



Judicial Council of Georgia
Access to Justice Committee Meeting
August 16th, 2023
12:00 p.m. – 2:00 p.m.

Join us In-Person at the AOC Ratley Conference Room!
244 Washington Street SW Suite 300 Atlanta, GA 30334

RSVP Here: <https://freeonlinesurveys.com/s/Rt7l9ing>

Meeting Starts @ 12 noon

Welcome and Introductions – Justice Verda Colvin- 10 mins

Written Reports- Summary of May 10th, 2023

SAVE THE DATES – Upcoming Events

Georgia Legal Services Pro Bono Conference @ University of Georgia School of Law: October 11 – 13, 2023

A Taste for Justice – October 12th, 5:30pm in Macon, GA

Upcoming A2J Committee Meeting Date: November 15th, 2023, at the Nathan Deal Judicial Building

A2J Committee Project and Community Updates

- I. White Paper/Carl Vinson Update** - Justice Colvin -7 mins
- II. CALER Committee Update** – Herbert Gordon – 5 mins
- III. SRL Forms Working Group Update (Legitimation, Landlord Tenant, and Custody)** – Judge Dear Jackson - 10 mins
- IV. Deaf and Hard of Hearing Working Group** – Judge Jana J. Edmondson-Cooper - 5 mins
 - [DHH Webinar 2 of 4.mp4](#) – Class 2 “Communication Sensitivity”
 - [DHH Webinar Part 3 of 4.mp4](#) – Class 3 “Ethical Consideration and Legal Compliance”
 - [DHH Webinar Part 4 of 4.mp4](#) - Class 4 “Effective Communication”
- V. Landlord Tenant Early Resolution Working Group** – Judge Cassandra Kirk – 5 Mins
- VI. Law Library Project Update** – Nancy Long – 10 mins
- VII. A2J Webinar Series** –Tabitha Ponder – 5 mins
 - Minding the Justice Gap Webinars Series- All classes are available with this link!
<https://youtube.com/playlist?list=PL43rbtY2zflAesFYnHdvvPtAnVI7oGBb>
- VIII. Old Business – A2J Order**
- IX. New Business** – GLSP Pro Bono Conference, Middle Georgia Justice *A Taste for Justice*

Meeting Expected end time 1:20-1:30pm

244 Washington Street SW • Suite 300 • Atlanta, GA 30334
404-656-5171 • www.georgiacourts.gov



Judicial Council of Georgia

Standing Committee on Access to Justice

Wednesday, May 10th, 2023

12:00 p.m. – 1:30 p.m.

Nathan Deal Judicial Center
330 Capitol Avenue, GA 30334
Judicial Conference Room, 2nd Floor.

Conference Call Information

https://georgiacourts-gov.zoom.us/rec/share/Jac262WL5A3LWkOn5LOTkTxkFGYJ12BpDhfBwUTr5FvATklv1CKciJP6qZIRbJSr.wjSzAHIXDSWGJZ_k

Passcode:08\$wUXi9

In-Person Attendees: Chief Justice Michael Boggs, Justice Verda Colvin, Judge Sara Doyle, Judge Tabitha Ponder, Judge Belinda Edwards, Michelle Barclay, Noelle Lagueux-Alvarez

Online Attendees: Judge (R) Bill Adams, Mazie Lynn, Judge Cassandra Kirk, Judge Cynthia Adams, Judge Clarence Cuthpert, Sharri Edenfield, Judge Latisha Dear Jackson, Mike Monahan, Lashawn Murphy, Sarah Anderson, Terrica Ganzy, Dr. Will Simmons.

Written Reports

A motion for the minutes from the February 1, 2022, committee meeting was brought to order. There were no objections, the minutes were approved. The tentative dates for the 2023 calendar year are February 1st, May 10th, August 16th, and November 15th, 2023.

Opening Remarks by Chief Justice

Chief Justice Boggs gives opening remarks on discussion of sustainable funding for the Southwest Georgia Legal Self-Help Center. Access to Justice is a fundamental right, and this center along with its services is a silo of the Access to Justice work in our state. The Judicial Council Budget for the 2023 -2024 Fiscal Year included a request for \$500,00 towards a grant funded program for legal self-help centers across our state. The request was denied by the State Legislature. A study needs to be conducted on the Southwest Georgia Legal Self-Help Center that helps explain the return on taxpayer dollars and how this type of service benefits the State. The A2J committee will meet to vote on pursuing Carl Vinson Study.

CALER Committee Update

Deonte Mayfield presented the CALER Survey Report. The report revealed the average budget for law libraries and percentage of resources for pro-se litigants in the respective judicial districts. The report also showed the committee which judicial districts have multilingual or bilingual staff available for self-represented litigants. The average lowest law library budget is \$35,000 and the average highest is \$100,00. The lowest percentage of resources allocated to pro-se litigants is 29% and the highest is 63%.

SRL Forms Working Group Update

Judge Tabitha Ponder updates the committee on the progress of the working group. All three forms - Landlord Tenant, Legitimation, and Custody Forms – are being finalized for public use. The Landlord Tenant Forms have been shared with the Council of Magistrate Court Judges for approval. All forms will be distributed within the committee for feedback and input before distribution to our courts.

