

October 28, 2020

RE: The Eviction Crisis and the American Bar Association COVID-19 Pro Bono Network

Dear Bar Leader:

The COVID-19 pandemic and the current recession have created novel legal problems and exacerbated others for millions of low-income Americans. As a result, our country is facing unprecedented needs for pro bono services.

One of the most immediate needs is the growing eviction crisis, which has the potential to force 30 to 40 million people (29-43 percent of renter households) from their homes. In the majority of states, state-level eviction moratoriums have lapsed, and many tenants have faced obstacles in exercising their rights under the Centers for Disease Control's federal eviction moratorium. Consequently, evictions are expected to far exceed historic levels in the coming months. Without adequate rental assistance to meet the need and without legal counsel, most of these cases will result in eviction and lasting harm to children and adults.

The legal profession can help limit the number of evictions by providing pro bono legal representation to tenants. Currently, over 90 percent of tenants facing eviction are unrepresented and, as a result, the vast majority lose their cases. Tenants who have counsel experience much better outcomes. For example, providing legal representation to tenants was associated with a staggering 77 percent decrease in warrants for eviction in New York City and a 77 percent decrease in judgments for eviction in Massachusetts. Most recently, we have seen an emerging need for representation to ensure that eligible tenants receive the protections to which they are the Centers for Disease Control's eviction moratorium.

In jurisdictions that do not seal eviction records, the mere fact of an eviction filing negatively affects credit scores and a renter's ability to secure safe and decent housing thereafter. Attorneys may be able to keep eviction filings off tenants' records, arrange for alternative housing, negotiate reasonable amounts of time for tenants to move out, reduce or eliminate money owed to the landlord, or help tenants apply for rental assistance.

The American Bar Association asks that you, as a bar leader, mobilize the lawyers of your bar to assist in eviction-related pro bono efforts. Pro bono attorneys are needed to provide brief advice and limited- and full-representation in eviction cases. Pro bono attorneys can also help ensure equitable outcomes for tenants in alternative dispute resolution, diversion programs, and settlements. As the leader of the legal profession in your locality, you are likely familiar with the legal services providers in your area that may be in need of volunteers. To access a list of providers, click [here](#).

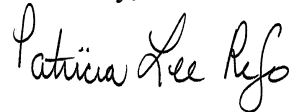
I ask that you consider making eviction representation a priority in your bar's pro bono activities training pro bono lawyers in your bar to provide legal representation to tenants in eviction cases. The legal services providers in your area may be able to contribute legal expertise to the development of pro bono trainings, as well as sample pleadings and other resources.

To support your pro bono efforts, the ABA is forming the COVID-19 Pro Bono Bar Network, a peer-learning network, which will focus initially on the eviction crisis. The network will support the launch and replication of pro bono models, promote best practices, and identify strategies to overcome common obstacles. Because we anticipate additional areas of unmet civil legal need that require pro bono assistance, this will also lay the foundation for the coordination of pro bono efforts in other subject areas.

To join the network and to confirm your commitment to mobilizing the pro bono bar to tackle the COVID-19 eviction crisis, please complete this [form](#). We are eager to include every state and local bar in this extraordinary effort. If you have any question or suggestions, please contact Cheryl Zalenski at Cheryl.Zalenski@americanbar.org.

I have been inspired by the outpouring of voluntarism across our profession in responding to the devastating consequences of the pandemic. The ABA is honored to work hand-in-hand with bar leaders throughout the country to advance access to justice and to support the millions of families currently at risk of eviction. I look forward to welcoming you and your colleagues to the ABA's COVID-19 Pro Bono Bar Network.

Sincerely,

A handwritten signature in black ink that reads "Patricia Lee Refo". The signature is written in a cursive, flowing style.

Patricia Lee Refo