



Important Information for Landlords and Tenants



What happens at Court on Eviction Day?

At the start of each Thursday summary process (eviction) session the Judge gives a short speech explaining the court's procedures and resources. This is a summary of that information. If you have any questions, you can ask any court personnel or ask the attorneys at the "attorney of the day" table just outside the courtrooms on the fifth floor.

- 1. Interpreter:** If you have trouble with English the court will provide an interpreter to help. Ask any court employee.
- 2. Attorneys are Available:** Every Thursday, there are attorneys available to give advice to tenants and landlords and to assist you with your housing case. You can find the "attorneys of the day" at the tables outside Courtroom 15 on the fifth floor and usually outside the mediation waiting area by the Clerk's office on the third floor.
- 3. Calling the List:** After the judge finishes his speech the clerk will "call the list." This means he or she will call out the names of the landlords and tenants to see if you are here and to determine whether you want to see a judge first or want to go to mediation. When you hear your name, you can say "here" to let the clerk know you are in the courtroom.

Remember:



- The clerk will ask you what you want. You can say that you want to go to mediation or you can ask to see a judge.
- If you want to see a judge you must call out "judge".
- If the clerk tells you to go downstairs or tells you to go to the third floor, this means he or she is sending you to mediation. If you do not want mediation you should tell the clerk right away.

4. The Other Side does not Show: If the other side is not in court when the clerk calls his or her name, you may win the case.

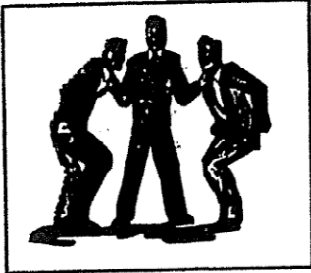
If you are a landlord and your tenant is not in court, you will win by default. You should go to the Clerk's office on the third floor and fill out papers to get your judgment by default.

If you are a tenant and the landlord is not in court, you will win. Your landlord's case will be dismissed. If you filed counterclaims you will win on the counterclaims. You should go to the clerk's office to fill out papers to set up a hearing for the court to decide what you will win on your counterclaims.

Remember:

- You should wait a short time since the other side may be in another courtroom by mistake or may be late.

Resolving your Case: There are three ways you can resolve your case:



- **Mediation** - This means both sides sit down with a court employee (a “housing specialist”) and try to work out an agreement that is satisfactory to all. Many cases are settled through mediation. Mediation takes place on the third floor.

Remember:

- Mediation is voluntary. Both sides have to agree to go to mediation. You can ask to see a judge if you do not want to go to mediation.
- You do not have to settle the case or sign an agreement if you go to mediation. You can always ask to see a judge.
- **DO NOT** sign an agreement unless you understand every requirement and agree with each term. For example, do not agree to pay any payments that are too high for your income. Do not agree to move out of your apartment if you do not have another place to live.



- **Agreement without Mediation** (talking to the other side without the assistance of a court employee). This is not mediation. When you are waiting to be called for mediation, the other side or their attorney may come to speak with you. You can work out an agreement without a court employee if you want.

Remember:

- You do not have to talk with the other side or their attorney alone.
- You can ask to see a housing specialist for mediation or you can ask to go before a judge.
- If you are talking with an attorney for the other side, that person does **NOT** represent you and will try to get an agreement which is good for the other side. You have to make your own decision.
- If you have any questions you can ask the attorney of the day. You can also ask the attorney of the day to review the agreement before you sign it.



- **Go before a Judge.** You can choose to have a judge decide your case.

Remember:

- You must have all your witnesses and evidence here with you today.
- The judge will usually not continue the case unless both sides agree.
- There is no magic language that you need to use in court. Just tell the judge what you want to say about your case.
- If you have any questions about what is happening or whether to give your papers to the judge, ask the judge. He or she will explain what you need to do.