Deaf & Hard of Hearing Working Group Update

Deonte Mayfield shares update on the progress of the working group. The Chief Justice Commission on Professionalism awarded the AOC a grant to conduct the Deaf & Hard of Hearing Training. A 4-part series of CLE webinar classes were offered in March & April. Consultant Instructors were hired as contractors to instruct members of the bar and bench on proper accommodations and communication skills. The classes are as follows: Language Assistance/Access to Justice 101 by Judge Jana Edmondson-Cooper, Communication Sensitivity by Fred Greenspan, Effective Communication & Legal Compliance/Ethical Considerations by William Goren. All classes and materials will be shared with the ICJE and ICLE for future use.

Rental Assistance Update

Judge Cassandra Kirk presents update on State Rental Assistance. In October 2022, the portal closed for the state rental assistance applications. All funds were exhausted, and only applications that were submitted before closure are to be processed. Deonte Mayfield shares new initiatives by the Federal government on renter protection and eviction diversion. The working group submitted a program proposal for the Eviction Diversion Initiative Grant Program with the National Center for State Courts. This working group, Landlord Tenant Early Resolution working group, submitted a proposal for the grant program by the April 21st deadline. We expect to receive a response on our application in July.

Law Library Project Update

Judge Tabitha Ponder shares update on the Law Library Project. A working group was created to help get the fundraising plan in motion for this center. Members of this working group include Attorney Adam Malone, Attorney Trey Underwood, and Attorney Al Corriere

from Albany. A few Judges to include Judge Herbert Phipps, Judge Ken Hodges, Judge Willie Lockette, and Judge Louis Sands sit on this working group to help guide the process to sustainable funding. We will meet with the working group in-person to curate a summer event to kickoff fundraising for the center.

A2J Webinar Series

Michelle Barclay updates the committee on the A2J Webinar Series. We partnered with the GSU Access to Justice Center to discuss with members of the bar, bench, and courts on access to justice issues and solutions. The final class will be June 12th at noon. The topic of this class is *The Crucial Role of Our Libraries*.

Old Business

Mike Monahan presents on behalf of the State Bar's Access to Justice Committee. A new legal needs study would like to be conducted. The latest legal needs study was in 2009 produced by Kennesaw State University. The committee will at the end of the month respond to the ABA pro bono survey and will continue its work on disaster legal aid programs.

New Business

Annual Diversity of Bars meeting will be June 10th in Savannah at the Annual Bar Conference. All bar representatives are requested to be present.

Meeting Adjourned at 1:16 p.m.



PROPOSAL FOR SERVICES

Civil Legal Self-Help Centers

PROJECT BACKGROUND

In February 2023, faculty and staff from the Carl Vinson Institute of Government at the University of Georgia met with Georgia Supreme Court Chief Justice Michael Boggs, Supreme Court Access to Justice Committee Chair Justice Verda Colvin, Administrative Office of the Courts (AOC) Staff Attorney Tabitha Ponder, and AOC Division Director Michelle Barclay to discuss the economic impact of access to justice centers that help self-represented (pro se) litigants in domestic civil cases, primarily divorce and custody cases.

Justice Boggs requested that the Institute of Government examine how to measure benefits to the state from self-help centers that provide assistance to people involved in domestic relations cases in superior court.

While *Gideon v. Wainwright* (1963) guarantees a right to counsel for criminal matters in state and federal courts based on the Sixth and Fourteenth Amendments of the US Constitution, there is no such guarantee related to civil matters. More than 30,000 Georgians are unrepresented by counsel each year in domestic civil cases filed in superior courts. The lack of legal counsel in family law cases results in more continuances and less efficiency in court, delays in awards of child support, and more demands on SNAP and TANF resources provided by the state.

2019	39,153
2020	30,700
2021	38,636

Data provided by the Administrative Office of the Courts. The number of pro se litigants is likely higher as data was not available from 55 counties in 2020 and 57 counties in 2021.

There are more than a dozen civil legal self-help centers across Georgia. Each is funded differently, operates differently, and collects different data.

PHASE 1: BACKGROUND RESEARCH

During Phase 1, the Institute of Government researchers reviewed several economic impact studies that have been conducted by other entities on civil legal self-help centers (including one recently completed by The Center for State and Local Finance at Georgia State University), focusing on the methodologies, if they were provided in the reports. The researchers also set up calls with the directors of the Family Law Information Center in the Northeastern Judicial



PROPOSAL FOR SERVICES

Circuit (Hall and Dawson counties), the Southwest Georgia Legal Self-Help Center in the Dougherty Judicial Circuit, and the Appalachian Family Law Information Center in the Appalachian Circuit (Fannin, Gilmer, and Pickens counties).

The purpose of this background research was to gain a better understanding of how these self-help centers in Georgia are established and funded, and the types of data the centers collect.

PHASE 2

The Institute of Government proposes two parts to Phase 2:

- a. A landscape analysis of the economic impact reports that have been conducted on civil legal self-help centers in other states.
- b. A landscape analysis of legislative reforms passed by other states to improve civil access to justice.
- c. A study of the Appalachian Judicial Circuit Family Law Information Center (FLIC) to determine any savings accrued to the court or circuit.

Phase 2a: Landscape Analysis of Research in Other States

Phase 2a will consist of a landscape analysis of economic impact reports that have been conducted within the last several years on civil legal self-help centers in Illinois, Maryland, and Texas. This report will contain a summary of each report and its methodology (if provided), the strengths and weaknesses of that methodology (if provided), and data related to any economic impacts found by these reports. The report will also include best practices in providing such civil legal self-help services and models used by other states.

