

Dear Dan Ruben,

I spent this past summer at Legal Aid Chicago in the Housing Practice Group. My focus was eviction defense—that isn't a specialty within the group, it's pretty much all the group does. That isn't because there isn't other work to be done in the housing sector, but rather because there's such overwhelming demand for eviction defense. There's no legal right to counsel in civil court anywhere in the country. Even in eviction cases, which can be just as life-changing as some criminal cases—and likewise produce permanent records which impact one's ability to access housing and debt—there is no guarantee of legal representation. Most go unrepresented.

Eviction court is expedited. It goes fast. A normal case is going to run 1-2 years. That sounds like a lot, but an attorney will typically have dozens on her plate, and discovery, depositions, and pre-trial motions take some time. Eviction cases can wrap in 60 days without an attorney. There isn't much time to find representation, most cannot pay for it, and there's hardly enough attorneys anyway.

Now, an eviction has more significance than just losing housing, if that weren't already traumatic enough. An eviction stays on your record forever. It can cause landlords to discriminate against you in the future, destroy your credit, and make it difficult to pass background tests or access government housing subsidies. And the most damaging? A tenant living in subsidized housing, a massive lifeline on which most tenants fully depend, could lose it permanently if an eviction is entered against them. Not only will they experience short-term homelessness, they may not be able to access subsidized housing ever again.

This is where Legal Aid Chicago comes in. We take on as many cases as we can, but focus on cases where subsidies are at stake. The consequences in these cases are sharper and the vulnerability of the tenants is heightened. Our core mission is the preservation of housing. Falling short of that, preservation of subsidies or reductions of debts. Though expedited, eviction is not a simple court proceeding. Like any legal proceeding, there are a ton of administrative necessities, rules and procedures to follow, and laws to obey. It is not uncommon for evictions to be incorrectly or illegally filed. It is uncommon for people to notice without the assistance of an attorney.

Legal aid can be invaluable. A little assistance, a touch of help pointing out why a given action may be improper, impermissible or literally illegal can be the difference between being housed and unhoused. This isn't every case, but it's a lot of them. Good attorneys can push back, help tenants, and guarantee that those rights promised by the law are actually effected. The only problem is there aren't enough attorneys to meet demand. And there isn't enough funding to increase the supply of legal aid. Programs like this one make that a little more realistic, but any kind of ideal world is still a ways away.

Two specific cases really stand out to me from this summer. These cases really make clear the long odds our clients face, the stakes at play, and the help we can get them.

The first was an elderly disabled woman being evicted for cause. The cause? She mistakenly took an Amazon package from the mailroom which did not belong to her. She returned it within the hour. Eviction was filed anyway, citing a zero-tolerance policy. She's lived in her home for half a decade. When we got her case, that was about to come to an end. The case against her is facially

ridiculous, anyone can tell. Even in the worst scenario—supposing she maliciously took the package—it was worth \$20 and she literally returned it. For this, her subsidy could disappear. Without means of making money, that meant her access to safe and affordable housing would too. Plainly, this is not a person who should be evicted. This is not an individual who deserves the stress and the fear and the exhaustion of going through a lengthy trial. This case is ongoing, unresolved. But it has been for over a year, preserving her housing for longer. And it will likely go to trial. We hope to win and keep her in her home;

The second is a single mother being evicted for non-payment of rent. On the law, they had us: she had, in fact, not been paying rent. This woman had three children and a traumatic brain injury, the result of domestic violence. Her subsidy was for survivors of DV. What she did not have was a job, or the capacity to get and maintain one. So rent was consistently short. We didn't have a ton of hope with this case, but when we got discovery things started to look fishy. She was living in an illegal unit, being overcharged for utilities, and the landlord was trespassing in her home.

We couldn't keep her there; she simply could not afford the rent. But because it was an illegal unit, technically there was no cause of action against her. She still had to move out—a process which our involvement secured significant time for. The big, meaningful, good news though? No eviction order needs to be entered. It won't go on her record. She won't be ineligible for subsidies for units within her price range. And, most importantly, she won't have trouble passing background checks for future housing. The permanence of an eviction was avoided. And so was the debt accrued from a year of failing to make rent. This would have been impossible without a team of attorneys and paralegals researching countless hours; it would have been impossible without non-profit funding.

For this, the ability to help these clients and others like them, I thank you for the financial support this past summer. Legal Aid Chicago was an incredible experience, and a place where incredible work is done. I hope to go back. I'll need to find more funding.

Matt Maxson
University of Chicago Law School