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## **Taking Court to the People: Satellite Sessions to Provide Easy Access for Homeless**

ST. PETERSBURG – In an effort to prevent minor criminal cases from standing in the way of on-the-street defendants’ efforts to emerge from homelessness, two Sixth Judicial Circuit judges are taking court to the people. Florida’s first Homeless Court will be held Saturday (Jan. 30) as part of Project Homeless Connect.

The first of what is aimed at becoming monthly satellite court sessions will convene at 9 a.m. Saturday (Jan. 30) at the St. Petersburg Coliseum with Pinellas County Judges Lorraine Kelly and James Pierce presiding. The official court sessions will be designed to assist homeless defendants in resolving matters involving minor misdemeanor charges, city ordinance violations and outstanding warrants on such cases.

Attorneys from the private sector and the Public Defender’s office will be on site to advise the defendants, and representatives of the State Attorney’s office will be present to help resolve the cases in a non-punitive manner. It is anticipated that this project will cooperate with, enhance and complement the ongoing assistance offered to the homeless by the Public Defender’s office.

Judge Pierce said it is hoped that defendants can be connected to needed community services and treatment programs, rather than being sentenced to more traditional sanctions such as custody or fines they can’t pay. He said that getting the homeless connected to social services should assist in “breaking the cycle of getting arrested, being released back to the streets and then being arrested again when they fail to appear in court, often because of transportation problems.”

Judge Kelly said this first Homeless Court session will be part of the Project Homeless Connect, when providers of health, social, legal and other miscellaneous services come together in one spot to assist the homeless. This year’s service fair – the third – will be at the Coliseum from 8:30 a.m. to 3:30 p.m. on Jan. 30. The Homeless Connects fairs were held in 2007 and ‘08, but none was held last year as the schedule was adjusted to make for an annual event at this time of year.

While Homeless Connect will become an annual project, Judge Kelly wants Homeless Court to convene monthly. She has temporarily reserved space for a Feb. 27 session at the Salvation Army Red Shield Lodge in St. Petersburg. “Since participation in Homeless Court is voluntary, we will have to gauge response,” she said. “It probably will take some time to build up trust of the people we’re helping. Disposing of cases will be a big benefit to the courts and taxpayers of Pinellas County, but the true beneficiaries should be the people we’re trying to assist.”

Both Judges Kelly and Pierce emphasized the non-punitive intent of Homeless Court, and Judge Pierce stated, “No participants will have to waive any rights afforded to them under the law.” He pointed out that

private attorneys and public defenders will be on hand to advise defendants prior to disposition. Judge Pierce also invited any private attorneys with a sense of community to participate.

Only cases involving victimless crimes, such as ordinance violations, failure to appear, and other minor misdemeanor accusations will be heard in Homeless Court. Homeless citizens facing more serious misdemeanor charges and all felony cases will still have to appear in regular court at the scheduled time. Judge Kelly said that even though the cases are minor, they often languish in court as open cases because the defendants don't – or can't – get to court, thus the need to take court to the people.

“These unresolved issues can hinder efforts of people seeking desperately needed services, such as employment, housing, treatment programs and other forms of public assistance,” Judge Kelly said. “These issues are often easily resolved, but homeless people are reluctant to appear in court because of uncertainty or fear of being taken into custody. In many cases, they don't want their appearance to create a wrong impression . . . or they can't afford a bus ticket . . . or they don't have a place to store their belongings.”

Judge Pierce said defendants who volunteer to have their cases settled in Homeless Court should not fear being taken into custody for the minor misdemeanor charges. “By consulting with the attorneys present, they will have an opportunity to plea bargain their fines or custody down to participation in programs designed to address the underlying causes and problems of homelessness,” Judge Pierce said.

Although this will be the first regularly scheduled Homeless Court in Florida, the concept is not unique to other parts of the country. The first such court convened in San Diego in 1989, and since then the American Bar Association has been encouraging the establishment of such courts. Communities in at least eight other states now have such courts.

Disposal of the cases translates into fewer hearings, less work for law enforcement officers who serve outstanding warrants and less jail population, all of which create savings for taxpayers.

Judge Pierce said “I sincerely hope homeless persons with minor legal issues will see Homeless Court for what it is . . . a chance for persons in need to separate their past from the future.”