AMERICAN BAR ASSOCIATION
Commission on Homelessness and Poverty

homeless court program

how it works

participant selects provider & starts services

activities:
Participant selects an approved Provider to develop an Action Plan that address the root causes of their homelessness.

Provider can request warrant recalls so Participant can access certain services.

resources:
ABA: agency sign-on letter template
SDHCP: manual; services letter

provider refers participant after services done

activities:
After a Participant has substantially completed their Action Plan, as defined in the Provider's sign-on letter, Provider submits Advocacy Letter and other application materials to Defender after Participant's meeting Provider-specific submission criteria.

resources:
ABA: advocacy letter template
SDHCP: advocacy letter (sample)

defender evaluates for eligibility

activities:
Defender reviews application materials for sufficiency and Participant eligibility; submits to court for docketing.

Court prepares docket list and/or background report, no docket entry.

resources:
SDHCP: docket/calendar

team reviews participant progress

activities:
Prosecutors and Judges review application and docket materials with Defender (and Provider), agreeing in advance to case dispositions.

Defender prepares orders and submits to Prosecutor and Court for signing.

resources:
SDHCP: order

legal relief entered & congratulations

activities:
At a community facility, the Court holds a hearing, where they the Participant's accomplishments are placed on the record.

The entire courtroom applauds each Participant as their motions for relief are granted.

resources:
ABA/San Diego: toolkit

If eligible participant is discovered during an active case
If, during an active case, the Court discovers a participant is eligible for and interested in HCP, the Court continue the matter for 120 days to allow the Participant to engage with a Provider of their choosing.

No HCP action taken
HCP makes no docket action unless Participant completes program. So if for any reason a person or case does not qualify for relief, the cases is addressed on the previously adjourned docket.

additional resources
ABA: Homeless Court Principles - 2006-12-12; Homeless Court Principles II - 2021-12-12; MOU Template
San Diego's HCP: website; MOU - 2009-06-23; provider list app; statistics; FAQ