



## Eviction Diversion Considerations - Outreach and Communications Strategies

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Eviction diversion programs use the court process to provide landlords and tenants with time, information, and resources to resolve their housing problems outside of the traditional litigation process. Successful diversion programs rely on robust outreach and communications strategies to reach landlords and tenants as early as possible to inform them about the available resources and the importance of participating in the court process. Use this resource to guide your decision making about when and how to communicate with litigants about eviction diversion program resources.

### When to Communicate

Across the country, eviction dockets tend to have low appearance rates, and in many jurisdictions fewer than half of tenants appear to court. Boosting appearance rates is crucial to the success of any diversion program; program resources cannot work if litigants cannot access them. Courts should use every existing touchpoint with litigants as an opportunity to inform and encourage participation in a diversion program, in addition to looking for new opportunities to reach both landlords and tenants earlier in the process.

### Pre-Filing Outreach

Pre-filing outreach can be difficult, as courts will not yet know the names and address of the landlords and tenants. Instead, pre-filing outreach strategies will need to engage in broad community outreach efforts to reach populations and communities that may be at an elevated risk of eviction. Courts should work with trusted community partners to communicate early and often - ideally before a notice is served or a case is filed - to increase engagement with landlords and tenants and to encourage early participation in a diversion program.

- Adopt a rule or statute requiring information about the diversion program be included with any required pre-filing eviction notice.
  - The Alaska Court System requires landlords to include a [Pre-Filing Information Sheet](#) with the statutorily required Notice to Quit ([Administrative Bulletin 98](#)). The court also created a special version for public housing residents to ensure that tenants receive the most relevant information and resources.
  - Washington State requires all pre-filing termination notices to include statutory language about rental assistance, legal aid, and mediation services ([SB 5160](#)).

- Work with trusted community-based organizations and other government agencies to reach both landlords and tenants before court and to encourage pre-filing alternatives to eviction.
- Target outreach efforts to communities with historically high eviction filing rates and other populations that are particularly vulnerable to eviction.
- Identify the largest housing providers in your community (including the local public housing authority) and establish good working relationships with them. They may be incentivized to resolve cases pre-filing to reduce the costs associated with court filing fees and attorney's fees.
- Pre-filing outreach examples:
  - Staffing tables at resource fairs and community events
  - Sharing information with local school districts
  - Attending landlord bar and apartment association meetings
  - Distributing fliers in public libraries and community centers
  - Creating landlord-specific flyers and outreach materials
    - The Circuit Court of Cook County distributes [pre-filing checklists](#) to landlords encouraging alternatives to litigation
    - The 61<sup>st</sup> District Court in Grand Rapids distributes [pre-filing flyers](#) to landlords in the community
  - Running targeted social media campaigns
  - Placing ads on buses, trains, and billboards
  - Running ads on local radio and TV stations
  - Sending out mailers to zip codes with high eviction filing rates

### **Initiating a Case**

When a new case is filed, the court has its first opportunity to formally collect and disseminate information to a known group of landlords and tenants. Courts should adopt rules and forms that will support eviction diversion programs by using this critical moment to collect and share program information in a deliberate and intentional way.

- Adopt a state or local rule requiring information about the diversion program be included with the eviction Summons.
  - The Milwaukee County Court requires all newly filed eviction cases to include an [Eviction Diversion Initiative Information Sheet](#) with information about the eviction diversion program. To make the flyer more distinctive, [Chief Judge Directive 23-09](#) also requires it be printed on yellow paper.
  - The Illinois Supreme Court requires all newly filed eviction cases to include a [flyer](#) with information about rental assistance and other eviction prevention resources ([MR 30370](#))

- Adopt a state or local rule requiring plaintiffs to provide contact information for defendants at the time of filing to allow for more effective follow-up communications.
  - The New Jersey Supreme Court requires that all newly filed eviction cases include a [Case Information Statement](#) asking for the tenant’s email address and cell phone number ([Directive #21-21](#)).
  - The DC Courts [Complaint for Non-Payment of Rent](#) includes fields to collect the phone numbers and email addresses of all parties.
- Review your form Summons to ensure it is written in plain language and designed in such a way that the defendant can easily understand the resources available to them, how to participate in the case, and the consequences of failing to act. Include QR codes and hyperlinks to information about eviction diversion resources and self-help materials.
  - The Hamilton County Municipal Court [redesigned its summons](#) in partnership with the Stanford Legal Design Lab.

### **Post-Filing Outreach**

The period between when a new case is filed and the initial court date is often very brief, but it is also a critical time for reaching tenants. Courts should not rely solely on the Summons and Complaint to inform tenants about their upcoming court date. Consider the following supplemental communications strategies:

- Mail information to defendants as soon as a case is filed to initiate contact even before they are served with the Summons and Complaint.
  - The Suffolk County District Court mails [postcards](#) to tenants when an eviction case is filed against them.
- Send follow-up reminders via text message or email to defendants about their scheduled court date and the available diversion program resources.
- Work with trusted community partners to implement door-knocking campaigns in targeted neighborhoods.
- Enter into data-sharing agreements with government agencies, school districts, or other community partners who already have established relationships with populations at an elevated risk of eviction. These partners can use court filing data to identify and contact individuals in their networks with pending cases reminding them to come to court and encouraging them to contact rental assistance, legal aid, or other eviction prevention services.

### **Post-Court Outreach**

Even after the initial court appearance, courts should still make every effort to keep tenants informed about subsequent court dates and deadlines. If a tenant misses their initial court date, the court should try to reach them before entering a default judgment.

