

Memo	
To:	Bet Tzedek President & CEO, Culver City Housing Staff
From:	Aimee Williams, Associate Vice President of Housing Justice
Date:	April 9, 2025
Re:	Analysis and cost estimate for legal services mandated by Culver City Pilot Right to Counsel Ordinance

Introduction

This report and estimate is being prepared by Bet Tzedek Legal Services upon request of Culver City Housing and Human Services Department in response to Culver City’s groundbreaking passage of an Interim Ordinance Establishing a Tenant Right to Counsel Program for 12 months in April 2025. Bet Tzedek currently provides free legal services to residents of Culver City under a five (5) year contract, commencing 2024. The passage of a Right to Counsel ordinance mandates a significant expansion of Culver City’s existing commitment provide legal services to tenants.

The estimates and report are prepared by Aimee Williams, Associate Vice President of Justice for Tenants, Homeowners and Unhoused Individuals at Bet Tzedek, for the sole purpose of addressing the questions posed by the City Council concerning the practical implications of the Proposed Interim Right to Counsel Ordinance. The report has been prepared as a matter of urgency and provides estimates for a hypothetical expansion of services by a legal services provider to provide eviction defense services for all tenants facing eviction in Culver City.

Though the author has strived to ensure accuracy, due to the short deadline for this report and in the absence of key staff who have been overseeing Bet Tzedek’s provision of legal services in Culver City, allowances should be made for potential oversights and errors herein. The author has practiced as a housing attorney in Los Angeles for the past 12 years, in non-profit and private practice on behalf of tenants, including significant experience in eviction defense. Assertions made in this report that do not have a cited source come from the author’s experience working and mentoring other tenant attorneys in this field.

Description of Existing Contract Services and Culver City Eviction Statistics

Bet Tzedek Legal Services is a non-profit law firm that has been providing free legal services to the Los Angeles community for 50 years. Our firm’s origins are in housing and tenant law, having evolved from a legal clinic set up to address the displacement of Holocaust survivors in the Fairfax area of Los Angeles. Bet Tzedek remains a leader in the field of housing law today and provides eviction defense services to populations in Los Angeles county through multiple avenues. In addition to our work in Culver City, Bet Tzedek is also a member of StayHoused LA, the coalition of community-based and legal services organizations that coordinates the provision of eviction defense legal services to tenants across Los Angeles County prioritized according to highest need zip codes¹.

¹ See <https://www.stayhousedla.org/priority-zip-codes>

Existing Bet Tzedek Contract with Culver City

Bet Tzedek has been providing free legal services to tenants in Culver City since approximately 2020, under contract with Culver City, separate from our StayHousedLA and other eviction defense programs. Over that period, the scope of legal services has been for staffing equivalent to one (1) full-time staff attorney and part time paralegal support to provide legal assistance up to and including full scope legal representation in eviction cases for households who request it, as well as a weekly tenant clinic for Culver City residents. Legal services are provided regardless of income or other qualifying factors, but priority for full scope representation is given to the highest need cases.

The ability to provide full scope legal representation depends on Bet Tzedek attorneys' capacity at the time of request. Other than full scope representation, limited scope assistance is provided in eviction and other housing matters as part of our work in Culver City, including assistance to file an answer, respond to discovery or prepare for an upcoming court hearing. These services were outlined in the Culver City staff report to the Council at the hearing of the proposed Ordinance on March 17, 2025, and a Bet Tzedek staff attorney was available to answer questions.

Questions were posed by council about how many tenants are turned away from Bet Tzedek or refused representation in eviction actions. Though Bet Tzedek is not able to provide full scope representation to every tenant who seeks our services, very few individuals are rejected for some level of legal assistance, according to our capacity. Bet Tzedek is not able to, through the work of one full-time-equivalent staff attorney, meet the need of all tenants facing eviction in Culver City. Attorneys in California must abide by ethical codes, including the duty of competency to a client in legal representation, which requires us to limit our services to sustainable levels for attorney workload and to be able to provide competent and zealous legal representation to existing clients.

Bet Tzedek has provided a report to Culver City staff outlining our services over the five-year period of 2020-2024, and also isolated data from 2024. (*See attached data report*) Key points from Bet Tzedek data taken in March 2025 of our Culver City program from 2020 to present, indicate:

- 441 intakes/households requested services. Of those:
 - 395 households were assisted/cases were closed.
 - 20 households were rejected/refused services
 - 23 cases remain open.

These figures encompass both full-scope representation, limited scope assistance and counsel and advice. 90 of those cases (2020-present) were full scope representation, or work equivalent to full scope representation, which reflects 23% of total cases. This does not suggest 77% of people being turned away for full scope representation, as not every tenant who approaches Bet Tzedek for assistance requests, or is in need of, eviction defense. The weekly clinics often involve housing legal assistance outside of eviction matters, such as habitability questions, rent increases, leasing and security deposit questions, and eviction related matters without a court filing, including matters at the pre-eviction notice stage, and tenants seeking advice about threats or monetary offers to vacate, or illegal evictions and lockouts.

The data from 2024 provides a better comparison of the scope of Bet Tzedek's assistance as to the data concerning eviction cases filed. In 2024:

- 107 intakes/households requested services. Of those cases
 - 93 households were assisted/cases were closed (reflecting that they were opened AND closed in 2024)
 - 3 households were rejected/refused services
 - 11 cases remain open.

21 of the (107) cases in 2024 were/are for full scope representation. Of those 21 cases, only 3 of them were/are for households who had income higher than 80% AMI. 18, or 85% of the cases involving full scope representation were for households with less than 80% AMI. This reflects Bet Tzedek's prioritization of low-income and vulnerable households for full scope representation.

We also reviewed the hours worked for all cases closed in 2024. 118 cases were closed in 2024 – this

reflects cases opened in any year, such as in 2023 or 2022 but closed in 2024. Of those 118 cases, 19 were full scope cases and 99 cases were limited scope (less than full scope), worked on at any time prior to or during 2024. The hours worked on the 99 limited scope cases were 289 collective hours, while the hours worked on the 19 full scope cases comprised 782 collective hours. This provides an average of 2.9 hours per limited scope case, and an average of 41.1 hours per full scope cases. (See figures in attached data report)

Full scope eviction cases regularly involve filing and arguing court motions, conducting or answering discovery, appearing at multiple court hearings, negotiating and drafting settlement agreements and supervising settlements to ensure compliance and enforcement. A minority of cases progress to jury trial. Of the full scope cases in the 2024 data:

- None of the cases involved a jury trial, which can involve up to 100 hours of work and preparation.
- None of the cases involved motion practice to set aside a default judgment against a tenant for failing to respond, which can involve up to 20 hours work, on top of any other work in the case.

Eviction Filing Statistics for Culver City

Eviction actions are filed in California state court system, and all eviction actions for the three Culver City zip codes (90066, 90230 and 90232) are filed in the Superior Court of the County of Los Angeles, and heard at the Santa Monica courthouse (West District). Eviction filing data is shared by the Los Angeles Superior Court and broken down by zip code and by District.

