



SHERRI R. CARTER  
EXECUTIVE OFFICER / CLERK

111 NORTH HILL STREET  
LOS ANGELES, CA 90012-3014

## ***Superior Court of California County of Los Angeles***

March 23, 2017

### **Notice to Legal Services Providers in Los Angeles County Interested in Applying for Grants for Housing-Related Services and Child Custody Projects Under the Sargent Shriver Civil Counsel Act**

The Judicial Council of California ("JCC") has released Request for Proposals (RFP) #CFCC-2016-12LB (<http://www.courts.ca.gov/35569.htm>), inviting applications for grants for legal services providers to operate pilot projects under the Sargent Shriver Civil Counsel Act. The RFP solicits grant proposals to provide services to unrepresented litigants in a number of areas including housing-related services and child custody matters.

According to the RFP, "Each pilot project is a partnership among (i) the court, (ii) a qualified legal services project, as defined by subdivision (a) of §6213 of the Bus. & Prof. Code, that shall serve as the lead legal services agency for case assessment and direction, and (iii) other legal services providers in the community who are able to provide the services for the project." (Section 1.2.4 of the RFP.)

The RFP includes the requirement that the Court support the legal services provider's proposal before the proposal will be considered by the JCC. In this Notice, the Court aims to provide guidance to legal services providers as to Court priorities and needs that should be addressed in proposals to obtain the required Court approval for the JCC to fully consider the proposal.

Based upon decades of extensive experience in handling cases in the areas of housing and child custody, including extensive partnerships with a variety of legal services agencies, the Court has established a list of key elements that must be included in a proposal before it will be considered by the Court for partnership. These elements, attached, must be included in addition to the requirements described in the RFP. Inclusion of these elements does not guarantee partnership, but no proposals will be considered for partnership by the Court unless the proposal contains these elements.

Qualified legal services projects are invited to a Question & Answer session concerning these key elements:

April 10, 2017

12:00 – 1:00 PM

Stanley Mosk Courthouse, Presiding Judge's Courtroom, Room 222  
111 N. Hill St., Los Angeles 90012

Sherri R. Carter  
Court Executive Officer

**Required key elements for consideration of a partnership with the Los Angeles Superior Court to address housing-related matters under the Sargent Shriver Civil Counsel Act in partnership with the Los Angeles County Superior Court (Judicial Council RFP CFCC-2016-12LB):**

1. **Voluntary Dispute Resolution Programs:** Agency partners must develop and participate in voluntary mediation and negotiation programs with the landlords' bar to promote settlement before the day of trial. Programs must be accessible countywide to both represented and self-represented unlawful detainer parties on both sides of a case.
  - a. Innovative programs that promote early settlement before the day of trial are encouraged. These may include:
    - i. Settlement discussions via telephone, Skype, Online Dispute Resolution (ODR) and "settlement coaching" when only one side will participate;
    - ii. Arrangements with public and private agencies to provide services to both sides in unlawful detainer actions when such services will facilitate early resolution. Examples include assistance with repairs, rental payments, moving costs, access to affordable housing and other public assistance.
  - b. Agency partners must present two or more MCLE trainings, in partnership with the landlords' bar, on resolving unlawful detainer actions through negotiation, mediation and Mandatory Settlement Conferences.
2. **Self-help services for landlords and tenants in unlawful detainer actions:** Self-help services for housing-related matters in compliance with CRC 10.960 must be provided and/or expanded to serve self-represented parties on both sides of a case equally. Self-Help services must include information and education, through workshops and other methods, on:
  - a. Resolving unlawful detainer actions before the day of trial through the programs described in Section I (negotiation and mediation);
  - b. The availability of local public and private resources and services to make early resolution of unlawful detainer actions a fair and realistic option for both sides.
3. **Modes of representation:** The proposal must include alternatives to full representation such as provision of brief services, unbundled services and/or limited scope representation. All assistance and services proposed must:
  - a. Prioritize voluntary dispute resolution before the day of trial;
  - b. Promote meaningful participation in any day-of-trial Alternative Dispute Resolution or Mandatory Settlement Conferences that the court may provide; and
  - c. Promote the programs described in sections 1 and 2 above.
4. **Use of courthouse space by program:** Space within courthouses will be provided only if available and only for services in compliance with CRC 10.960 (d): i.e., services that provide information and/or education that is neutral and unbiased, and available to all sides of a case.
5. **Technology:** Any technology development in connection with this RFP must be planned and implemented in coordination with the court.
6. **Access to data:** By the terms of the RFP, the proposal must include provisions for the agency partner to comply with the evaluation components of the program. These provisions must not assume access to court records beyond that typically provided to members of the public, litigants and litigants' attorneys.
7. **Los Angeles County Homeless Prevention Initiatives:** Agency partners are strongly encouraged to review Item 9 on the March 21, 2017 Board of Supervisors agenda. The proposal must include a commitment to work with the Court and County to leverage and not duplicate options that may be available under this Initiative.

**Required key elements for consideration of a partnership with the Los Angeles Superior Court to address child custody-related matters under the Sargent Shriver Civil Counsel Act in partnership with the Los Angeles County Superior Court (Judicial Council RFP CFCC-2016-12LB):**

1. **Project Criteria for cases that involve “high-conflict” custody issues:** Agency partners must develop and follow protocols to assess whether a case is high conflict to determine eligibility for the project and level of service. These may include:
  - a. Determination of whether the opposing party has legal representation; and
  - b. Consideration of the legal merits of the client’s position, history of mental illness and other disabilities, domestic violence, immigration status, age, language access, current custodial status, and child welfare.
  - c. Every client, whether or not they are offered representation, must be provided with a detailed assessment of and advice about their case and education about the legal process.
2. **Voluntary Dispute Resolution Programs:** Agency partners must develop and follow protocols to encourage meaningful participation in mediation programs and encourage settlement when appropriate, attempt to decrease non-meritorious litigation, and strive to obtain child centered custody orders.
  - a. Innovative programs that promote early settlement before the day of trial are encouraged. These may include:
    - i. Settlement discussions via telephone, Skype, Online Dispute Resolution (ODR) and “settlement coaching” when only one side will participate;
    - ii. Providing clients with social service support and referrals, following a comprehensive assessment of litigants when they present for Shriver services, which might include education about domestic violence, safety planning, warm handoff for mental health treatment, or referrals for housing placements.
    - iii. Partnering with Family Court Services to provide parenting classes designed for parents in high-conflict custody disputes to better understand the impacts of such disputes on children.
    - iv. Creating videos in multiple languages to be available online, and accessible when the court orders litigants to complete parenting courses.
3. **Modes of representation:** The proposal must include alternatives to full representation such as provision of brief services, unbundled services and/or limited scope representation. All assistance and services proposed must:
  - a. Prioritize voluntary dispute resolution before the day of trial; and
  - b. Promote meaningful participation in any Mediation or Mandatory Settlement Conferences that the court may provide.
4. **Use of courthouse space by program:** Space within courthouses will be provided only if available and only for services in compliance with CRC 10.960 (d): i.e., services that provide information and/or education that is neutral and unbiased, and available to all sides of a case.
5. **Technology:** Any technology development in connection with this RFP must be planned and implemented in coordination with the court.
6. **Access to data:** By the terms of the RFP, the proposal must include provisions for the agency partner to comply with the evaluation components of the program. These provisions must not assume access to court records beyond that typically provided to members of the public, litigants and litigants' attorneys.