- If the tenant’s email address and phone number were not provided before court, collect them at the first court date to allow for better communications as the case moves forward.
- When possible, use a combination of phone calls (automated or live), text messages, emails, and postcards to remind litigants about court dates.
- Adopt court rules and policies that discourage the entry of a default judgment at the first scheduled court appearance.
  - The Circuit Court of Cook County prohibits the entry of a default judgment in an eviction case until 14 days after the initial court date to allow for additional outreach to litigants ([General Order 2020-09](#)).
- Review all court forms and orders to ensure they are written in plain language and designed in such a way they can be easily understood and followed. Include QR codes and hyperlinks to information about eviction diversion resources and self-help materials.

## What to Communicate

Just as important as deciding how and when to share information about your diversion program is deciding what information to share. Well-designed and well-written materials will be far more effective at delivering the intended message. When creating public-facing materials or online content, take the following factors into consideration:

- **Plain Language:** Write all materials in clear, direct language and avoid legal jargon. Visit [ncsc.org/plainlanguage](https://ncsc.org/plainlanguage) for plain language resources.
- **Simplicity:** Keep the topline message and call to action simple. Avoid overwhelming litigants with too much information or too many options.
- **Multiple Languages:** Translate outreach materials into commonly spoken languages in your community.
- **Graphic Design:** Consider using images or other visual aids to supplement the text on your materials. Many people are visual learners and presenting information in multiple ways can better reach a diverse audience.
- **Benefits and Consequences:** Convey both the benefits of participating in the diversion program and court process along with the consequences of inaction. Oftentimes litigants do not realize the severity of their legal situation, or only realize it towards the end of the eviction process.
- **Urgency:** Stress the need for urgent action and make sure that any upcoming dates or deadlines are prominently displayed.
- **Branding:** Create a consistent brand across all program materials including the program name, logo, and color scheme.
- **Accessibility:** Court notices should include information about disability accommodations, spoken language interpreters, and any other information

relevant to accessing the court (e.g. onsite childcare, parking and public transportation options, cell phone policies, remote hearing options).

- **Legitimacy:** Convey legitimacy to help combat skepticism of free services, particularly in communities that have a history of being targeted by scams. Use the individual tenant's or landlord's name in outreach materials when possible.
- **Format:** Consider ways to distinguish outreach materials through unusual shapes or sizes, distinctive colors, or attractive designs. This is even more important for materials that are not being handed out in-person (e.g. direct mail or materials made available for distribution in public spaces).
- **Cultural Awareness:** Use the language of the communities you are trying to reach and be sensitive to cultural communication recommendations. User-testing and focus groups can be helpful in refining language.

## Where to Communicate

When people experience a legal problem, they rarely turn to the courts or the legal community for help. They are far more likely to reach out to friends or family, or to trusted entities including community organizations and faith-based organizations. Courts should learn about and engage with these trusted community partners and provide them the materials and information they need to be effective messengers in informing their local community members about eviction diversion programs. Consider creating a toolkit of outreach materials and messaging strategies to share with community partners and other stakeholders.

Community members may be fearful or skeptical of going to court or contacting a lawyer to seek help based on either a negative prior experience or the reputation in the community. Courts should work to overcome this hesitation by partnering with highly regarded community organizations and working to make courthouses more user-friendly and welcoming (See the National Association of Court Management's [Guide to Creating a User-Friendly Court Structure and Environment](#) for more on designing a user-friendly courthouse). Over time, these efforts can cultivate greater awareness and trust among community members.

## Online Communications

A successful outreach plan should also leverage digital communications as part of a multi-channel communications effort. Make sure to include information about the diversion program on the court website and any court-adjacent websites (e.g. county clerk, sheriff, law library, self-help center). Ask elected officials, government agencies, and community partners to post and share information about the diversion program on their websites and through their social media accounts. Make sure to provide sample language and graphics to all partners to ensure that the message and branding around the program are consistent.

For more information and help with online communications, use the resources below created in partnership with the National League of Cities and the Stanford

Law School Legal Design Lab. Each link includes step-by-step instructions and free templates and graphics.

- [Using Social Media to Increase Participation in Eviction Prevention Programs](#)
- [Social Media Outreach Toolkit for Eviction Prevention](#)
- [Website and Webpage Evaluation for Eviction Prevention Programs](#)

## Data-Driven Communications

Outreach and communications strategies should be continually revised and refined to remain effective. Consider collecting data from program participants about when and how they became aware of the program and using this information to make modifications. This can easily be accomplished by adding questions to the existing intake process or other data collection efforts.

## Additional Resources

- [Emergency Rental Assistance Toolkit](#) (National League of Cities/Stanford Legal Design Lab): Worksheets and resources offering a step-by-step approach for designing and implementing effective and equitable eviction prevention programs
  - [Sample illustrations for eviction materials](#)
  - [Templates for eviction outreach materials](#)
- [Forms Camp](#) (National Center for State Courts): A series of a webinars covering the practical aspects of designing user-centered, accessible court forms and self-help materials.
- [Direct Mail Messaging Strategies for Improving Appearance Rates](#) (Harvard Access to Justice Lab): Practical recommendations for effective court-based mailing strategies including an [editable template](#).
- [Plain Language Guide for Courts](#) (National Association of Court Management): Tips for incorporating plain language best practices into court forms, websites, and other materials.

Visit [ncsc.org/eviction](https://ncsc.org/eviction) for more information and resources from the NCSC Eviction Diversion Initiative.

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