A review of this data for the year 2024 shows the following number of eviction filings for the aforementioned zip codes encompassing Culver City. To the extent that one of the zip codes overlap Culver City and other jurisdictions, such as the city of Los Angeles, the below data may include a small number of eviction filings in Los Angeles that would not be eligible for Culver City services. The available data is not able to be broken down any further.

UD filing 2024 by quarter	Culver City
Q1	80
Q2	78
Q3	61
Q4	53
TOTAL	272

For contrast, the total number of eviction filings in the Santa Monica courthouse (from other local jurisdictions) and across Los Angeles County for the same period is illustrated below.

UD filing 2024 by quarter	Culver City	Santa Monica Courthouse	Los Angeles Countywide
Q1	80	<i>Not avail.</i>	11,183
Q2	78	<i>Not avail.</i>	10,593
Q3	61	726	10,579
Q4	53	690	9828
total	272	1,416	42,183

One key data point that is missing for the purposes of this report is the default rate. If a tenant/defendant in an

unlawful detainer action fails to respond with their own filing in court they lose their case by default. Tenants have 10 days from the date that they are served to file a responsive pleading and avoid default. When a tenant/defendant is defaulted, the case is resolved in the court clerk's office and a judgment is issued for the sheriff to evict them.

Exact statistics for defaults in eviction matters in Los Angeles County are not publicly available, but it is undisputed that the current and historic default rate has been consistently at or above 50% of unlawful detainer defendants.² This has been confirmed by past studies and by partners at Los Angeles Superior Court despite the lack of available data, with the most recent default rate being approximately 58%. The high default rate has numerous implications for any right to counsel program, namely:

- Despite all tenants in eviction being eligible for representation, absent some significant societal or infrastructural change to reach and connect tenants with legal assistance, it is fair to estimate that only half will actively *seek* legal assistance.
 - Using Culver City 2024 eviction filings as an example, of the 272 cases filed, it is estimated that approximately 136 households responded to the proceedings and would immediately benefit from legal counsel.
- The 50% of tenants that currently end up in default in their eviction case would still be entitled to legal representation, but they would require a higher level of services at the start of their case in order to resolve the default.
 - Seeking relief from a default judgment can involve 15-20 hours of attorney work, entailing motion drafting and two court hearings on an emergency basis to explain the failure to respond and request the court allow them to participate in the litigation. This can be compared to the 1-2 hours of attorney work involved to assist a defendant to file an answer within the 10-day deadline. From that point onwards, assuming the default was resolved in the tenants favor at the court hearing, the attorney hours required for an eviction case would be the same as any other case (i.e., on average approximately 40 hours-worth of work).
- The practical success of a Right to Counsel program would depend not only on expanding eviction services to tenants who are actively seeking counsel for their eviction case, but also to close the gap of 50% of tenants who lose by default. This 'Tenant Information Gap' has been documented as a factor in the effectiveness of other Right to Counsel programs and required concerted education efforts by the city to overcome it.³ Any right to counsel program will necessitate a public education campaign and/or a change in the infrastructure of institutions involved in the eviction process to refer Culver City tenants to counsel, and to highlight the 10-day deadline to respond.
 - Some percentage of tenants still may never seek or engage free legal assistance, despite outreach and referral efforts, or fail to cooperate with legal counsel.

The aforementioned data concerning Bet Tzedek's existing contract to provide legal services to Culver City tenants, and the statistics concerning the rate and dynamics of eviction court filings for Culver City, form the basis of our estimates for a right to counsel program for Culver City.

Given the undertaking described, Bet Tzedek will eagerly continue to engage with Culver City about the immediate viability of the amendment or expansion of Bet Tzedek's contract, and is happy to engage in conversations regarding the feasibility of the agency staffing Culver City's Right to Counsel program via an expansion or amendment of the existing contract depending on the City's various decisions as to funding and other key issues.

² Stout (2019) *Cost-Benefit Analysis of Providing a Right to Counsel to Tenants in Eviction Proceedings: Prepared for Los Angeles Right to Counsel Coalition*, page 23

³ Prusak, J (2002) *Expanding the Right to Counsel In Eviction Cases: Arguments for and Limitations of "Civil Gideon" Laws in a Post-COVID 19 World* Journal of Civil Rights and Economic Development Volume 36: Issue 2, p 259

Right to Counsel Ordinance and Expansion

Any Right to Counsel program in Culver City would not only entail an expansion in staffing capacity and hours of attorney work required to meet the needs of all Culver City residents facing eviction, but it would also be a significant change in the service delivery model that Bet Tzedek currently provides. That is – it is shifting from a legal services model of prioritizing highest need cases and the most equitable use of our resources, to a public defender-type model, where the emphasis on prioritization is less because access to legal services for the eligible population is mandated or guaranteed across the board.

Given both the expansion and the shift in service delivery, the change cannot be made immediately, and any consideration of Right to Counsel model would require a ‘ramp up’ period to allow all service providers to employ and train staff to meet the new demands. The estimates in the City of Los Angeles Right to Counsel program, which is expanding according to highest need zip codes for a much larger population, estimate a 5-year period as the necessary timeframe to allow for expansion of legal services to full capacity across City of Los Angeles. Bet Tzedek’s estimate for any prospective Culver City right to counsel expansion, whether undertaken by Bet Tzedek or other legal services providers, is for at least a one-year period to transition service models and expand to full attorney staffing capacity. The challenge and variable in expansion is the ability to hire and train attorney staff, particularly in a market where other jurisdictions are also seeking to expand similar services.

Analysis and Cost Estimate

The following estimates of required staffing levels of associated costs are based on assumptions that the number of eviction filings for Culver City will remain the same as 2024 as in future years, and that the default rate will remain at approximately 50%. Further, that the percentage of income eligible households among Bet Tzedek’s client population for the grant so far, approximately 77%, is a representative sample of the Culver City income-eligible population, and is also assumed to remain consistent in future years. As Bet Tzedek is a legal services organization, we are not in a capacity to opine on the impact of potential economic factors such as the possibility of the country entering into a recession. As such, these variables are not included in this report.

Estimate for Demand for Services in first 12 months

The actual services required in the first 12 month ‘ramp up’ period will be for between 150-180 cases, because of a 50% default rate. This will remain true until sufficient outreach or structural changes to reach and serve defaulted tenants is implemented.

- Of 272 evictions filed, approximately 200 (75%) would be income qualified and therefore eligible for services.
- Of 272 evictions filed approximately 136 (50%) participate in the litigation and seek legal assistance and 50% never respond and end in default.
- Combining those factors:
 - 136 possible defendants seeking assistance (not in default,) 102 (75) of whom would be income qualified;
 - We’re estimating approximately 50-80 additional, potential clients who are in default and request representation, and who would require a higher level of service to resolve a default or negotiate resolution of the dispute.
 - This assumes an attrition rate of 20-50 eligible clients who never seek legal assistance or find another attorney.

