

SB19-180: Eviction Legal Defense Fund

Sponsors: Senator Winter/Representative McCluskie

The Problem: According to the Legal Services Corporation, 86% of the civil legal problems reported by low-income Americans in 2017 received inadequate or no legal help. In Colorado, this justice gap is particularly harmful for renters.¹ Low-income tenants who are facing a possible eviction are typically unable to access legal assistance. For tenants who represent themselves in court, navigating the complex legal system of landlord-tenant laws can prove to be an impossible task. This major shortcoming in our legal process contributes to cycles of poverty throughout the state of Colorado.

The Solution: The Colorado General Assembly shall appropriate \$900,000 to fund legal resources for low-income Coloradans who are facing an eviction.

Legal representation for low-income tenants at risk for eviction is critical, but available legal assistance is severely lacking.

- There were nearly 45,000 evictions filed in Colorado in 2017.
- According to a 2017 study by Colorado Coalition for the Homeless and Colorado Center on Law and Policy, less than 1% of tenants in Denver County were represented by an attorney during an eviction, while nearly 90% of landlords were represented. However, the very few tenants able to access an attorney were significantly more likely to remain in their homes.²
- At least half of those seeking assistance from Colorado Legal Services are turned away because of lack of resources.³
- A nationwide study found that there is one legal aid lawyer for every 6,415 people in poverty.⁴

Eviction hurts families and communities.

- One study indicated that renters who had previously experienced involuntary displacement were almost 25 percent more likely to face long-term housing challenges than renters who had not.⁵
- Housing is a social determinant of health. After an eviction, renters are pushed into less-desirable neighborhoods — where they may experience substandard housing conditions, poorer health outcomes, and increased poverty.⁶
- Housing instability for tenants with children may also destabilize family relationships, children's achievement and community ties — disrupting children's development and leading to poor academic performance, behavioral problems, substance abuse, and homelessness later in life.⁷

¹ "The Justice Gap: Measuring the Unmet Civil Legal Need of Low-Income Americans," Legal Services Corporation, (June, 2017).

² "[Facing Eviction Alone](#): A Study of Evictions in Denver 2014-2016," Aubrey Hasvold and Jack Regenbogen, Colorado Center on Law and Policy and Colorado Coalition for the Homeless, (2017).

³ "Expanding Colorado's Right to Counsel in Civil Cases – A Modest Proposal," Taubman, Daniel M., The Colorado Lawyer, Vol. 36, No. 7, Page 95, (2007), http://www.cba.cobar.org/tcl/tcl_articles.cfm?articleid=5159

⁴ "Documenting the Justice Gap in America: The Current Unmet Civil Legal Needs of Low-Income Americans 11," Legal Services Corporation, (2009).

⁵ M. Desmond, C. Gershenson, and B. Kiviat, "[Forced Relocation and Residential Instability among Urban Renters](#)," (2015),

⁶ Id.

⁷ Id.

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