Phase 2b: Landscape Analysis of Legislation

Phase 2b will consist of a landscape analysis of legislative reforms passed by other states—with a focus on Arizona and Utah—to improve the general population's civil access to justice. Several states have changed their laws to allow innovative programs, including apps such as HelloDivorce and LegalZoom, to operate in their states to make the civil justice system more accessible. This analysis will include innovative approaches and practices that do not constitute the unauthorized practice of law that could be implemented in Georgia. The report will include links to significant pieces of legislation.

Phase 2c: Study of the Appalachian Judicial Circuit FLIC

Phase 2c will involve a study of the Appalachian Judicial Circuit Family Law Information Center (FLIC) focusing on four types of cases: divorce, child custody, child support, and



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UNIVERSITY OF GEORGIA**

PROPOSAL FOR SERVICES

legitimation. The first part of the study will include interviews with FLIC staff and judges. The second part of the study involve requesting data from FLIC. Based upon the quality and usability of the data, the researchers will analyze any cost savings attributable to FLIC assistance.

This study will analyze qualitative and quantitative data to establish initial findings of any cost savings by court and/or judicial circuit cost savings. If requested by the client, the researchers can use these initial findings to design a more rigorous evaluation program.

PROPOSED COST AND TIMELINE

The Institute of Government proposes to perform the services outlined above for \$60,935, subject to any modification of the scope of work.

Phase 1 was completed in July 2023.

A report and executive summary for each phase will be completed and delivered by December 22, 2023.

PROPOSED STAFF

David Tanner, Associate Director

Greg Wilson, Assistant Director

Holly Lynde, Public Service Faculty

Tommie Shepherd, Public Service Associate

Wes Clarke, Senior Public Service Associate

Sandy Lee, Contract Subject Matter Expert

Brian Graves, PhD Student

Senobia Sanchez, Research Professional



Judicial Council of Georgia Administrative Office of the Courts

Chief Justice Michael P. Boggs
Chair

Cynthia H. Clanton
Director

MEMO TO: Committee on Improving Community Access
to Legal Resources (CALER)

FROM: Herbert A. Gordon – Program Manager

DATE: February 24, 2023

SUBJECT: Georgia Law Library Resources and Language
Assistance Survey Results

This memo reflects the results of the Georgia Law Library Resources and Language Assistance Survey. This survey was conducted across the 10 Judicial Circuits in Georgia to assess the availability of legal resources and language assistance services in each circuit.

A few key survey findings were the average law library budget and the amount spent on resources for self-represented litigants. The results are as follows:

- 1st Judicial District:
 - Average Law Library Budget: \$32,000
 - Resources for self-represented litigants: 29%
- 2nd Judicial District:
 - Average Law Library Budget \$80,000
 - Resources for self-represented litigants: 50%
- 3rd Judicial District:
 - Average Law Library Budget \$32,500
 - Resources for self-represented litigants: 50%
- 4th Judicial District:
 - Average Law Library Budget: \$100,000
 - Resources for self-represented litigants: 63%
- 5th Judicial District:
 - Average Law Library Budget: \$85,000
 - Resources for self-represented litigants: 63%

- 6th Judicial District:
 - Average Law Library Budget: \$35,000
 - Resources for self-represented litigants: 44%

- 7th Judicial District:
 - Average Law Library Budget: \$100,000
 - Resources for self-represented litigants: 38%

- 8th Judicial District:
 - Average Law Library Budget: \$35,000
 - Resources for self-represented litigants: 63%

- 9th Judicial District:
 - Average Law Library Budget: \$100,000
 - Resources for self-represented litigants: 63%

- 10th Judicial District:
 - Average Law Library Budget: \$65,000
 - Resources for self-represented litigants: 47%

In addition to the budget and resource allocation, the survey identified several other areas where improvements could be made to enhance access to legal resources and language assistance services. For example, only the 4th Judicial District, 5th Judicial District, and 10th Judicial District have bilingual or multilingual staff available for self-represented litigants. This suggests a potential gap in service provision for non-English speaking self-represented litigants in the other circuits. Additionally, some circuits could benefit from additional workstations where self-represented litigants can access forms and print them.

In conclusion, the Georgia Law Library Resources and Language Assistance Survey has provided valuable insights into the availability of legal resources and language assistance services across Georgia, and as we continue to work towards improving access, I believe that the findings from this survey will be instrumental in guiding our efforts.

Thank you,

**IN THE MAGISTRATE COURT OF
STATE OF GEORGIA**

_____,
Landlord(Plaintiff),
VS

CASE NO. _____ DS

Dispossessory Affidavit & Notice **(Eviction Notice)**

_____,
and all others at: Tenant(Defendant)

Defendant(s).

To [_____]:

This is a notice that the Plaintiff(Landlord) is seeking to evict you. You must to answer, orally or in writing, **WITHIN SEVEN (7) DAYS of receiving this service,** _____. If that day falls on Saturday, Sunday, or a Legal Holiday, answer on the Court's next working day.

You must file your answer at the Magistrate Court of _____.

If you do not file an answer within seven (7) days, the court will (give the plaintiff possession of the property) issue a writ of possession against you.

This ___th day of _____, _____. (Deputy) Clerk

AFFIDAVIT

Landlord, or authorized agent for the Plaintiff, swears under oath

that:

- Plaintiff owns the building and/or premises located at _____;
- Tenant(s) is(are) in possession of such building and premises, the property of _____, whose address is _____;
- Tenant(s)
 - fail(s) to pay rent now due,
 - is(are) over beyond the lease term, or
 - is(are) otherwise not entitled to retain possession;
- Tenant(s) now owe(s) the owner \$_____, as rent, plus \$_____ court costs;
- The owner demanded possession of said building and premises, but tenant(s) has refused; and
- Plaintiff asks for authority to remove tenant(s) from said building and/or premises.