The other consideration for adequate staffing levels needs to take into considerations attorney experience, caseload and risk of burnout and the scale of the project. Eviction defense, similar to public defender work, is an area of legal practice where attorney burnout is high, including in circumstances of an unmanaged influx or increase in cases,⁴⁴ so a sustainable caseload and training needs to be a matter of priority.

⁴⁴ Prusak, J (2002) *Expanding the Right to Counsel In Eviction Cases: Arguments for and Limitations of “Civil Gideon” Laws in a Post-COVID 19 World* Journal of Civil Rights and Economic Development Volume 36: Issue 2,

Caseload and Team Estimates

Based on the best practices and benchmarks of our partners and current data on our internal practices, it is estimated that eviction defense attorneys can sustainably manage a caseload of 25-40 full scope eviction cases per year depending on seniority and including cases of tenants in default.

Our current estimate is for a team of seven (7) attorneys, six (6) of whom have a dedicated caseload of between 25-35 cases per year and overseen by a directing/managing attorney. The majority of the attorney workforce would likely to be junior attorneys, though prioritizing the hiring of senior attorney(s) and a managing attorney to adequately supervise and train the junior attorneys would be a necessary part of the success of the project.

The attorney team would be supported by at least three (3) paralegals who manage the pipeline and intake of cases, and also by a program coordinator/community organizer role to provide community education and manage weekly tenant clinics and community partnerships. In sum, this would provide a team of eleven (11) (attorneys and support staff) to provide full scope representation to an estimated 150-180 tenants facing eviction, once fully staffed. While in the 'ramp up' period, it's unlikely that a smaller team would be able to meet the immediate demand for services.

In addition to providing full scope eviction services to Culver City tenants, maintaining eviction prevention and general housing legal aid through a weekly clinic or other service model is a necessary part of addressing housing displacement. A significant percentage of tenants are subject to informal evictions,⁵ and disputes between landlords and tenants unrelated to an eviction can escalate to an unlawful detainer if not resolved. Culver City's commitment to continue a weekly tenant clinic as a form of eviction prevention accounts for this need, though it may need to be expanded if demand increases or it becomes an avenue through which to receive incoming eviction clients.

The budget estimates generated are based on salary assumptions for junior attorneys being \$78,000, for senior/managing attorneys being between \$95-125,000 and for paralegal and coordinator role salaries between \$57-68,000. These salary estimates are consistent with Bet Tzedek's internal salary ranges and with market rates for civil legal aid attorneys. The cost projection for a phased-in program of hiring over a 12-month period, and accounting for increased training, litigation and administration costs, as well as non-personnel costs incurred, totals an estimate of **\$1,230,000** for the first twelve months.

- The full cost of the program in the (unlikely) event that we were able to hire all eleven (11) staff in the first month, would be approximately \$1,675,000.
- The maintenance of staffing for future years at the aforementioned levels, without an increase in staff capacity, would need to account for salary and other cost increases.

Revaluation of the program after its full implementation, ideally after the first 12-24 months will be necessary in order to evaluate if additional outreach or other efforts, such as the hiring of housing navigators, may increase the effectiveness of the program. An increase in attorney capacity may be needed if community outreach and education results in more tenants avoiding default judgments and seeking assistance, or in the event of an increase in the rate of eviction filings due to external factors or population growth. Notably, studies suggest that Right to Counsel programs tend to decrease the number of eviction cases filed overall, after program implementation.⁶

Conclusion

The Right to Counsel Ordinance mandates a significant expansion of legal services to tenants in eviction proceedings from the existing contract with Bet Tzedek Legal Services, which provides for approximately one (1)

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⁵ Stout (2019) "[*Cost-Benefit Analysis of Providing a Right to Counsel to Tenants in Eviction Proceedings; Prepared for Los Angeles Right to Counsel Coalition*](#)" page 59

⁶ Stout (2018) "[*Economic Return on Investment of Providing Counsel in Philadelphia Eviction Cases for Low-Income Tenants*](#)" page 32

full time equivalent staff attorney and part-time paralegal support and supervision. Right to Counsel envisions not just an expansion of attorney services but a change in the service delivery of legal representation to tenants. It may require public outreach/infrastructural change to bridge the Tenant Information Gap and address the high rate of tenants who lose their case by default.

Any such program cannot be undertaken without significant planning, either by Bet Tzedek or any other legal services provider to ensure the effective implementation of the program. The pioneering initiative of Culver City Council to provide tenants facing eviction with legal counsel is a critical step in addressing the housing crisis for residents in Culver City and prioritize the health, well-being, educational outcomes and financial stability of the Culver City community, all of which are negatively impacted by eviction filings.⁷

⁷ Fulk, Natalie (2021) *The Rising Population of the Right to Counsel in Eviction Cases: Rationale Supporting it and Legislation Providing It*” page 336



Data Report from Bet Tzedek Legal Services Culver City Grant

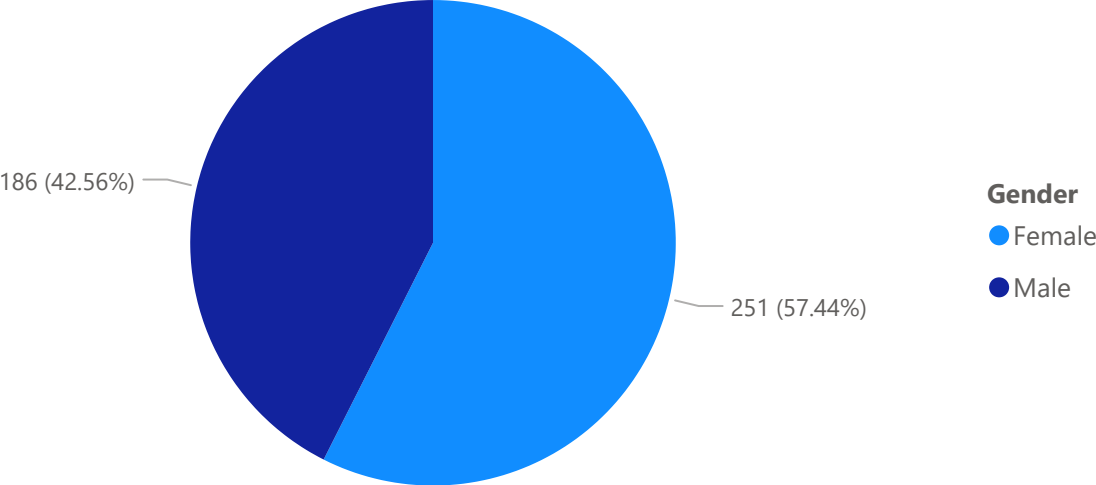
2020 – 2024

Bet Tzedek Legal Services currently provides legal services to Culver City tenants facing legal problems through 2 service models: a weekly clinic for counsel and advice and other limited services and direct legal services, up to and including full scope representation in eviction court.

