

Bill would guarantee legal counsel for renters facing eviction

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Residential tenants facing eviction in Wisconsin would be guaranteed legal counsel under legislation being circulated for co-sponsorship.

A group of Dem lawmakers led by Sen. Kelda Roys of Madison and Rep. Ryan Clancy of Milwaukee recently sent a memo seeking support for LRB-1214. They note a single missed housing payment can mean “the difference between housing security and homelessness,” emphasizing the harm eviction can have on low-income residents.

Using data from Milwaukee County, they also argue evictions disproportionately impact minority groups, as Black women make up the majority of eviction filings there while less than a third of the county’s population is Black.

“Seeking legal representation can be necessary to ensure that established tenants rights are being upheld– however, these services are inaccessible to many Wisconsin residents due to the existent financial barrier of legal counsel,” authors wrote.

The legislation would establish a right to the appointment of counsel at state expense for residential tenants facing eviction, according to analysis from the Legislative Reference Bureau. Legal representation would be prioritized for people in counties with higher rates of evictions and for those who are “disproportionately at risk” of being evicted.

The proposal would also create an Office of Civil Legal Aid and a Civil Legal Aid Board and set requirements for the appointees of the board, such as not renting out residential property. The director of the proposed office would be authorized to negotiate contracts with local public defender groups and right-to-counsel programs.

An attorney appointed by the director would be paid \$100 per hour for work on eviction cases under the bill, though that amount would rise annually based on the

increase in the consumer price index. The director could appoint counsel “only if sufficient funds are available,” LRB notes.

Still, the new board would also be required to enter agreements with the State Bar of Wisconsin, local bar associations, law firms and others to encourage legal representation without compensation as a service to the state.

The co-sponsorship deadline is 5 p.m. Thursday.

See the [bill text](#).