Plaintiff (or authorized agent):

Sworn to and subscribed before me
this ___th day of _____, ____.

MAGISTRATE COURT OF _____ COUNTY, GEORGIA

DATE FILED _____

Dispossessory Answer (Eviction Notice) CASE NO. _____

Plaintiff's(Landlord) Name & Address

vs.

Defendant's(Tenant) Name & Address

Defendant's Name & Address (If two or more Defendants)

I am the Tenant & I am filing an Answer in response to Landlord's claim in this lawsuit. I State:

I do not have a landlord tenant relationship with the Landlord.

My landlord did not give me the proper notice that my lease or rental agreement was terminated based on the terms of our lease.

The landlord did not properly demand that I move before filing this action to evict me.

My landlord terminated my lease without a valid reason.

I do not owe any rent to my landlord.

I offered and had the money to pay my rent (on or before the date it was due), but my landlord refused to accept it.

I admit to not paying my rent on or before the date it was due.

My landlord would not accept my rent, correct late fees and the court costs. I had all the money to pay.

I am a residential tenant. This is my first eviction action. I am paying all my rent, late fees and court costs to the clerk.

My landlord is not entitled to evict me or secure a money judgment for the following additional reasons: (attach if necessary)

COUNTERCLAIM (failure to include counterclaim bars one from bringing counterclaim to court)- (Please use another sheet for additional space, as needed.)

My landlord owes me \$ _____ for the following reason(s):

My landlord failed to repair my property. Due to this failure, the property's value has been reduced \$ _____ each month for _____ months.

Since my landlord failed to make requested repairs, I made the repairs. The repairs cost \$ _____. I have all my receipts. I will bring the receipts and all documents concerning these payments to my trial.

My landlord's failure to repair resulted in damages of \$ _____ to my person and/or property.

(Print name of Tenant (Defendant) filing answer & mailing address)

This ___ day of _____, 20__

Tenant (DEFENDANT)/ATTORNEY FOR DEFENDANT(S)

DEPUTY CLERK

EACH Tenant(DEFENDANT) MUST FILE THEIR OWN ANSWER. Attorneys may file answers for more than one defendant, Pro se (Self Represented) litigants cannot.

Grant Application

Name of Court: Three Magistrate Courts in Georgia located in Fulton, Clayton, and Cobb

Chief Judge or Justice: Chief Justice Michael Boggs of the Supreme Court of Georgia
 State or Local Court Administrator: Cynthia Clanton, Georgia Administrative Office of the Courts (AOC) Director

Court Website: georgiacourts.gov

See Chart A which represents eviction data.

Court	2019			2020			2021			2022		
	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed	Open	Filed	Disposed
Clayton	N/A	22,618	18,827	N/A	11,381	1,828	N/A	12,428	9,697	3,143	17,216	14,703
Cobb	N/A	22,187	21,830	N/A	10,814	9,531	N/A	17,391	14,634	N/A	25,291	20,731
Fulton	1,299	60,466	45,403	10,530	22,952	15,631	4,470	31,804	28,235	4,773	5,884	3,371

Describe the staffing and structure of the court’s eviction courtrooms.

Georgia’s Statewide Access to Justice (A2J) Landlord-Tenant Working Group, through the Judicial Council’s Standing Committee on Access to Justice (A2J) Committee submits a proposal for a statewide pilot program with the participation of one Magistrate Court from three administrative districts in Georgia and will utilize the Eviction-Diversion Initiative (EDI) grant for a statewide process improvement, utilizing three counties in a pilot program to test and implement statewide. Our application seeks to combine several Magistrate Courts across our State. As a joint application, the number of judges hearing eviction cases and the assignment of those judges will vary by county. For example, Fulton County has 28 total judges, including full and part-time judges, of those, 15 landlord-tenant calendars are heard weekly in person and 2 in hybrid. All full and part-time judges are trained in handling landlord-tenant cases; generally, 4-6 judges hear these routinely and that assignment rotates. Cobb County has 22 judges, including full, part time, and senior judges who hear eviction cases approximately 6 calendars a week. Clayton County has 13 judges, including 5 full and 8 part-time judges who hear eviction cases on 3 calendars weekly.

In these counties, landlord-tenant matters are heard on dedicated calendars, not mixed with other case types, allowing the presiding judges to gain familiarity with the issues and become experts in the area, statutory, and case law. Landlord-tenant calendars are scheduled by the clerks’ offices, through the direction/guidance of each Chief Magistrate Judge for the county. The three counties hold in person hearings for landlord-tenant cases and Fulton County retains the option of hybrid attendance for its specialized Judgment on the Pleadings calendar (cases where an Answer is filed without a legal explanation that withstands the eviction pleading).

Describe the current eviction process in your jurisdiction.