The data we've included here shows the breakdown of our services by client demographics, including income status, as well as level of service provided, attorney hours spent, and outcomes. It is broken down in two sections, showing data for the entire 5-year period of the grant (All Intakes) and for 2024 alone.

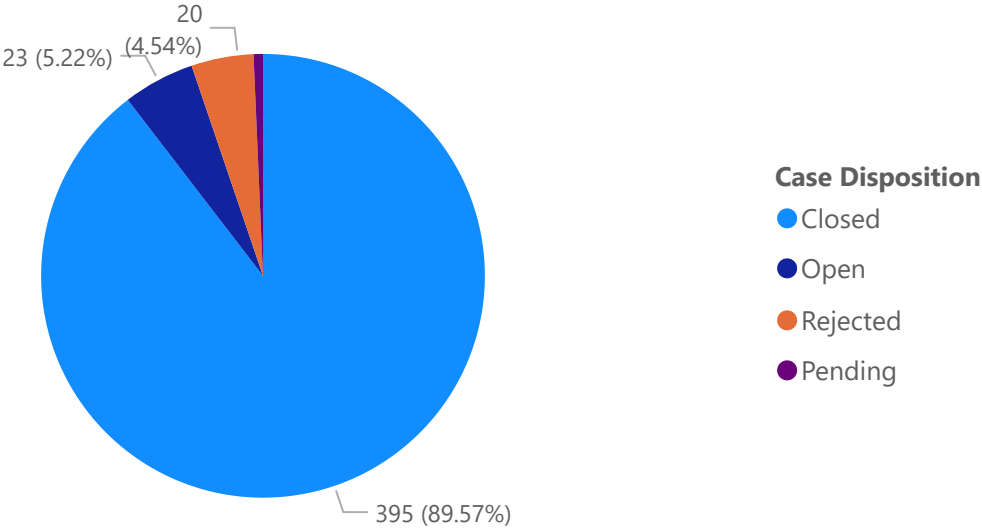
Bet Tzedek (All Intakes)

Gender

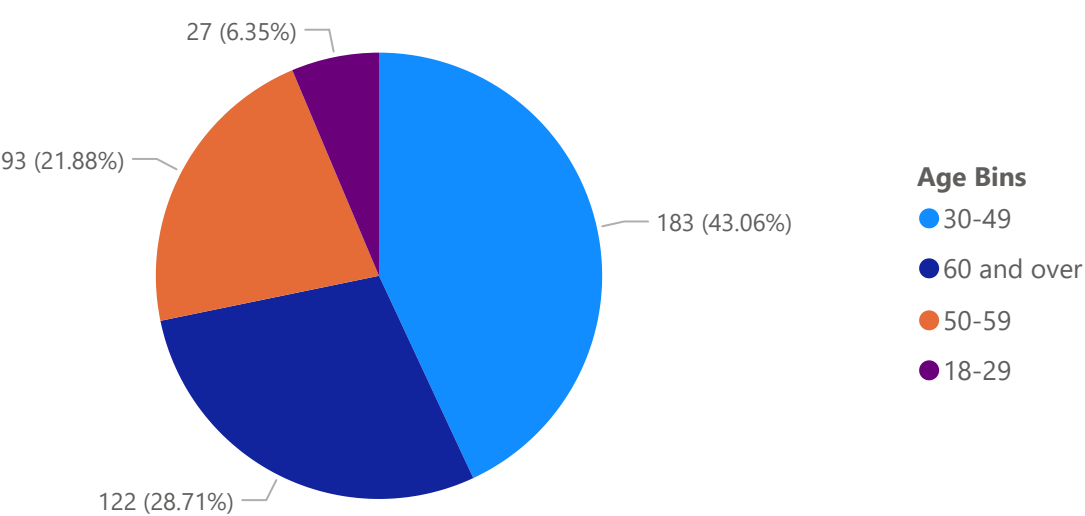


441 Total Intakes	48 Median of Age at Intake
\$3K Median Monthly Income	125 Number of Households with Minors

Case Disposition

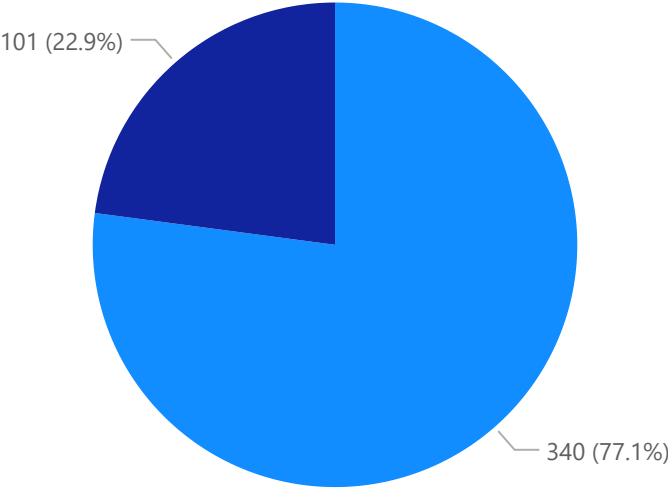


Age at Intake



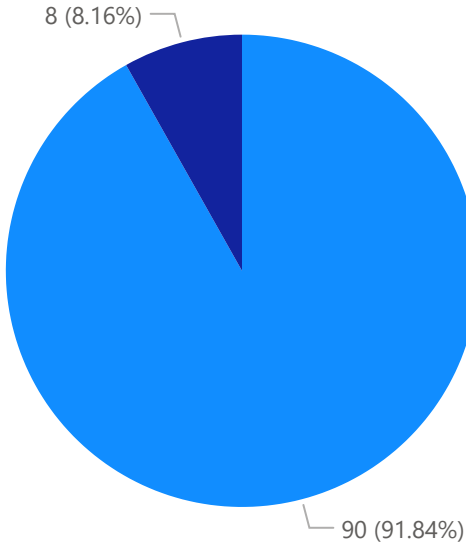
Bet Tzedek (All Intakes)

AMI Status (All Cases)



