



ARCHCITY
DEFENDERS

Landlord-Tenant Court Watch Program

*Program created by former ACD legal intern Jordan Hoffman

Background

- Pandemic Evictions
- Online eviction hearings in St. Louis City and County
- Serious due process concerns
- Need to gather qualitative & quantitative data to challenge the practices in these hearings
- What do we do with this information?
- Thank YOU for being a part of this!



ARCHCITY
DEFENDERS

Intro to Landlord-Tenant Law

Summary Proceedings

- Landlord-Tenant Actions are Summary Proceedings
 - It is not uncommon to have an initial call docket and a trial within two weeks to a month, or even the same day.
 - However, tenants have the same rights as other civil litigants
 - Right to file responsive pleadings
 - Right to request a continuance
 - Right to Discovery
-

Process

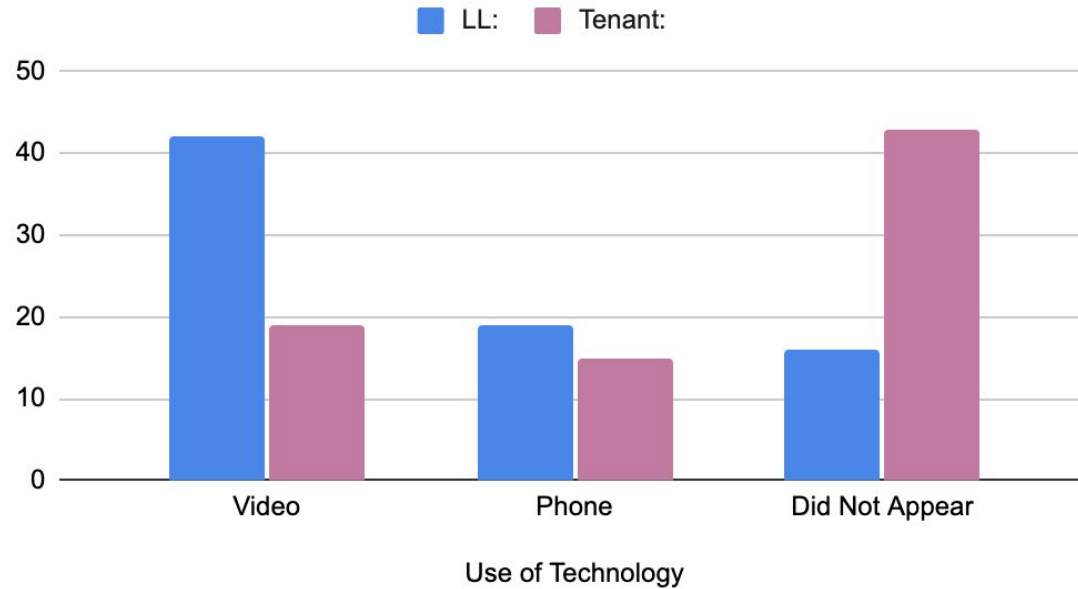
- Evictions Lawsuit
 - Service
 - Summons Date
 - Hearing
 - Continuance
 - Trial
 - Judgment
 - Execution (Physical Eviction)
-

Types of Eviction Lawsuits

- Rent and Possession, § 535 *et seq.* RSMo
 - Unlawful Detainer, § 534 *et seq.* RSMo
 - Various Other Actions
 - Expedited Evictions
 - Ejectments
-

