

# RIGHT TO COUNSEL TOOLKIT



Greater Milwaukee  
& Waukesha County



## THE ASK TO MILWAUKEE COUNTY'S BOARD OF SUPERVISORS

Will you support Supervisor Clancy's resolution 21-506 to declare a Right to Counsel for residents of Milwaukee County?

Current co-sponsors: Follow this [link](#) to see the current list of co-sponsors for the resolution.

## SAMPLE PHONE AND EMAIL SCRIPT

### EMAIL

I am [first and last name], a constituent who lives in your district. It is deeply important to me that all of Milwaukee County's residents have equal opportunities for safe and stable housing. Therefore, I support Supervisor Clancy's [resolution 21-506](#) to launch a Right to Counsel initiative for Milwaukee County families facing an eviction proceeding.

Due to the economic damage of COVID-19, there will be an unprecedented wave of eviction filings impacting Milwaukee's children and families.

An eviction is a stigma which follows a family forever by cutting off access to safe, stable housing from reputable landlords and perpetuating the cycle of poverty for generations. In Milwaukee County, Black women, families with children, and Latino families in mostly White neighborhoods are disproportionately evicted. Only 3% of these tenants have legal representation during an eviction.

Fortunately, data from the Milwaukee Eviction Defense Project shows that 90% of eviction cases are dismissed or delayed when a tenant has legal representation. Through Right to Counsel, each family facing the eviction process in Milwaukee County will have a no-cost housing lawyer to negotiate disputes, access supportive services, and provide in-court advocacy.

Right to Counsel is good for landlords. Housing attorneys representing tenants can connect landlords to rent assistance, housing-related resources, and increase settlement rates. It also saves taxpayer money. Pro bono legal aid in Milwaukee County eviction cases provides a return on investment of \$2.23 for every \$1 invested.

Everyone in our community deserves access to safe and stable housing and equitable treatment before our courts. I ask that you support the Right to Counsel Milwaukee request, and that you advocate for its inclusion within the federal appropriations process.



## **The COVID-19 pandemic is about to accelerate Milwaukee's eviction crisis.**

The COVID-19 pandemic has created incalculable hardship, economic insecurity, and has left tens of thousands of residents in Milwaukee without the ability to pay their rent on time. Inevitably, the eviction protections provided by the Centers for Disease Control will soon end, and we will encounter an unprecedented onslaught of eviction filings with lifelong implications for Milwaukee children and families.

## **An eviction can damage the health and economic stability of a family forever.**

An eviction is a stigma which follows a family forever by cutting off access to safe, stable housing from reputable landlords, and perpetuating the cycle of poverty for generations. Local and national data reveal that those who have experienced an eviction are more likely to:

- Experience homelessness and extended usage of homeless shelters.
- Lose their wages or jobs (by 30%).
- Suffer from depression and report worse health for themselves and their children.
- Have children who become chronically absent from school after the eviction, impacting graduation levels, and lifelong earning potential.

## **Evictions disproportionately impact Black and Latino families.**

Milwaukee County Small Claims court data indicates families subjected to evictions are predominantly Black and Hispanic residents in low-income neighborhoods. Research by EvictionLab, the American Civil Liberties Union, and others find that evictions impact these communities most severely. Black women are evicted more than twice the rate of Whites, and evicted families have worse outcomes in economic stability, employment, education, physical, and mental health. Citywide, Milwaukee is 38% African American with a 25% poverty rate. The 10 neighborhoods with the highest eviction rates are 73% African American with a 40% poverty rate.

## **Right to Counsel provides an equitable solution.**

Milwaukee Eviction Defense Project data shows that 90% of eviction cases are dismissed or delayed when a tenant has legal representation. This simple intervention prevents the cascading economic trauma resulting from an eviction.

Informed by models in Cleveland, Baltimore, and 5 other cities, Right to Counsel will ensure all families facing the complex eviction process in Milwaukee County have legal counsel to negotiate disputes, access supportive services, and provide in-court advocacy.

Any family unable to afford a lawyer will be represented by an attorney specializing in housing law. This full representation model ensures proper time to develop legal strategy and defenses for each family which includes research, preparing motions and discovery, the pursuit of out-of-court resolutions, and advocacy at critical court dates.

Right to Counsel bridges a gaping void by putting Milwaukee families on equal footing in court, decreasing frivolous proceedings, and significantly reducing the public costs associated with the court, criminal justice, and human service system response to evictions.

## **Right to Counsel is good for landlords and taxpayers.**

Right to Counsel is good for landlords, too. Unlike unrepresented tenants, housing attorneys can connect landlords to rent assistance, housing-related resources, and increase settlement rates. Representation can also achieve outcomes beyond "winning" cases, such as securing additional time for a move or sealing the eviction from public records.

Eviction prevention efforts also generate significant public cost savings. A study on 2017-18 pro bono legal aid in Milwaukee County eviction cases found a return on investment (ROI) of \$2.23 for every \$1 invested, and CommonBond Communities found an ROI of \$6.75 in social benefits.

# MILWAUKEE COUNTY BOARD OF SUPERVISORS

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