

Tackling Evictions: BYU And UA Law Schools Partner On Legal Research Project



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The nationwide trends of stagnating wages and increasing housing costs has led to an increased risk of evictions for renters across the country. According to [Matthew Desmond's 2017 book *Evicted*](#), "Today, the majority of poor renting families in America spend more than half of their income on housing, and at least one in four dedicates more than 70% to paying the rent and keeping the lights on."

Most evictions happen informally, and even formal evictions are rarely contested in court. Less than 20 percent of tenants served with an eviction notice come to court, and so viable legal defenses often go unheard. A new initiative is trying to help tenants facing eviction find appropriate legal assistance.

Legal Innovation: LawX & Innovation for Justice

The J. Reuben Clark Law School (BYU Law) at Brigham Young University and the James E. Rogers College of Law at the University of Arizona have joined forces to create a program focused on tackling the legal complexities of eviction law. BYU's

[LawX](#) legal design lab, and UA's [Innovation for Justice](#) (I4J) program are working together to reduce the number of evictions in and help tenants find quality legal representation.

“Given the sheer volume of evictions in America, we believe this is the right issue for LawX to tackle in its second year, and we welcome collaboration with the University of Arizona Law School,” said Gordon Smith, Dean of BYU Law School. “This past year, our LawX students uncovered some sobering statistics on hurdles in the legal system that make it extremely difficult for a non-lawyer to respond to lawsuits, particularly in the areas of debt collection, evictions and divorce.”

The program will focus on tackling the eviction crisis in Arizona and Utah, with hopes the collaboration could result in solutions applicable beyond the region. In 2016, Utah averaged 7.61 evictions per day and Pima County, Arizona, where the UA is located, averaged 22.01 evictions per day, according to Eviction Lab.

Kimball Parker, LawX director and president of [Parsons Behle Product Lab](#), will lead the initiative at BYU, while Stacy Butler, director of I4J, will lead the project at UA. With a primary focus on technology, design and system thinking, and collaboration, both classes will focus on resolving the current status of eviction law, especially the lack of legal representation for an underserved community.

Eviction Law: A Focus On Underserved Communities

“The goals of the Innovation for Justice program are to expose students to the fact that not everyone is able to use the civil legal system as it's designed, and to empower students to close that gap,” Butler said. “LawX’s focus on reaching people who are not engaging with the civil legal system is critical to making the system work the way it should.”

LawX will highlight the difficulties non-lawyers would have in dealing with different areas of law including divorce, debt collection, and eviction laws. One of the particular challenges is the difference in how each state--and municipality--handles evictions. Often the laws are weighted heavily in favor of the landlord. For example, in Utah, a tenant has just three days to respond to an eviction notice, so often landlords give notice on a Friday, further limiting a tenant’s options

“An eviction can be life-changing to an individual or family, and it can result in homelessness; our research determined that evictions have one of the highest rates of default among those who can’t afford an attorney,” said Parker. “I am excited to work with Stacy on this project and believe her extensive experience with expanding the reach of civil legal services to those in need will be incredibly valuable.”

A Tangible Solution For Renters

Parker says the goal is to create a tangible solution for renters, whether that is a product or some other solution, but the students will start by surveying. One of the first questions they hope to answer: why don’t more tenants seek relief in the legal system?

This collaboration project comes on the heels of LawX’s previous project to assist

debtors facing debt collections lawsuits who couldn't afford legal representation. That project resulted in creation of an award-winning software program, [SoloSuit](#), which helps debtors respond to collections notices.

"This past year, our LawX students uncovered some sobering statistics on hurdles in the legal system that make it extremely difficult for a non-lawyer to respond to lawsuits, particularly in the areas of debt collection, evictions and divorce," said Gordon Smith, Dean of BYU Law School. "With this legal design lab in a classroom, we are committed to identifying the best possible solutions to help close the gap for people who feel overwhelmed by the legal system.

Hands-on Legal Experience for Law Students

"Programs like Innovation for Justice and LawX offer important learning experiences for our undergraduate and graduate students. They represent a movement in legal education to adapt and to be more interdisciplinary in how we approach the world," said UA Law Dean Marc Miller. "Students get to take a deep dive into a specific project to produce a community deliverable. They engage with the community and in doing so, begin to understand how their learning can be applied outside of the classroom."

Using a design thinking approach, up to six LawX students and 12 Innovation for Justice students will start work on the project in the fall 2018 semester with three goals:

- understand why tenants disengage with the civil legal system
- identify innovative approaches to educating and engaging tenants
- develop strategies for delivering possible solutions into the hands of those who need help most.

By working in a law school classroom setting, the program strives to help provide answers and solutions to under-represented communities, who find difficulties in understanding the law, or finding appropriate resources to help them tackle impending hurdles.

Findings and shared information will eventually lead to solutions which can extend beyond Utah and Arizona's borders. Conversely, the program might lead to separate projects addressing regional barriers to help reduce eviction totals.

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