Parties to landlord-tenant cases (evictions) in Georgia's Magistrate Courts follow a defined statutory structure for each of the 159 counties. The parties are the Plaintiffs who are the Landlords/Property Owners (LPO) and the Defendant is the tenant or leaseholder (Tenant). Either party may represent themselves or retain an attorney. LPO initiates the filing and may only request an eviction after demanding possession from Tenant. Cases must be filed in the property county and should establish a landlord-tenant relationship, as follows:

1. LPO must demand possession of the property from Tenant.
2. After demanding possession, LPO files the dispossessory affidavit. Tenants cannot be removed lawfully without court action.
3. Following filing, LPO serves the Tenant with a copy of the filed affidavit. Service may be by a constable, sheriff, marshal or by a private process server.
4. Tenant has 7 days to respond to the allegations in the affidavit and may admit or deny the LPO's allegations, and if applicable, present a counterclaim.
5. Once Tenant files an answer, court clerk schedules a hearing and notifies both parties of the hearing date through the mail or email.
6. If Tenant does not file an answer within 7 days of being served or fails to attend the hearing without valid legal excuse, the court may grant judgement for LPO and issue a Writ of possession instantly. Additionally, if LPO fails to appear in court, the case may be dismissed.
7. With the discretion of and permission of the Court, Tenant may file a late answer that will serve as its response.
8. At hearing, a court official calls the calendar to sound for parties present for trial. Parties not present risk having the case dismissed or a judgement entered against them.
9. As Plaintiff, LPO presents its evidence first followed by Tenant as Defendant. Parties may present witness testimony, exhibits, and may cross-examine each during the hearing. The Georgia Rules of Evidence apply.
10. If LPO prevails, the Judge issues an order granting Judgment in favor of LPO. By statute, Tenant has 7 days to vacate the property, and after the 7 days, LPO may request to execute a Writ of Possession. Some counties impose a time limit for LPO to request the writ.
11. Writs are executed by the County Sheriff, Marshal, or in some instances, private entities.
12. A tenant must file an appeal within 7 days from the entry of the judgment and must pay the judgement costs & future rent into the Court's registry to remain in possession of the property during the appeal.

Certain jurisdictions across Georgia offer additional steps in the processes, such as:

13. Free or low-cost mediation on the day of the hearing. If an agreement is not reached in mediation, the case continues to trial that day.

14. Access to legal assistance, often in the form of lawyers, supported by law students. This legal assistance may include assistance with or full representation of the Tenant throughout the process.

Describe the structure of your court system and the scope of your jurisdiction's rulemaking authority.

The State of Georgia's Judicial System is decentralized with a Magistrate Court in each of the 159 counties, as required by the 1983 Georgia Constitution, and led by an elected Chief Magistrate judge, who appoints a prescribed number of judges to serve the County for a set term. If not set by the Georgia Constitution or state Legislature, each county determines the number and term of the appointed judges. Magistrate Courts are governed by statutes and rules, found in the Official Code of Georgia Annotated, the Uniform Rules of the Magistrate Court, Georgia Judicial Code of Ethics, as well as relevant state and federal case law. Any local jurisdiction may promulgate local rules by standing order or guidance that do not contravene the statewide rules created by the legislature, other superior rule-making body, such as the Judicial Council of Georgia, or its own rule-making body in the Council of Magistrate Court Judges. While uniform rules exist and govern the courts statewide as approved jointly by the Council of Magistrate Judges and the Judicial Council of Georgia, each Magistrate Court has some discretion in its operations and procedures. The budgets for the Magistrate Courts are controlled within its County.

Program Narrative

How would you use this grant to improve the eviction court process and litigant experience in your jurisdiction?

Georgia eviction proceedings are strict and fast-moving, not accounting for changes in life circumstances, such as death, illness, job loss, or poor housing conditions. Our goal is to implement sustainable system-wide improvements that promote dignity in the eviction process, improve procedural justice, increase efficiency, resolve housing problems in the least harmful way, and connect the needs of our Courts with our communities.

We seek to fund a Landlord-Tenant Early Resolution Program (LTERP), utilizing mediation, self-help navigators or legal aid programs, and other community programs. The AOC will oversee the grant and will handle administrative tasks. Hired Facilitators will provide on-the-ground support for each Court and identify and stand-up resources. This will be an evolving process as we work through implementation.

The coordinator will assist with protocol standardization, project coordination, and timely data collection. The 3 facilitators, one in each of the three pilot counties, will coordinate all available resources to build partnerships for services, to include legal navigation, social services, and mediation. The LTERP facilitators will develop and implement self-help tools and forms and recommend rules and/or procedural changes to improve the eviction court experience overall. Facilitators will operate in two phases.

Phase One: Assess and Gather

1. Verify the current eviction process in each county.
2. Connect with the Court's case management system to learn and later to identify parties fitting the program criteria.
3. Identify procedural justice improvements that may be implemented in each county.
4. Identify and coordinate with local bar associations, community service organizations, chambers of commerce, and others to locate resources with rental or utility assistance, mediation, legal services, housing coordination, job readiness, and financial planning.
5. Identify other resources to assist parties resolve their legal issues before court and to explore alternatives to eviction.
6. Vet, confirm, and implement community resources as a part of the continuum of care for parties in the eviction process.

Phase Two: Create and Implement

1. LTERP team, with assistance from the NCSC, will review national best practices that align with the available community continuum of care in each jurisdiction, create a process that screens parties and implements resources in the most accessible method for the parties and most efficient manner for the Courts.
2. LTERP team will develop an outreach protocol for each jurisdiction to inform parties and communities of the processes and services available.
3. To be within the Court's jurisdiction and to have a greater opportunity to monitor data and efficacy, EDI Facilitators will intervene in the eviction process post-filing.

This grant will help reduce the backlog of current eviction cases and improve the court process for all involved. As partnerships are created to assist litigants in the process, Courts will save time by connecting parties with a collection of services that meet the holistic needs of the parties. It is our hope that as more resolutions are reached by landlords and tenants without judicial intervention, the agreed upon solutions will better serve the parties and their communities.