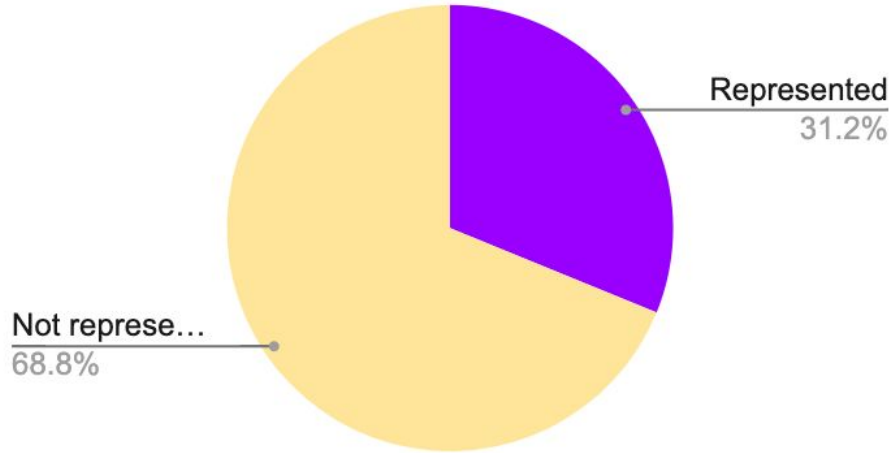
Pilot Program - Initial Findings

Remote Court Appearances: Landlords & Tenants

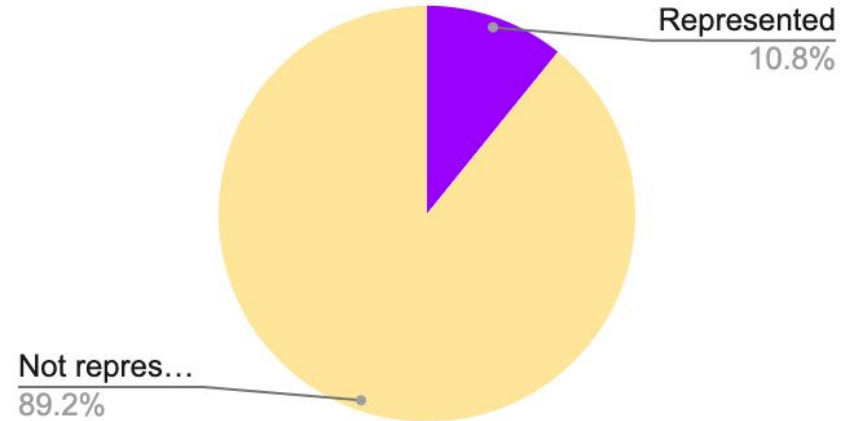


Pilot Program - Initial Findings

Landlords Represented by Counsel



Tenants Represented by Counsel





ARCHCITY
DEFENDERS

Court Watching

What you will need

- ❑ Hearing login information
 - ❑ Internet access w/ video capacity on a computer/laptop
 - ❑ Supplies to take notes by hand (if needed)
 - ❑ Print-out of the docket (if possible)
 - ❑ Remote Eviction Court Watch Excel Spreadsheet
 - ❑ WebEx hearing and spreadsheet open side by side
-

What to expect...

- Dockets can range from 10 - 60+ cases long.
 - May last 2-3 hours
 - Web connectivity issues, system crashes
 - Difficulty hearing the Judge and the parties
 - Disparities in representation and technology access between landlords & tenants
-

Before Docket Begins

- Pull Docket from CaseNet
 - Go to <https://www.courts.mo.gov/casenet>
 - Select “Scheduled Hearings & Trials Search”
 - In the first drop down menu, select the 22nd Judicial Circuit Court (St. Louis City) or 21st Judicial Circuit Court (St. Louis County).
 - Leave the start date as the day you are observing. (A full docket may not be posted until the morning of the hearings).
-

Before Docket Begins

- In the left-side box, select the Judge.
 - The Judge may have cases other than eviction cases so double check the case numbers and type of case by clicking on the case header.
 - You are looking for cases that are
 - AC Landlord Actions Bulk
 - AC Rent & Possession
 - AC Unlawful Detainer
 - AC Landlord Complaint
-

Before Docket Begins

- **Note:** The Docket you pull may not include all eviction cases to be heard on that day. But, when you don't know how to spell a name or miss a case number, it helps to refer to the docket.
 - Print docket (if possible) to take notes and cross-reference during the hearing. Highlight the cases that are landlord-tenant actions.
-

Before Docket Begins

- Download Excel file “Remote Eviction Court Watch” and rename it: **Observer Last Name_Court Watch_MM.DD.YY**
 - Fill in fields of Case #, Tenant & Landlord names in the spreadsheet in advance This will save time and energy during the hearing.
 - Arrange your screen so that you can view the data collection form and the virtual hearing at the same time.
-

Before Docket Begins

- Log into hearing through a web browser on a laptop or computer.
 - For Roither (City Div. 27):
<https://mocourts.webex.com/meet/david.roither>
Meeting Number: 965 491 207
 - For Higgins (City Div. 28):
<https://mocourts.webex.com/meet/craig.higgins/>
Meeting Number: 967 395 750
 - Mute yourself.
 - Leave your video OFF.
-