AMI Status
● Less than 80% AMI
● Over 80% AMI

AMI Status for Full Scope Cases

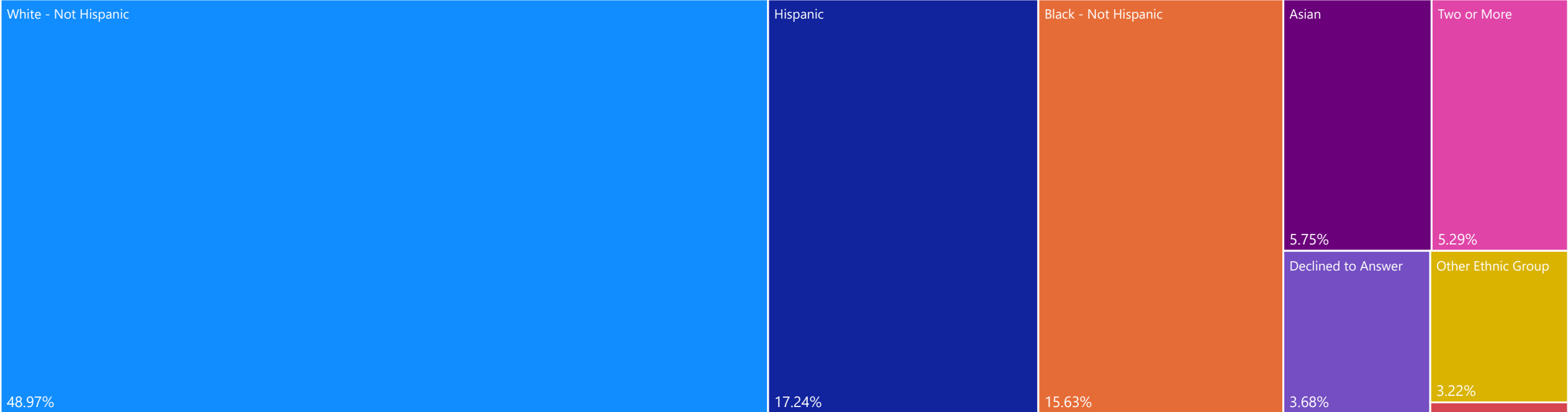


AMI Status
● Less than 80% AMI
● Over 80% AMI

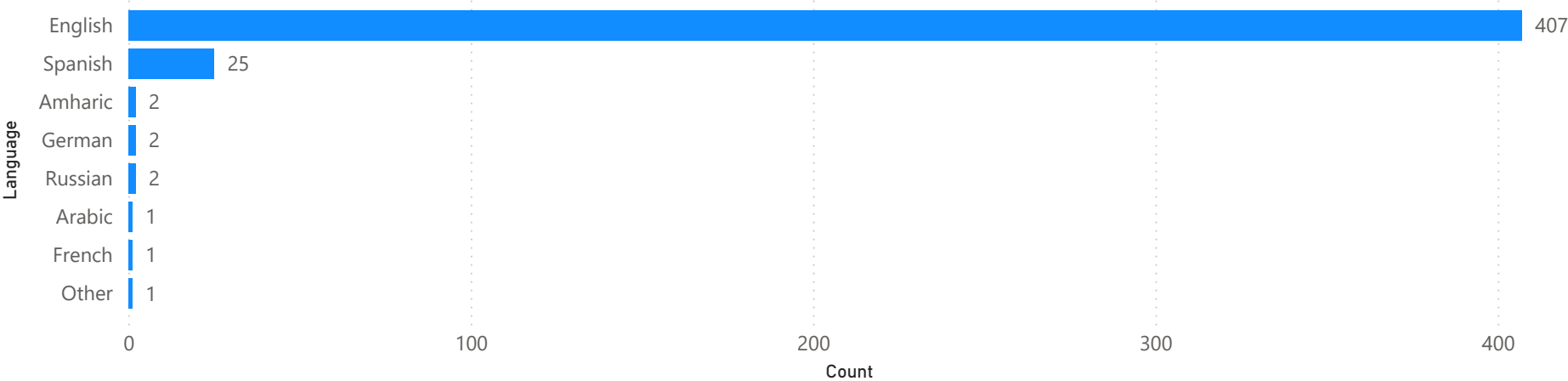
Bet Tzedek (All Intakes)

Race

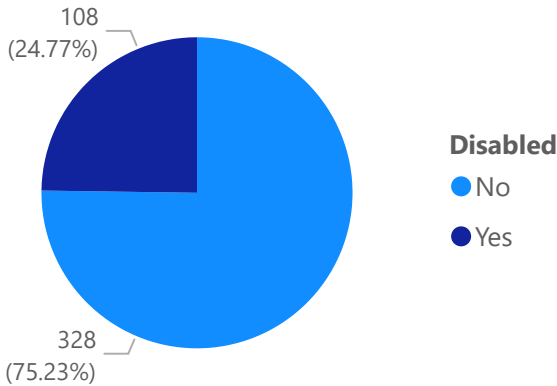
Race ● White - Not Hispanic ● Hispanic ● Black - Not Hispanic ● Asian ● Two or More ● Declined to Answer ● Other Ethnic Group ● Native American



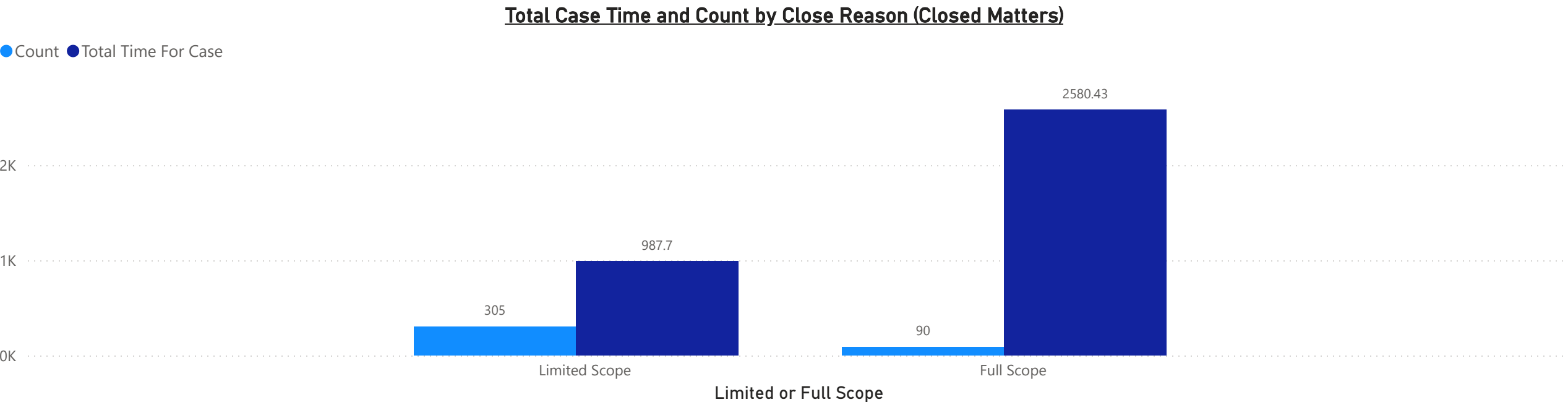
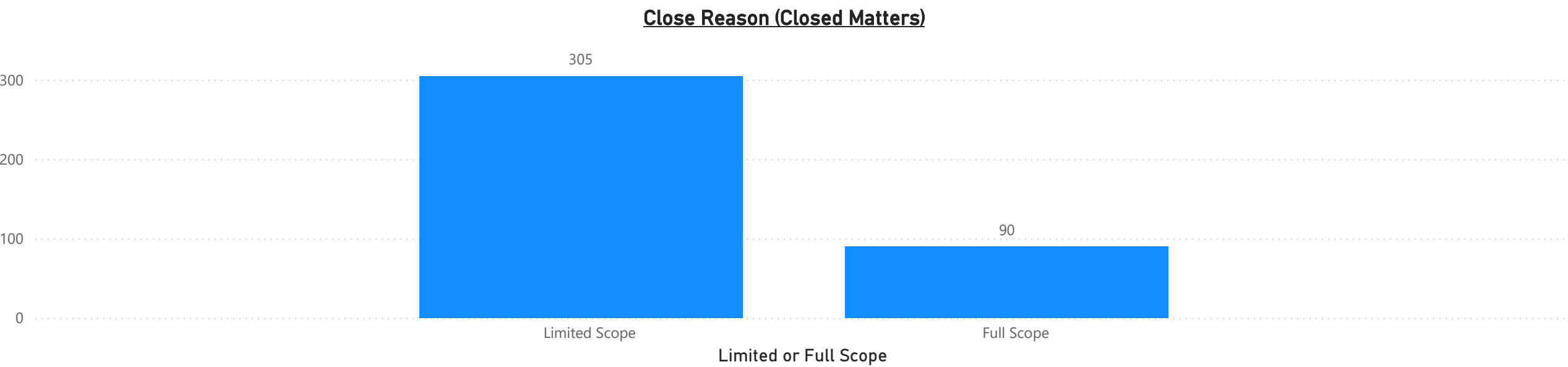
Language