Describe any existing eviction prevention work taking place in your community and how the diversion program will coordinate with those existing programs.

In our three counties, just as in the NCSC nationwide scan of 46 jurisdictions, we recognize that the best eviction diversion opportunities occur through rental assistance, mediation or ADR, legal assistance, and methods that holistically address the cause of the eviction. With NCSC assistance, we may explore an option for post filing eviction relief to expunge or seal the filing of eviction records under certain conditions.

Of all the three counties joining this pilot, from January 1, 2019 through April 14, 2023, parties filed 303,891 dispossession cases; of that number, 266,716 are disposed and roughly 37,175 remain pending.

Current eviction prevention work occurs as below:

- **Emergency Rental Assistance Payments**
 - The Georgia Department of Community Affairs (DCA) administered a rental assistance program from March 2021 until approximately October 2022, which distributed monies to LPO and eligible applicants for up to 18 months of payment. At this point, DCA and 14 similar local city and County programs across the state, including those in Cobb County and Fulton County, have expended their funding. If monies return, we will provide rental assistance navigators on site as we had previously.
 - Star-C's Eviction Relief - The program is administered through landlords that operate apartments at rents 80% below AMI in low-performing school districts. Funding is available for qualified Tenants and LPO. Star-C provides rental assistance for LPO in Cobb, Clayton, and Fulton County. We maintain these connections and will encourage greater collaboration.
- **Legal Assistance**– In Fulton County, through an onsite Housing Court Assistance Clinic, staffed by Atlanta Volunteer Lawyers Foundation (AVLF), Tenants receive legal navigation to assist with the eviction process. Based on a review of the matter, some tenants are referred to the AVLF lawyer's referral service for complete handling of their cases. In all three counties, Legal Aid or the Georgia Legal Services Program provide access to free legal aid for tenants. The AVLF program is also embedded in certain City of Atlanta schools with a high rate of neighborhood evictions.
- **Utility Assistance** – Limited Income Housing Energy Assistance Program provides energy assistance for eligible low-income households in affiliated Counties. We will identify and partner with these programs.
- **Homeless Prevention Supported Services**- Programs and Community organizations, such as Project Take Charge, United Way, Atlanta Ministries, and Georgia Association of Community Service Boards, have a referral system for those experiencing or on the verge of experiencing homelessness. We will identify matching services and establish a hand-to-hand referral for litigants through these entities when eviction is inevitable.
- **Mediation** – In Cobb and Fulton Counties, the Courts or connected providers offer free or Low-Cost mediation for eviction cases. The mediators are specifically trained to manage these cases. To increase the database of available mediators in person or accessed remotely, we would like to offer specialized training for mediators in evictions to create a Statewide Eviction Court Based Mediation Database.

Describe your court's commitment to innovation and provide examples of innovative programs or practices that have already been adopted.

Our Magistrate Courts are flexible and thrive on innovations. Now is the time to think creatively and leverage community partnerships, building on the momentum of the last few years. The Motto of Georgia's Council of Magistrate Court Judges is "Many Needs, Unified Solutions." We strive to ensure that all litigants, including self-represented parties, are seen, heard, and understand the process.

Eviction filings continue to increase across the State and most federal and local rental assistance has ended. A2J formed its Landlord-Tenant Working Group (LTWG) in 2020, consisting of lawyers, judges, and the statewide Executive Director of the Georgia Office of Dispute Resolution. Since that time, we have been "boots on the ground," scouring our jurisdictions and others to better serve the needs of all Georgians involved in eviction, whether landlord or tenant, with an eye to increasing the supports available to courts and information available to litigants. Our working group has spearheaded statewide efforts around our landlord-tenant case type, specifically, we:

1. Began efforts to design a Mobile App with Georgia Tech Students in March 2021, modeled on the Maryland courts program, which was stymied by cost, not commitment.
2. Ensured our Magistrate Courts were aware of federal and state information throughout the pandemic, including federal and state eviction moratoria and rental assistance, DOJ Guidance on Eviction Diversion, and viewed NCSC Tiny Chats and White House Initiative webinars around evictions.
3. Traveled among several circuits to observe and document current practices within the landlord-tenant calendars.
4. Designed and implemented a Magistrate Court Backlog Survey to evaluate the on-time status of landlord tenant cases in 2021. Of our Magistrate Court survey respondents, 52% reported using remote technology and 78% reported a backlog in landlord-tenant cases.
5. Collaborated with the Department of Community Affairs (DCA) to provide a Regional Rental Assistance Resource List.
6. Produced a Webinar Discussion on Rental Assistance on November 5, 2021 with DCA Director Daphne Walker, Cobb Magistrate Judge Brendan Murphy, and Georgia Supreme Court Justice Verda Colvin.
7. Partnered with Georgia State University Law students draft plain language and fillable Landlord-Tenant Forms for court users.

In addition to these working group-specific initiatives, our Georgia Magistrate Council created and disseminated to Magistrate Courts statewide a free form generator for parties in most civil cases, including landlord-tenant matters. This interactive interview website, like "Turbo-Tax" guides parties to complete the Dispossessory Affidavit and an Answer. Additionally, the Standing Committee on Access to Justice created self-represented litigant dispossessory affidavits and answer forms for LPO and Tenants for usage in all Magistrate courts. In courts that require parties to electronically file documents, free access terminals exist within the courthouse. Counties across the state

have developed legal self-help centers or law libraries as a resource for self-represented litigants to gain legal information for filing and referrals for legal aid. And some counties include mediation as a free or low-cost option in respective jurisdictions for parties on the day of the eviction hearing.

