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Judicial Branch Establishes Eviction Resolution Program to Help Communities and Courts with Likely Wave of Evictions

Concerned that a large influx of evictions may hit communities and courts after state and federal moratoria on evictions are lifted, the Washington state judicial branch has developed an Eviction Resolution Program (ERP) that can be implemented in all superior courts to require problem-solving steps before the cases come to court.

The program will be implemented this week in six pilot counties which experience the majority of the state's eviction cases – Clark, King, Pierce, Snohomish, Spokane, and Thurston counties.

The goal of the program is to bring all parties together with trained Eviction Resolution Specialists and rent assistance program staff to explore solutions including access to state and local rent assistance and achievable payment plans that will help tenants retain their housing and divert many situations from the legal eviction process.

The program was developed by the [Washington State Superior Court Judges' Association](#) (SCJA) work group in partnership with the state [Office of Civil Legal Aid](#). The work group that developed the ERP included judicial officers, rental housing industry representatives, tenant advocates, civil legal aid attorneys, and dispute resolution center representatives.

The federal and Washington State moratoria on evictions are set to expire Dec. 31, 2020. Funding from the federal CARES Act will be used to establish the pilot ERP's. These programs will operate in accordance with standing orders issued by each participating superior court.

"This innovative program is a critical part of our effort to help communities which may be inundated with evictions once the moratoria are lifted," said Washington State Supreme Court Chief Justice Debra Stephens. "It is also an effort to reduce the impacts on backlogged local courts by diverting these cases away from their eviction dockets," she said.

Benton-Franklin Counties Superior Court Judge Jacqueline Shea-Brown, who chaired the work group that developed the ERP, added, "This diverse group of stakeholders rolled up their sleeves and developed a program that will work for tenants, landlords, and the courts. I want to express my sincere appreciation to all members who worked collaboratively to address what is a complicated and distressing situation for so many people."

The Supreme Court issued an [order on September 9, 2020](#), authorizing establishment of ERP's in all superior courts. The order gives judicial officers the authority to require participation in the program before eviction cases can proceed through the court process. Though state and federal eviction moratoria have been extended through the end of the year, it is hoped that many landlords and tenants will join in the resolution programs early to take advantage of the free help and get a head start on problem solving.

Landlords and tenants can find information on the ERP programs, along with links to programs in pilot counties, on a web site dedicated to the program at: www.courts.wa.gov/EvictionResolutionProgram

In legal terminology, eviction cases are called “unlawful detainer” cases. The SCJA Unlawful Detainer Work Group created recommended steps, templates for notifications from landlords to tenants, court form templates, and other materials for use by superior courts in establishing their own eviction resolution programs.

“The COVID-19 emergency has affected all of us. Eviction is always a last resort and often the result of a long chain of events outside the control of renters or housing providers,” said Brett Waller, Governmental Affairs Director for the Washington Multi-Family Housing Association, a rental housing industry group. “While landlords recognize the importance of finding solutions to cases where people have fallen behind in their rent through no fault of their own, they also must pay their mortgages, taxes, and utilities. By connecting landlords and tenants with skilled facilitators, the Eviction Resolution Program should help both tenants and landlords, and hopefully prevent unnecessary evictions for nonpayment of rent.”

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