Disability Status



Bet Tzedek Matters (Closed Matters)



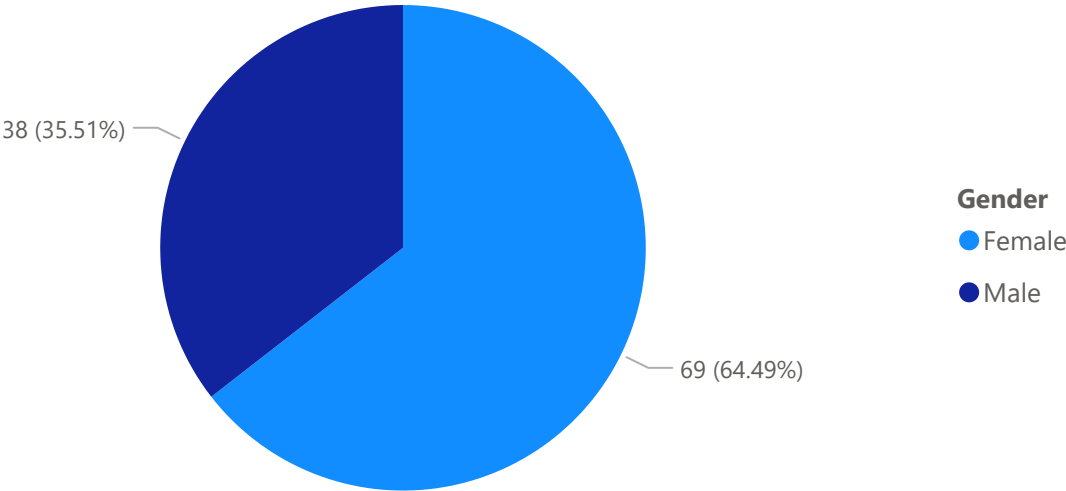
Outcomes

Outcomes	Count
HO14: Obtained advice regarding housing matter*	263
HO9: Obtained other housing benefit	37
HO13: Obtained property information regarding their unit*	12
HO1 (a): Obtained dismissal of case*	9
HO12: Obtained Trial / Hearing preparation*	8
HO1: Prevented loss of current housing	6
HO11: Obtained brief assistance against illegal behavior related to housing*	5
AJ1: Accessed client's rights to the justice system	3
HO2: Negotiated or facilitated move out to provide "soft landing"	3
RTA01: Shared legal information verbally	3
HO10: Obtained brief assistance with Section 8 issue*	2
HO15: Obtained referral for housing services*	2
HO3 (d): Preserved rent controlled unit	2
HO6: Obtained, preserved, enforced rights of a landlord over a tenant	2
RTA09: Referred to other source of assistance	2
AJ5: Assisted client with finding an attorney to represent him/her.	1
HL08: Provided application / status information for a health benefit*	1
HO2 (a): Rent waived	1
HO3: Obtained or preserved access to housing	1
HO4 (a): Obtained legal rent reduction	1
HO5: Enforced rights to safe and habitable housing	1
Total	365

* Cases can have more than 1 outcome per case. This chart shows each time one of these outcomes occurred. These totals do not include cases that are currently open.

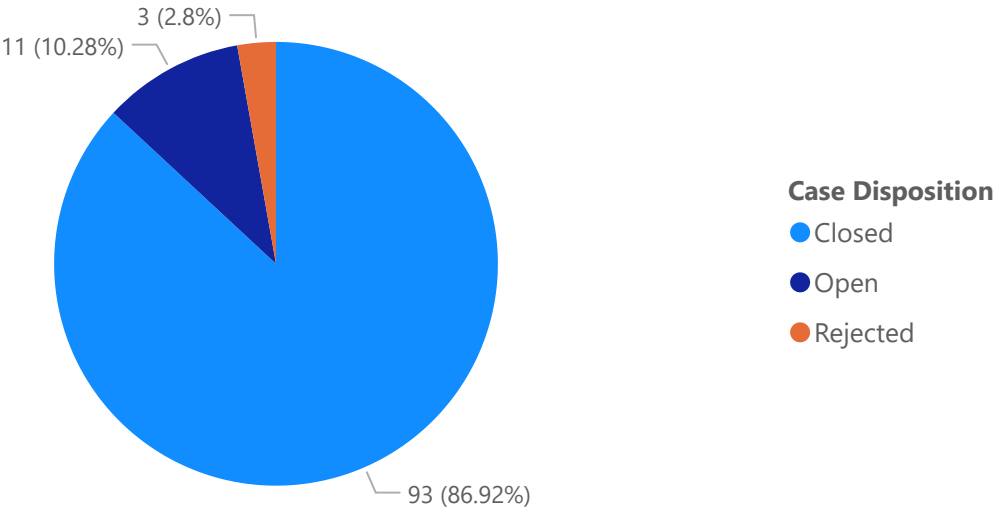
Bet Tzedek (2024 Intakes)

