

**TO:** President Eduardo M. Peñalver

**FROM:** Annette E. Clark, Dean and Professor of Law  
Cindy Yeung, Assistant Dean, Access to Justice Institute  
James Bamberger, Director, Office of Civil Legal Aid

**DATE:** November 1, 2021; *Revised on June 8, 2022*

**SUBJECT:** Updated: Seattle University School of Law and the Office of Civil Legal Aid Housing Justice Collective

---

## **Announcing the Housing Justice Collective at Seattle University School of Law**

In order to build a sustainable community of practice in housing eviction defense and to address the housing inequities that have plagued this country for over a century, Seattle University School of Law and the Office of Civil Legal Aid (OCLA) are pleased to announce a partnership, the ***Housing Justice Collective***, with the goal of creating a sustainable pipeline of diverse, highly competent, and committed lawyer-advocates to represent tenants in unlawful detainer actions in Washington State. Together with OCLA, Seattle U Law recognizes the expanding job market in this practice area and the need for deeper, more specialized substantive and skills instruction for students who wish to serve individuals and families experiencing rental housing instability and risk of eviction.

### **Civil Gideon and the Need for Highly Qualified and Trained Students/Attorneys**

On April 22, 2021, Washington State Governor Jay Inslee signed 2ESSB 5160, which made Washington the first state in the nation to require that courts appoint attorneys for indigent tenants in eviction cases. Establishing the right to appointed counsel (RTC) in all thirty-seven of Washington's counties has created a significant number of opportunities for both lawyers and law students. Attorneys are needed to fill the RTC positions and administrators are needed to ensure quality, consistency of service, and develop and deliver training.

We believe that Washington's law schools have a duty to educate and train the next generation of lawyers to be knowledgeable and prepared in this practice area. Given its commitment to social justice, Seattle University School of Law, in partnership with the Office of Civil Legal Aid (OCLA), is leading the way in fostering RTC implementation and educating powerful advocates for justice for this critically important work.

Seattle University School of Law is the Pacific Northwest's most diverse law school; the entering class of 2024 is comprised of 37 percent Black, Indigenous, and People of Color and 64 percent women. These students have diverse and powerful lived experiences and chose Seattle U Law in part because of its demonstrated commitment to social justice.



They are eager to use their legal skills to identify and dismantle the systems that cause renters of color to be evicted at disproportionate rates as compared to white renters.

Seattle U Law is committed to being proactive and responsive to the needs of the legal community. As a Jesuit institution, social justice and educating the whole person run through the veins of our community. It is our priority to creating lasting partnerships with advocacy partners in order to educate and train passionate and competent attorneys who are prepared to serve the public good.

OCLA is an independent judicial branch established to administer and oversee expenditure of state appropriations for civil legal aid services to low-income Washingtonians. It is institutionally committed to equity, inclusion, and diversity in the assessment of legal needs and the delivery of legal aid services. OCLA is a founding member of and embraces the race equity and justice commitments articulated by the Washington State Race Equity and Justice Initiative. OCLA works to ensure and support early identification, recruitment, and training of diverse attorneys, as well as support for attorneys and those interested in a public justice legal career.

OCLA operates a number of distinct civil legal aid projects, including, effective July 1, 2021, the nation's first statewide program for appointed attorneys representing low-income tenants in eviction cases. After the legislature passed and Governor Inslee signed 2ESSB 5160 into law, OCLA was assigned responsibility to implement and administer the RTC program in Washington. OCLA was required to submit an implementation plan to the legislature within 90 days of its effective date and for full implementation to be accomplished within 12 months after its effective date (April 22, 2022). Roughly 65 attorneys will be hired initially to provide right to counsel services to eligible tenants.

### **Priming the Pump for the Housing Justice Collective: Initial Seattle U Law Steps**

Since 2015, Seattle U Law has housed the [Homeless Rights Advocacy Project](#) (HRAP), led by Professor Sara Rankin, that offers students the opportunity to do policy research, analysis, and advocacy on behalf of unhoused people. HRAP builds partnerships across a range of disciplines with community members, advocates, academic institutions, and other stakeholders to advance the rights of homeless people. HRAP also advocates for the repeal of laws that criminalize homelessness and poverty and for the pursuit of alternatives that address the root problems of homelessness and poverty.

In October 2020, the Seattle U Law Access to Justice Institute, in partnership with students and the King County Bar Association's Housing Justice Project (HJP), sponsored an eviction defense clinic as part of the ABA's Celebrate Pro Bono Week. The clinic introduced students to eviction defense, and in that one day, assisted more clients than would ordinarily be served by HJP in a week. Given the clinic's success, it was replicated again with great success on October 29, 2021, in celebration of Pro Bono Week.

In the Spring 2021 semester, Seattle U Law launched its Housing Justice Clinic course, bringing together law school faculty and the staff at HJP. The clinic was both fully enrolled



(10 students) and highly successful, with two students who participated in the clinic being hired by HJP immediately upon graduation in May. The Housing Justice Clinic is again being offered in the Fall 2021 semester and is fully enrolled.

