



Washington State Office of Civil Legal Aid

1206 Quince St. SE
Olympia, WA 98504
MS 41183
360-704-4135

James A. Bamberger, Director
jim.bamberger@ocla.wa.gov

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CONTACT:
James Bamberger
Director, OCLA
360-280-1477
jim.bamberger@ocla.wa.gov

OCLA certifies 17 counties as prepared to launch first-in-nation “Right to Counsel” defense program

OLYMPIA – Washington State’s Office of Civil Legal Aid (OCLA), the independent judicial branch agency charged with administering and overseeing state funding for civil legal aid services throughout Washington, announced that 17 counties can start implementing a first-in-nation statewide “Right to Counsel” program for indigent tenants facing eviction, as OCLA certified to local superior court judges that these counties have authority to appoint OCLA-funded attorneys to represent indigent tenants in unlawful detainer (eviction) cases.

OCLA sent letters to the appropriate Superior Court judges on October 1, 2021 informing them of this new authority to appoint attorneys effective October 4, 2021, and that under a newly enacted state law they may proceed to hear certain eviction cases involving low-income tenants for whom attorneys have been appointed. Among the counties included in this first round of certification are King, Pierce, Snohomish, Clark, and Thurston.

“We recognized the urgency faced by tenants across the state and committed ourselves to bringing the RTC program on-line at the earliest possible opportunity,” said Jim Bamberger, OCLA’s Director. “We are grateful for the active engagement by and cooperation we have received from courts and judicial officers across the state which has enabled us launch this vital new program ahead of schedule.”

In a national first, the Legislature established and funded a right to appointed counsel for all low-income tenants in eviction cases. The Legislature assigned responsibility for designing and operating the program to the Office of Civil Legal Aid (OCLA), with SB 5160 providing the agency 90 days to publish its implementation plan ([a plan](#) submitted in July) and one year to fully implement the right to counsel program statewide (by April 22, 2022).

To move forward, OCLA contracted with 12 non-profit legal aid programs across the state to accept court appointments. Collectively, these programs have hired more than 60 full-time eviction defense attorneys and have engaged many private attorney contractors – all of whom have completed a rigorous eviction defense training curriculum.

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“OCLA is excited and encouraged to certify 17 counties across Washington as having the trained attorneys so that we can start this vital program by reaching almost 70% of the state’s population,” said Philippe Knab, OCLA’s Eviction Defense Program Manager.

Under the new law, eviction cases involving low-income tenants may not proceed in any county unless and until the court has been notified that the right to counsel program is operational in that county. OCLA anticipates that all counties will be certified and RTC appointments commenced by November 15, 2021 – more than 6 months prior to the legislatively set deadline.

“While there will be bumps along the road, we will continue to learn and adjust the program on the basis of information we receive in the early months of its operation,” said Bamberger. “Our earlier-than-scheduled launch will give us even more time for that appropriate fine tuning.”

As part of the RTC program, OCLA funded a statewide Eviction Defense Screening Line. Tenants throughout the state should call this line if they have received court papers, or believe they are about to be evicted. The number is 855-657-8387. More information about how to be screened for appointed counsel can be found on the Northwest Justice Project’s home page at <https://nwjustice.org/home>. Tenants can apply online at <https://nwjustice.org/apply-online>. A self-guided Eviction Defense Helper can be found at <https://www.washingtonlawhelp.org/resource/eviction>. On-line materials are available in multiple languages.

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