Gender

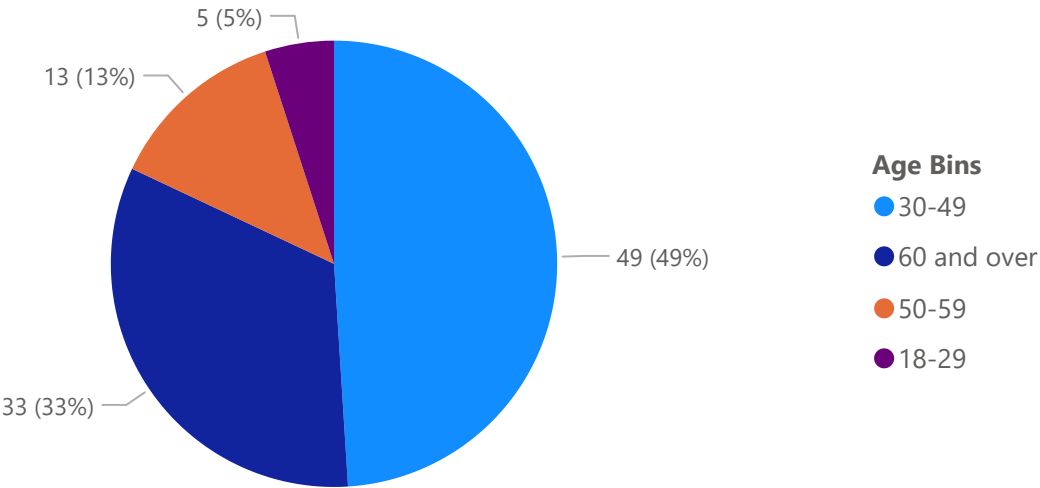


107 Total Intakes	46 Median of Age at Intake
\$3.25K Median Monthly Income	37 Number of Households with Minors

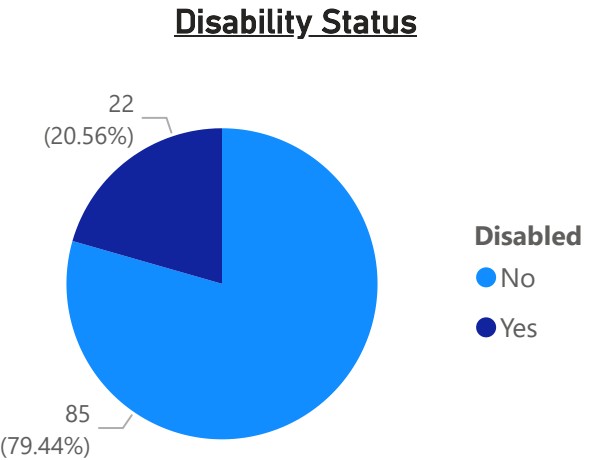
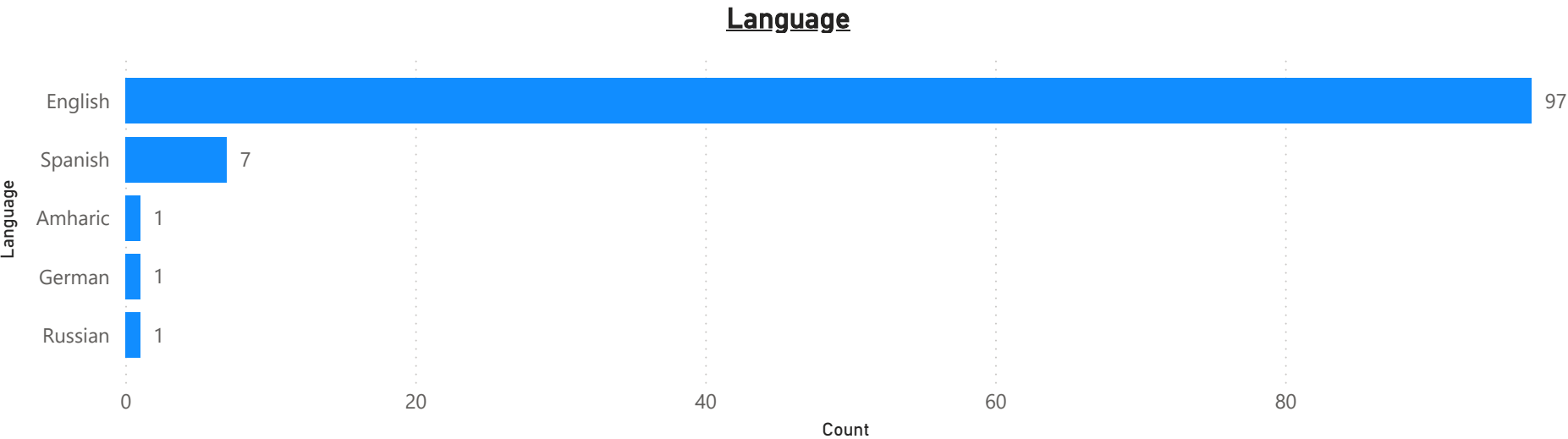
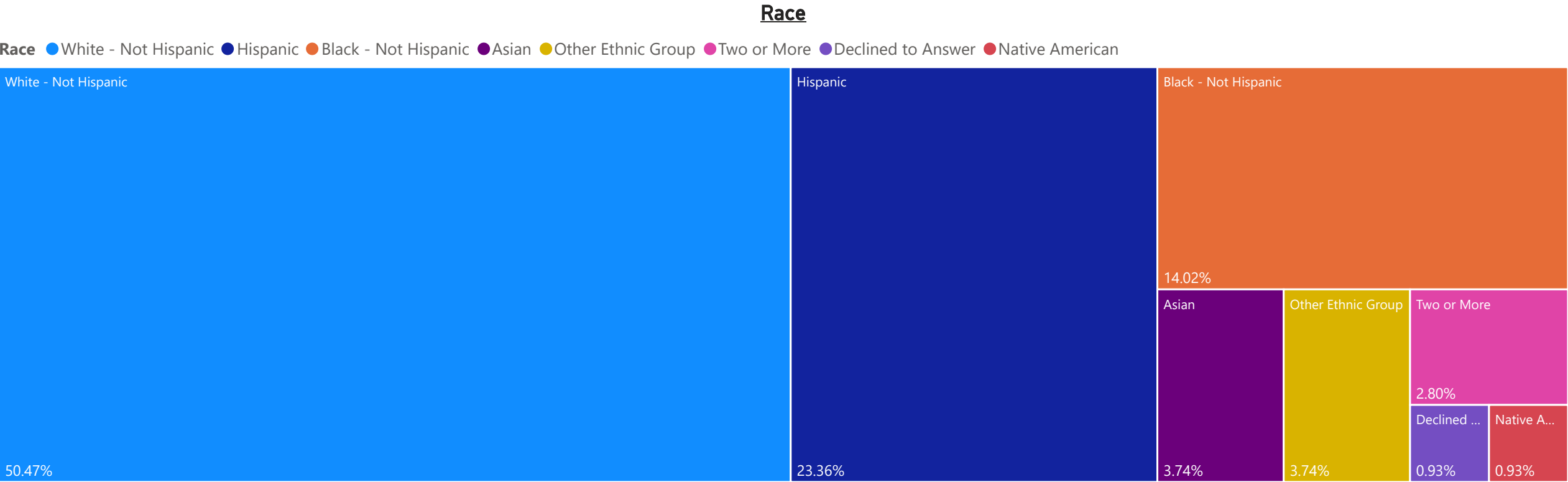
Case Disposition



