophistication, and language proficiency, and access to self-help or alternative dispute resolution services.

Pilot projects are partnerships between lead legal services agencies and local superior courts and offer a variety of legal representation and assistance to low-income Californians, regardless of their citizenship status, who are at or below 200 percent of the federal poverty level, in one or more of the following areas:

- Housing-related matters;
- Domestic violence and civil harassment restraining orders;
- Elder abuse;
- Guardianship of the person;
- Probate conservatorship; or
- Child custody actions by a parent seeking sole legal or physical custody of a child, particularly where the opposing side is represented.

The purpose of these services is to ensure that unrepresented parties have meaningful legal access, to guard against the involuntary waiver of rights or the disposition of cases by default, and to encourage fair and expeditious voluntary

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dispute resolution, consistent with principles of judicial neutrality. Due to limited funding, not all eligible low-income parties with meritorious cases can be provided with legal representation. Thus, the court partners provide improved court procedures, personnel, training, case management and administration methods, and best practices for serving those parties who remain unrepresented.

Funding

Total available funding for all projects is over \$12 million per year, funded by a special \$25 supplemental filing fee on certain post-judgment motions. New projects may be added by competitive grants in subsequent years as funding allows.

Pilot Projects

The selected pilot projects for the 2023-2026 cycle are:

California Rural Legal Assistance
Superior Court of San Joaquin County
Housing Pilot Project

Central California Legal Services
Superior Court of Fresno County
Housing Pilot Project

Centro Legal de la Raza
Superior Court of Alameda County
Housing Pilot Project

Greater Bakersfield Legal Assistance
Superior Court of Kern County
Housing Pilot Project

Justice and Diversity Center of the Bar Association of
San Francisco Superior Court of San Francisco County
Child Custody Pilot Project

Legal Access Alameda
Superior Court of Alameda County
Child Custody Pilot Project

Legal Aid Society of San Diego

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Superior Court of San Diego County
Housing Pilot Project

Legal Aid Society of Santa Barbara County
Superior Court of Santa Barbara County
Housing, Probate Conservatorship, and Guardianship Pilot Project

Legal Services of Northern California
Superior Court of Yolo County
Housing Pilot Project

Los Angeles Center for Law and Justice
Superior Court of Los Angeles County
Child Custody/Domestic Violence Project

Neighborhood Legal Services of Los Angeles County
Superior Court of Los Angeles County
Housing Pilot Project

Public Law Center
Superior Court of Orange County
Custody Pilot Project

San Diego Volunteer Lawyer Program
Superior Court of San Diego County
Child Custody/Domestic Violence Program

San Luis Obispo Legal Assistance Foundation
Superior Court of San Luis Obispo County
Housing, Elder Abuse, Probate Conservatorship, and Guardianship Pilot Project

Judicial Council Oversight and Evaluation

The Judicial Council appointed the Shriver Civil Counsel Act Implementation Committee to review applications and make recommendations about funding. The Judicial Council has conducted studies to demonstrate the effectiveness and continued need for the program and reported its findings and recommendations to the Governor and the Legislature. The studies have reported on the percentage of funding utilized by case type and included data on the impact of counsel on equal

access to justice, the effect on court administration and efficiency, and the level of enhanced coordination between courts and other government service providers and community resources. The reports describe the benefits of providing representation to those who were previously not represented, both for the clients and the courts, as well as strategies and recommendations for maximizing the benefit of that representation in the future. The reports and summaries of their findings are available at www.courts.ca.gov/shrivercommittee.htm#panel42516.

Project Roles and Responsibilities

Each pilot project is led by a selected qualified legal services provider that serves as the lead agency for case assessment and direction. The lead agency is the central point of contact for referrals from their court partner and other agencies and make determinations of individuals' eligibility for services based on uniform criteria.

The lead legal service agency provides representation to clients or refers matters to organizations or individual providers with whom the lead legal services agency contracts to provide services. To the extent practical, the lead legal services agency shall identify and make use of pro bono services to maximize services efficiently and economically.

Case Assessment Factors

The lead legal services agency determines the relative need for representation for potential clients, including all the following factors:

- The complexity of the case;
- Whether the other party is represented;
- The availability and effectiveness of other means to resolve issues, such as self-help;
- Language, literacy, and disability access issues;
- The possibility that providing legal services might help reduce social services costs;
- The merits of the case; and
- The nature and severity of potential consequences for the prospective client if representation is not provided.

Record, evaluation, and local oversight

Each pilot project is responsible for keeping appropriate records on the referrals accepted and not accepted, tracking case information for each referral as well as information on the effect of the representation on the clients, and collecting data about the outcomes associated with the provision of legal services and court

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services. Local advisory committees have been formed for each pilot project to facilitate project administration and to ensure that each project is fulfilling its objectives.

Contacts:

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Additional resources:

Shriver Civil Counsel Act Implementation Committee,
<https://www.courts.ca.gov/shrivercommittee.htm>
Sargent Shriver Civil Counsel Program Overview,
<https://www.courts.ca.gov/48099.htm>