Describe how your jurisdiction will ensure that the eviction diversion work is appropriately resourced and sustainable beyond the life of this grant.

We remain committed to carrying on the work of our statewide Landlord-Tenant Working Group and have begun to explore collaborations and partnerships across other existing statewide committees and organizations. Sustainability and the ability to replicate our pilot program statewide are the anticipated outcome of our grant request. As the majority of our groundwork will be in resource identification, duplication of self-help resources, and information sharing, we do not anticipate challenges in sustainability. To positively affect the largest number of Georgians, we will:

1. Connect County Law Libraries and Legal Self-Help Centers with our Coordinator and Facilitators as a part of our initial outreach efforts and share our resources via USB or other transferable data source, encouraging local court administrator, District Court Administrator, or Chief Magistrate to locate similar resources within their county.
2. Provide a final report to our Council of Magistrate Court Judges, as well as introduce and share our findings with other courts statewide, the Atlanta Regional Commission, Housing Advocacy groups, and other statewide and regional leadership programs with a focus on housing and better outcomes for Georgians.
3. Direct our outreach and engagement efforts to include County library systems, and across local multi-media contacts and systems.
4. Identify connected systems for remote and hybrid interaction with mediation or legal assistance services across counties.
5. Ensure communication with community service providers is continuous and maintained beyond the life of the grant. We will maintain the established eviction referral systems for legal assistance and community service providers with local court administrators, self-help centers and law library personnel.
6. Provide the Courts and each District Court Administrator with a list of mediators with specialized training in landlord/tenant issues in their circuit/region. The data will be accessible to specified court employees.
7. Equip County court administrators and clerks with the information to maintain and update the contacts established through the pilot program. Encourage utilization of staff to update and evaluate contacts annually.
8. Assess and re-evaluate the quality and quantity of our resource pool through quarterly and annual surveys.

Describe any anticipated challenges to your planned work, what strategies you would employ to overcome them, and what support you may need to do so.

With three jurisdictions of differing sizes and with distinct leadership, we anticipate that usage of a MOU will best assist the Courts, AOC, Coordinators and Facilitators with guidance to proceed with minimal friction. To ensure we hear the voices of each Court, we will create a steering committee to guide the program. The coordinator will chair this committee to increase sustainability. Additionally, we will create a manual or toolkit for the Landlord Tenant Early Resolution Program to be replicated in willing Magistrate courts, law libraries, and legal self-help centers across the state.

Provide a list of current or anticipated partners who will collaborate with the court on the eviction diversion program.

We anticipate strengthening connections and continued collaboration and referral partnerships with the following:

Administrative Office of the Courts
Council of Georgia Magistrate Court Judges
Georgia Office of Dispute Resolution
Cobb County Government
Clayton County Government
Fulton County Government
Department of Community Affairs
Georgia Alternative Dispute Resolution Council
Georgia Public Defender Standards Council
Atlanta Volunteer Lawyers Program
Georgia Legal Aid and subsidiaries in Cobb and Clayton Counties
Georgia Legal Services Program
Georgia Association of Paralegals
The Georgia Association of Community Service Boards
Fulton County Behavioral Health
Star C Eviction Relief Fund and Star-C Programs
HOPE Atlanta
United Way
Georgia Community Action Association
Urban League
National Association for the Advancement for Colored People (Atlanta, Cobb, and Clayton)
Housing Justice League
Atlanta Apartment Association

Facilitator Narrative

How many facilitators are you requesting?

We are requesting 1 Coordinator and 3 Facilitators (One for each county). The coordinator will provide overall administrative support and coordination of the facilitators.

Describe your anticipated process for hiring or identifying a program facilitator(s).

Using Indeed, LinkedIn, Georgia and National Association of Court Administrators, college and social service recruitment and career boards, as well as other established hiring pools, we will advertise broadly for the coordinator and three facilitators. We anticipate a diverse and committed candidate pool. The proposed job descriptions are attached. We will compile an interview panel, with a member from each court team, and interview qualified candidates, based on screening criteria. From those qualified candidates, we anticipate hiring the positions needed and we utilize independent contractor agreements. We will train each hire on the eviction process, including court observations. Payments will be as allowed by the grant and we would request invoicing and payment bi-weekly, at a minimum.

Will your facilitator be a court employee? No.

Data Collection & Reporting

Which case management system does your court currently use? Courts utilize a range of case management systems. Fulton uses the Tyler product, Odyssey. Cobb uses Contexte/Banner and Clayton uses JOTS- Judicial Operations and Trial System. It is a system created and used county-wide (Clerks, Courts, Jail, Solicitor, District Attorney, etc.).

Describe the data that your court currently collects about eviction cases. The AOC collects caseload data annually from each County. Courts are required to report the total number of eviction (dispossessory) cases filed annually, as well as the number disposed of in the measuring year.

Does your court currently have a Microsoft 365 Business, Enterprise, or Education account? If not, will they be able to create one to support the EDI data collection? Our participating courts have varied access to Microsoft 365 accounts. Grant funds will allow Courts that do not have Microsoft 365 to have a license to access the system.

Will the facilitator have access to Microsoft Excel and either OneDrive for Business or SharePoint? If not, will they be able to gain access to support the EDI data collection? The facilitator and coordinator will be provided access to any necessary operating system to collect and input data as required by NCSC and this grant.

