

Arizona Commission on Access to Justice SRL-LJC Workgroup

Meeting Agenda

June 29, 2017 - 2:00 p.m. to 3:30 p.m.

State Courts Building ♦ 1501 West Washington ♦ Conference Room 332 ♦ Phoenix, Arizona

[ACAJ WEBPAGE](#)



TIME	AGENDA ITEM	PRESENTER
2:00 p.m.	Welcome and Opening Remarks	<i>Judge Anna Huberman, Maricopa County Justice Court</i>
2:05 p.m.	R-17-0020 – Stipulated Judgments in Eviction Actions * Comments Packet - Pages 1-42 <ul style="list-style-type: none"> • Second round of comments due: 05/31/2017 • Reply due: 07/07/2017 <ol style="list-style-type: none"> 1. Comment from Michael A. Parham and Manufactured Housing Communities of Arizona 2. Comment from Jay Young, Southwest Fair Housing Council 3. Comment from Pamela Bridge, Community Legal Services 4. Ellen Sue Katz, Morris E. Institute for Justice 5. Chris Carlsen, Arizona Center for Disability Law • Next Steps 	<i>Judge Huberman</i>
3:15 p.m.	Discuss Strategic Planning for Workgroup Projects <ul style="list-style-type: none"> • Community Legal Services Justice Court Project's informational documents * CLS Project - Pages 1-20 • Ellen Katz's informational documents regarding evictions * General Information Packet - Pages 1-40 • Eviction scripts for videos 	<i>Judge Huberman</i>
3:25 p.m.	Discuss next Access to Justice meeting report Wednesday, August 16, 2017 - 10:00 a.m. to 2:00 p.m. State Courts Building, Phoenix, Arizona Conference Room 119	<i>All</i>

**Arizona Commission on Access to Justice
SRL-LJC Workgroup
NOTES**

April 13, 2017

2:00 p.m. to 4:00 p.m.

Present: Judge Anna Huberman (chair), Mike Baumstark, Pamela Bridge

Telephonic: Judge Thomas Berning, Milagros Cisneros, Anthony Young

AOC Staff: Theresa Barrett, Julie Graber, Kathy Sekardi

Matters considered:

1. Welcome and opening remarks

With a quorum present, the April 13, 2017, meeting of the SRL-LJC Workgroup was called to order by Judge Anna Huberman, Chair, at 2:05 p.m.

2. R-17-0020 – Rule Petition regarding Stipulated Judgments in Eviction Actions

The voluntary pilot project that started on 01/01/2017 in the 26 Maricopa County Justice Courts was intended to gather data and measure the impact of this rule petition. Unfortunately, landlord attorneys stopped the practice of stipulated judgments, and as a result, there is insufficient data collected to make a determination to the court on the rule petition's impact.

The workgroup reviewed the comments received and the chart of comment. Members also considered whether we were trying to fix a problem that does not exist, whether any stipulated judgments should be allowed (and specifically regarding subsidized housing), and whether the workgroup should submit a supplement to the petition in light of the results from the pilot project. Discussion ensued and the consensus of the workgroup included the following:

- Address comments that the ACAJ has disdain for landlord attorneys by:
 - Adding an option after paragraph A that allows the landlord attorney to assert to the court that the tenant was informed of their right to appear and declined
 - Requiring only the defendant, and not the attorney, to sign the warning language to acknowledge that the parties understand what they are signing
- Separate the warning paragraph in a numbered list to make it easier to understand for a self-represented litigant

WARNING

1. The plaintiff's representative is not a court employee.
2. You are consenting to the terms of a judgment against you and the landlord will now be able to evict you.
3. You may have your wages garnished and the judgment appear on your credit report.
4. You may lose your right to subsidized housing.

5. You may not stay at the rental property, even if the amount of the judgment is paid in full, unless you get the agreement in writing or get a new written rental agreement with your landlord.

Defendant's signature

Next steps:

- Pam Bridge will share supporting data regarding stipulated judgments and talk to partners
- Pam Bridge will draft language and submit by Monday, 4/17/17
- The workgroup will communicate by email to finalize the supplement to the petition
- Judge Huberman will share examples of judgments

6. Proposed Changes to the Request for Hearing on Garnishment Form 8 (Earnings)

Judge Gerald Williams sent a letter to Dave Byers requesting proposed changes to the Request for Hearing on Garnishment Form 8 (Earnings). Workgroup had no objection to Judge Williams' recommendation regarding the garnishment hearing form.

7. Discuss Strategic Planning for Workgroup Projects

The workgroup discussed several areas to focus on:

- Connect self-represented litigants to legal advice
- Establish partnerships with law schools and bar associations
- Increase educational opportunities for self-represented litigants
- Research other courts' navigator programs and videos for self-represented litigants
- Cooperate with AZCourtHelp.org as a venue to feature clinics and short videos

Next steps:

- Review and improve video scripts already in production

The workgroup will be meeting every two months.

Meeting adjourned at 4:00 p.m.

Next SRL-LJC Meeting: TBD