In August 2021, Seattle U Law made housing inequity the theme of 1L Orientation, a multi-day program that introduces new students to the law school and the legal profession. All 230 1Ls read *The Color of Law: A Forgotten History of How Our Government Segregated America*, by Richard Rothstein, and engaged in small group discussions of the relevance of the book's findings to the escalating eviction crisis, particularly in light of the COVID-19 pandemic. They also listened to a timely presentation by Edmund Witter of the KCBA's Housing Justice Project on racial justice and the important role of lawyers in challenging housing inequities.

### **Housing Justice Collective: Seattle University School of Law Revised Commitments**

- Continue our review of the law school's curriculum, revising and adding courses/components as necessary to ensure provision of comprehensive education and training for students to become competent housing defense lawyers:
  - Substantive law, including increasing the availability of our current landlord/tenant course and offering additional coursework on subsidized housing.
  - Skills training in specialized practices and procedures for eviction defense, with an emphasis on evidence and pretrial and trial advocacy skills (including the possibility of an experiential evidence lab), mediation and conflict resolution
  - Training in anti-racist lawyering, emphasizing an understanding of the racialization and bias inherent in the housing and law and justice systems
  - Relevant clinical and externship opportunities
  - Explore the creation of a certificate in housing justice for JD students who complete a prescribed set of courses/experiences before graduation
- Explore opportunities for broader collaboration with Seattle University, particularly relevant undergraduate departments and majors and the Center for Community Engagement, in the hopes of creating an even deeper pipeline of students committed to this practice area
- Promote the Housing Justice Collective through social media and a story in an upcoming issue of the Lawyer magazine
- Continue offering educational programming to students about the Housing Justice Collective through Social Justice Mondays or other stand-alone programming that would present both a learning and networking opportunity



- When appropriate, consult with OCLA and other stakeholders in the housing justice community relative to course development and strategic planning.
- Consider how housing justice can be a component for Fall 2022 orientation, either in the common reading text or other presentation
- Add appropriate components to the Center for Professional Development's (career services) programming so that students are fully aware of the practice opportunities in eviction defense
- Invite Matthew Desmond, author of *Evicted: Poverty and Profit in the American City*, to speak in person or virtually at Seattle University
- Seek funding to establish a training center or institute at Seattle U Law, thus cementing the school as local and national leader in housing justice

### **Housing Justice Collective: Office of Civil Legal Aid Commitments**

- Fund three Public Interest Law Foundation (PILF) grants for Seattle U Law students at the KCBA Housing Justice Project annually for the next 3 years (inaugural OCLA funding already approved for two Summer 2022 PILF grants)<sup>1</sup>
- Support Seattle U Law efforts to obtain additional PILF grant funding (e.g., inaugural Northwest Justice Project funding of one PILF grant, at OCLA's suggestion)
- Collaborate with and support Seattle U Law efforts to seek additional grant funding to grow the Housing Justice Collective
- Promote the Housing Justice Collective through appropriate means, including recommending graduates of the Seattle U Law curriculum to RTC employers
- Consider opportunities to help underwrite Housing Justice Training Center at Seattle U Law

### **Collective Updates as of May 25, 2022**

Seattle U Law issued a joint press release announcing this collective on November 17, 2021.

---

<sup>1</sup> The underwriting PILF grants guarantees that each summer our students will be exposed to unlawful detainer defense and develop an understanding of the opportunities that exist in this practice area. Post-graduation, PILF grantees are more likely to pursue public interest careers and, in some cases, are hired by their host organizations. Several PILF grantees are now access to justice leaders in the community, and grantees can be found at almost every public interest entity in Washington, both civil and criminal.



On January 10, 2022, a Social Justice Monday program was held in-person and by Zoom for students, staff, and faculty, featuring the new Right to Counsel program in Washington and two program attorneys (both Seattle U Law alumni), as well as Jim Bamberger and Philippe Knabb.

On February 8, 2022, Seattle U Law welcomed Judge Dave Keenan and Commissioner Jonathon Lack to present on Racism, Truth, and Reconciliation in Washington Courts.

The Access to Justice Institute worked with Philippe Knabb in the recruitment and onboarding of two law students (Leslie Burnett and T.K. Anney) to engage in court observation and data collection in counties throughout Washington to evaluate right to counsel implementation.

Due to the generous funding by OCLA and NJP, Seattle U Law was able to fund three Summer 2022 PILF grants as following:

- Hailey Berry (2L) KCBA HJP
- Sasha Mancisidor (2L) KCBA HJP
- Niloofar Irani (3L) NJP

In the Spring of 2023, Seattle U Law plans to offer a class on federally subsidized housing.

## **Conclusion**

Together, Seattle University School of Law and the Office of Civil Legal Aid, through the Housing Justice Collective, are providing students with meaningful exposure to unlawful detainer practice and creating a permanent pipeline of qualified and justice-minded advocates for the state of Washington.

