

## Access to Counsel Frequently Asked Questions

### Who is eligible for the Access to Counsel program?

- Live in 45405 or 45406 zip code
- Have a household income below 200% of the [Federal Poverty Level](#)
- Have children or a pregnant person in the household
- The eviction hearing is more than 3 business days in the future
- Have a defense

### What is considered a defense in an eviction case?

A defense in an eviction case is a legal reason why the court would rule in favor of the tenant. There are many things that can be considered a defense in an eviction hearing. Even if you're unsure if you have a defense, you should still apply for legal assistance.

### What if I don't know if I have a defense?

If all other qualifications are met, the ABLE team can help determine if there is a defense.

### What is the contact information for the Access to Counsel program?

Tenants may apply through Legal Aid Line intake at 1-888-534-1432 or [www.legalaidline.org](http://www.legalaidline.org); or visit ABLE's office at 130 West Second Street, Ste 700, Dayton, Ohio 45402. The Legal Aid Line and ABLE offices are open Monday through Friday during normal business hours.

### Will everyone who qualifies get a lawyer for their case?

No, once qualifications are met, this is a first come, first served program. Due to budgetary confinements, there is one staff attorney working on these cases. The attorney will take around 10 cases per month depending on multiple factors. If the staff attorney has reached their case limit, the intake will be temporarily closed.

### Why is this only available for residents in 45405 and 45406?

The data indicate that eviction filings are the highest in Northwest Dayton zip codes - representing almost 50 percent in the City of Dayton.

This pilot supports the Northwest Dayton *Power of Place Plan*, a resident led, investible plan focused on increasing racial equity, justice, and economic mobility for all residents of Northwest Dayton. The plan underscored four priority areas identified by residents; housing was lifted up as a clear imperative, with a specific recommendation for an access to counsel program.

**What happens after the pilot program concludes?**

The pilot program will provide ~125 Northwest Dayton families with legal assistance in eviction cases over one year. A robust evaluation report will be conducted as a part of the pilot. The evaluation will include a review of the challenges and successes in implementation (for continuous quality improvement) and the estimated cost and fiscal impacts of implementing an ongoing eviction right to counsel in Northwest Dayton and in scaling across the region.

**What kind of services would be provided through this program?**

In addition to legal support, tenants may benefit from community resources and connections provided by a social worker. The Access to Counsel team includes a full-time staff attorney, with support from a paralegal and administrative assistant; a part-time social worker to connect the tenants with resources such as rental assistance, housing searches, and employment help; and a tenant organizer to elevate the voice of the residents and drive toward sustainability policies.

**Is there rental assistance available as part of this program?**

No, there is no cash or rental assistance as part of this program.

**What if I'm not eligible for this program? Are there other programs available?**

Although there are no other Access to Counsel programs in Montgomery County, tenants in need of legal assistance who do not qualify for this pilot can still apply for legal assistance and resources through [www.legalaidline.org](http://www.legalaidline.org).

**Is this service available in other languages?**

ABLE has interpretation and translation services available.