During Judge's Introduction

- Fill out the first line of the “Docket Overview” tab on spreadsheet.
 - Identify which parties are joining by phone or video.
 - If the tenant is identified by name on WebEx, find that tenant's name on the spreadsheet or docket and mark “appearing by video.”
-

During Judge's Introduction

- Take note of how many call-in users are in attendance.
 - If judge asks you to introduce yourself, you can say you are participating in ACD's court watch program. You can also say you are "observing / a member of the public / not a party / etc."
-

While Cases are Called

- Time the length of each case. Approximate in seconds or minutes. Start a timer for each case that is called until the Judge moves to the next case. Put this value in the “length of hearing” column.
 - Fill out as much info as possible for each tenant on the “Case Information” tab.
-

While Cases are Called

- Note: Reason for Eviction Action/Defenses/CDC Moratorium
 - Record quotes by tenants, landlords, or Judge in comment fields when possible.
 - Go back and edit info in a previous case if the parties appear late
 - Only edit “Docket Overview” and “Case Info” tabs. Do not touch the “Merged Docket Info” tab.
-

Outcome

- Default judgment
 - Continuance
 - Set for trial
 - Consent Judgment
 - Judgment for landlord/tenant
 - Dismissed
-

Default Judgment

- If tenant does not appear, skip straight to the “Outcome” column on the “Case Info” spreadsheet.
 - If default judgment, approximate how long (in seconds or minutes) the Judge waited for tenant before awarding the default judgment.
-

Reminder - Pay special attention to...

- Tenants who state one of the following:
 - Hearing impairment
 - Language barrier
 - Technological difficulties
 - Lack of access to technology
 - Whether Judge discusses CDC moratorium or other protections OR offers access to alternatives like mediation or rental assistance
 - Take detailed notes on these topics and try to record verbatim quotes from tenant, Judge, and landlord.
-

After Docket Concludes

- Type up any remaining notes you have for the cases or the docket as a whole.
 - Only edit “Docket Overview” and “Case Details” tabs. Do not touch the “Merged Docket Info” tab.
 - Save & send completed Excel sheet to evictions@archcitydefenders.org
-



ARCHCITY
DEFENDERS

Next Steps

Timecounts:

<https://timecounts.org/archcity-defenders>

- Events
- Assignments
- Shifts

Confidentiality Form:

<https://archcitydefenders.formstack.com/forms/confidentialityform>



ArchCity Defenders

St. Louis, Missouri

[Home](#)

[About](#)

[Opportunities](#)

OUR MISSION:

ArchCity Defenders (ACD) is a holistic legal advocacy organization that combats the criminalization of poverty and state violence, especially in communities of color. ACD's foundation of civil and criminal legal representation, social services, impact litigation, policy and media advocacy, and community collaboration achieves and inspires justice and equitable outcomes for people throughout the St. Louis region and beyond.



**Join the Volunteer
Community**

Stay connected and get involved



**Become a Volunteer
Lawyer**


Make an impact with your time



Find and View Events


Find out what's happening next

 Assignments




ASSIGNMENT
General Volunteer Opportunities

Applications Open



ASSIGNMENT
General Volunteer Lawyer Opportunities

Applications Open



ASSIGNMENT
Support ACD's Development Team

Applications Open



ASSIGNMENT
Landlord-Tenant Court Watch

Applications Open



Events
Assignments
Available Shifts

Assignments

All

Availability


Start Date → End Date

 ShiftsSort by: [Start Time](#) [Assignments](#) [Location](#) Monday 19 July 2021

9:00am - 12:00pm CDT
Landlord-Tenant Court Watch: Division 27 - Roither
 ONLINE

x SLOTS [Sign Up](#) Tuesday 20 July 2021


9:00am - 12:00pm CDT
Landlord-Tenant Court Watch: Division 28 - Higgins
 ONLINE

x SLOTS [Sign Up](#) Wednesday 21 July 2021

9:00am - 12:00pm CDT
Landlord-Tenant Court Watch: Division 28 - Higgins
 ONLINE

x SLOTS [Sign Up](#)

9:00am - 12:00pm CDT
Landlord-Tenant Court Watch: Division 27 - Roither
 ONLINE

x SLOTS [Sign Up](#) Thursday 22 July 2021