Age at Intake

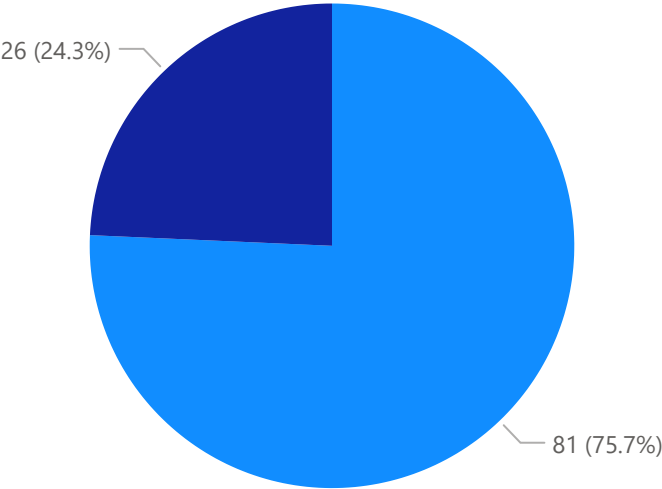


Bet Tzedek (2024 Intakes)



Bet Tzedek (2024 Intakes)

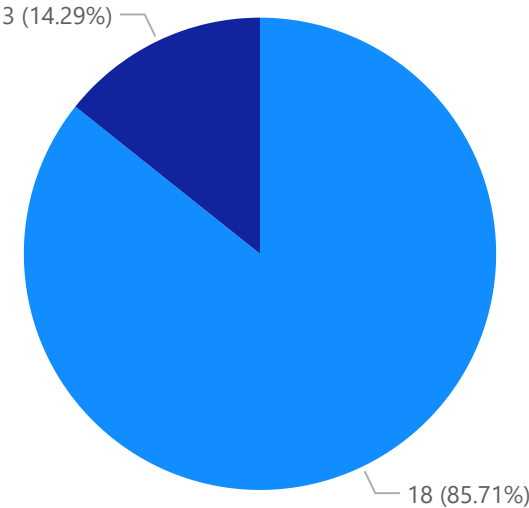
AMI Status (All Cases)



AMI Status

- Less than 80% AMI
- Over 80% AMI

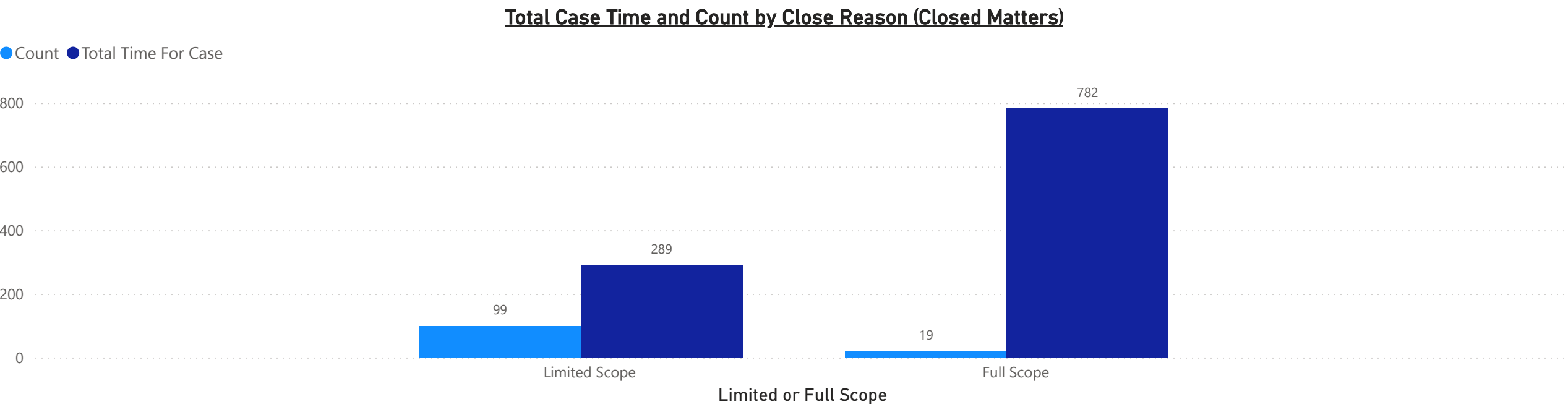
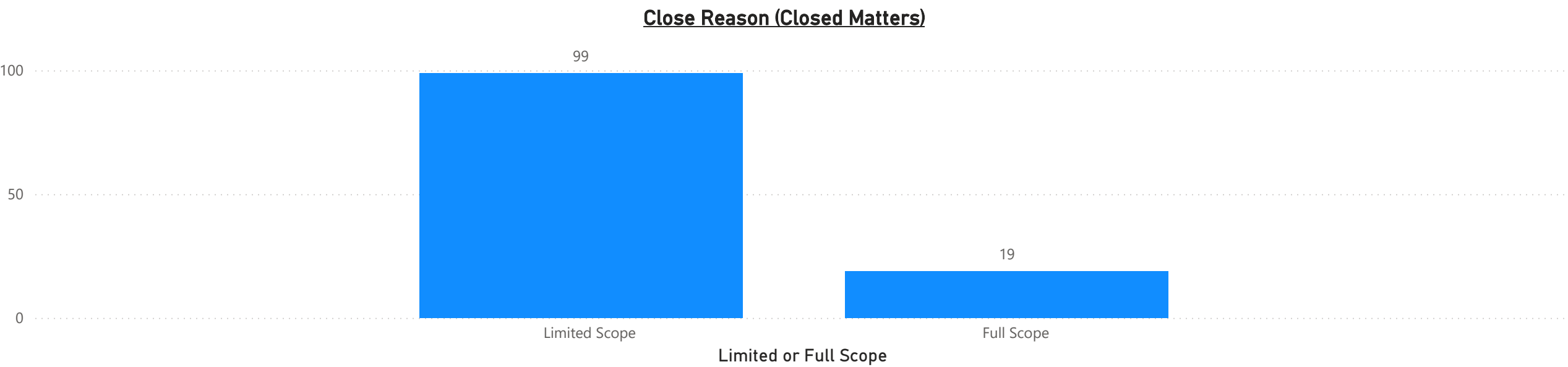
AMI Status for Full Scope Cases



AMI Status

- Less than 80% AMI
- Over 80% AMI

Bet Tzedek Matters (2024 Closed Matters)



2024 Outcomes

Outcomes	Sum of Count
HO14: Obtained advice regarding housing matter*	89
HO12: Obtained Trial / Hearing preparation*	5
HO13: Obtained property information regarding their unit*	5
HO9: Obtained other housing benefit	3
AJ1: Accessed client’s rights to the justice system	2
HO1: Prevented loss of current housing	2
HO1 (a): Obtained dismissal of case*	1
HO11: Obtained brief assistance against illegal behavior related to housing*	1
HO15: Obtained referral for housing services*	1
HO5: Enforced rights to safe and habitable housing	1
HO6: Obtained, preserved, enforced rights of a landlord over a tenant	1
Total	111

* Cases can have more than 1 outcome per case. This chart shows each time one of these outcomes occurred. These totals do not include cases that are currently open.