

Right to Counsel Initiative **Detroit**



What is a Right to Counsel?

Right to Counsel is a national movement to provide legal representation to low-income persons in eviction cases. The right to an attorney is required for criminal matters, but not if a person is faced with eviction and becoming homeless. A Right to Counsel provides housing stability, mitigates housing displacement, furthers the interest of justice, and protects our most vulnerable citizens such as the elderly, poor, and children. The Right to Counsel Initiative in Detroit will bridge the justice gap by providing legal representation to low-income persons facing eviction in Detroit.

The Need for a Right to Counsel in Detroit

Approximately 30,000 eviction cases were filed in 36th District Court in 2017. Only 4.4% of tenants were represented compared to 83% of landlords who were represented. Detroit is in an eviction crisis with more eviction filings proportionally than New York City, Chicago, and Philadelphia, and the entire State of New Jersey.

City or State	No. Evictions Per 100 Renter Households
Chicago, IL	4
State of New Jersey	4
Philadelphia, PA	8
New York, NY	11
<i>Detroit, MI</i>	<i>22</i>

Benefits of a Right to Counsel

Economic and social benefits to Detroit in providing an eviction right to counsel include:

- Increased stability for families, schools, and neighborhoods
- Reduced blight as more homes remain legally occupied
- Reduced costs incurred by the City for homeless outreach
- Reduced emergency shelter costs
- Reduced costs associated with physical and mental health care emergency services
- Reduced costs associated with educational and employment instability
- Reduced migration out of the city

Evidence of Right to Counsel: It Works!

- In Philadelphia, 78% of tenants were disruptively displaced without a lawyer. With a lawyer, only 5% of tenants were disruptively displaced.
- In New York City, 84% of households represented in court by lawyers were able to remain in their homes; the eviction rate dropped by 14% in 2018, and has fallen 37% since 2014.
- In Minnesota, tenants who were represented by legal aid negotiated agreements to stay in the property 240% more often than tenants not represented. Tenants successfully negotiated an agreement to move and avoid eviction judgment 745% more often than tenants not represented by legal aid.

Right to Counsel Saves Public Money

- Providing civil legal aid saved \$116 million in shelter costs in 2009 - 2010 in New York State alone.
- A study by Stout for the Philadelphia Bar Association found that an investment of \$3.5 M in eviction representation would save the city \$45.2M in shelter costs, health care costs and mental health costs – ***a return on investment of \$12 for every \$1 of investment in Right to Counsel.***

Civil Right to Counsel Initiatives for Eviction Proceedings in Other Cities & States

San Francisco, CA	Cleveland, OH	Philadelphia, PA
Washington DC	Massachusetts	Denver, CO
New York, NY	New Jersey	

Detroit should be next on the list!

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