Letters of Support

Letters of support are required from the following individuals:

- Local Presiding or Chief Judge (for applications from local courts)
- State Court Chief Justice (for applications from state courts)

- Eviction Court Judge (preferably from a judge who will oversee an eviction diversion docket or otherwise be involved in the eviction diversion work)
- State or Local Court Administrator

Preference will be given to applicants that demonstrate strong commitment from community partners and stakeholders who will play a significant role in the jurisdiction's eviction diversion work.

PROGRAM JOB DESCRIPTIONS

Landlord Tenant Early Resolution Program Coordinator

Scope of Work: The Administrative Office of the Courts and the Georgia Office of Dispute Resolution working under the guidance of the Judicial Council's Standing Committee on Access to Justice (A2J) are seeking a Program Coordinator to lead and direct the Landlord Tenant Early Resolution Program (LTERP). The mission of the LTERP is to promote meaningful and effective access to courts and fairness to all. As Program Coordinator you will help provide oversight to the Facilitator as we identify partners who may address the needs of landlords and tenants. Furthermore, the Program Coordinator will collaborate with the state judiciary, the state bar, & various legal aid organizations to ensure sustainable housing within our state. The Program Coordinator may be housed in the Administrative Office of the Courts or with the designated county courthouse.

Tasks:

- Report directly to the Judicial Council's A2J Committee or designee
- Build and maintain partnerships with court stakeholders, legal and social service agencies, rental assistance programs, housing providers, and other program partners: Department of Community Affairs (DCA), Local Legal Aid and Local Bar.
- Develop outreach and communications strategies, i.e., Free Text Message & Public Service Announcement, Eviction Court Bulletin board
- Coordinate with Georgia Office of Dispute Resolution to create a Landlord-Tenant Mediation Database
- Identify and assist in implementing and/or expanding court procedures and related reforms to improve the litigant experience, i.e., mediation and legal services.
- Develop self-help and referral resources for litigants,
- Collect and assess data for the EDI program evaluation.

Qualifications & Skills:

- Bachelor's and/or master's degree from an accredited college or university
- Excellent professional communication skills
- Basic knowledge of Georgia housing law and research
- Creativity in producing self-help or other educational material
- Ability to collaborate and build consensus among multiple stakeholders.

Landlord Tenant Early Resolution Facilitator

Scope of Work: The Administrative Office of the Courts and the Georgia Office of Dispute Resolution working under the guidance of the Judicial Council's Standing Committee on Access to Justice (A2J) are seeking a facilitator to assist with a one-year pilot program designed to improve eviction proceedings. The facilitator's role within the Landlord Tenant Early Resolution Program is to provide the litigants with resources needed to reach an early resolution. The mission of the LTERP is to promote meaningful and effective access to courts and fairness for all. As a facilitator you will be engaging directly with litigants and provide referral resources to those in need. The coordinator will ensure that partnerships are established with community service providers, and the facilitator will refer litigants to the available services.

Tasks:

- Report directly to the Program Coordinator.
- Screen and triage Court-referred eviction cases.
- Assist navigators with litigant intake.
- Communicate directly with litigants before, during, and after a scheduled court proceeding.
- Provide referral resources to litigants in need of services, i.e., rental assistance, mediation, or legal aid.
- Conduct at least 2 housing court assistance clinics or training for landlords or property owners and tenants within the assigned participating courts.
- Develop effective self-help and educational material to help litigants reach early resolutions.
- Collect data for the EDI program evaluation.

Qualifications & Skills:

- Bachelor's and/or master's degree from an accredited college or university
- Excellent professional communication skills
- Basic knowledge of Georgia housing law and research
- Creativity in producing self-help and educational material.
- Ability to collaborate and build consensus among multiple stakeholders.

Eviction Diversion Grant - Proposed Budget

Part 1 - Proposed Budget by Category

Fiscal Year 2023/2024

Personnel Services:	0
Operating Costs:	
Postage	
Motor Vehicle Expenses	
Printing, Publications, Media	
Supplies and Materials	
Repairs and Maintenance	
Equipment < \$5,000	
Water/Sewage	
Energy	
Rents Other Than Real Estate	
Insurance and Bonding	
Freight	
Other Operating	(MS 365 licenses x4) \$2000
Travel – Contractors	\$5,000
Real Estate Rentals	
Professional Services (Per Diem)	
Professional Services (Expenses)	
Other Contractual Services (Non State)	\$293,400
Contracts – State Orgs. ODR Admin & Supervision Cost Conference(s)	\$20,000
Voice/Data Communications	
Grants	
Indirect Costs	(AOC requires 5% admin fee to pay all the invoices, contract writing and management, IT services and communication \$14,980
Transfers	
Total Operating Budget	
TOTAL OVERALL BUDGET	
	\$335,380

Part 2 – Budget Narrative:

The requested grant funds will cover the cost of a Grant Coordinator on contract for one year at a cost of \$60/hr. for 25 hours a week equaling \$78,000. We are also requesting the cost of three facilitators for one year at a cost of \$50/hr. for 25 hours a week— \$65,000 (x3 =\$195,000).

We are also requesting estimated costs of \$5000 for state and national travel (to NCSC meetings and conferences), costs for supervision and administration of the grant itself and the work of the Grant Coordinator and Facilitators which will be done by the Georgia Office of Dispute Resolution and the Administrative Office of the Courts of Georgia.

If we received the requested grants funds, our goal would be to serve three counties in getting their eviction diversion program standardized and measured to be a model for the entire state. We would work on setting up clinics, workshops, and toolkits to assist all the Magistrate Courts in the State of Georgia whose jurisdiction includes eviction proceedings.