



Justice... Professionalism... Service... Since 1886

0.5 Law & Legal CLE Credit – A/V Approval # 111 0813

Recording Date – April 17, 2019

Recording Availability – July 1, 2019

Meeting Location	Date	Time	Topic
King County Bar Association 1200 Fifth Avenue – Suite 700 Seattle, WA	Wednesday, April 17, 2019	3:30 AM to 4:30 PM	Finding Home Again – A Guide on Orders for Limited Dissemination

AGENDA

3:30 – 3:45 pm	Sign-In and Review of Materials
3:45 – 4:25 pm	Presentation on Orders for Limited Dissemination <i>Brief synopsis of the Housing Crisis and current state of Evictions in Washington State; Description of what an Order for Limited Dissemination is and the process of obtaining this order; Discussion of flaws in the process and long-term goals.</i>
4:25 – 4:30 PM	Questions & Evaluations
4:30 PM	Adjourn

Biographies

Maria Jouravleva

Maria is a Seattle University School of Law alumna and has volunteered with the Housing Justice Project. She is currently a Staff Attorney for the Volunteer Legal Services department of the King County Bar Association, where she connects clients who are furthest from opportunity to attorneys who can provide pro bono legal aid. In this position, she also manages the current Order for Limited Dissemination caseload and assists with Vacating Criminal Records.

HOW DO I EARN CREDIT FOR SELF-STUDY OR AUDIO/VISUAL (A/V) COURSES?

For pre-recorded A/V (self-study) programs, although the sponsor should apply for accreditation, **lawyers need to report the credits earned for taking the course.**

To add an approved course to your roster, follow the procedures below:

- ❖ Go to the "mywsba" website at www.mywsba.org/.
- ❖ Log in.
- ❖ Click on the "Access MCLE" link in the "MCLE Info" box on your home profile page.
- ❖ Click on "Add Activity." Search to find the approved course in our system. (See search suggestions on the screen.)

Adding a Recorded Course

Select Recorded Course from the Add New Activity screen.

You can search by Activity ID (**information is included on the first page of the materials that you receive with the recording**) or by specific Activity Details. For the Activity Details search, you can use keywords for the title, sponsor name and date.

After entering your search criteria and selecting Search at the bottom of the screen, a list of possible activities will be provided.

You can select the correct one by clicking the Activity ID. This will take you to the specific activity. Entered the date(s) on which you began and ending viewing this recorded activity.

Then claim the correct credits for which you attended this activity in the Credits Claimed fields and click the Submit button at the bottom of the page.

You will receive a confirmation message at the top of your screen stating, "The activity has been added to your roster."

The background features a vibrant blue gradient. At the top, there are several stylized, light blue clouds of various shapes and sizes. At the bottom, there is a stylized city skyline composed of various building silhouettes in shades of light blue and white. The buildings vary in height and shape, including some with windows and a prominent skyscraper with a spire.

Finding Home Again

A Guide on Orders for Limited Dissemination

“IT IS THE POLICY OF 99 PERCENT OF OUR CUSTOMERS... TO FLAT OUT REJECT ANYBODY WITH A LANDLORD-TENANT RECORD, NO MATTER WHAT THE REASON IS AND **NO MATTER WHAT THE OUTCOME IS, BECAUSE IF THEIR DISPUTE HAS ESCALATED TO GOING TO COURT, AN OWNER WILL VIEW THEM AS A PAIN.”**

Teri Kaush Rogers, *Only The Strongest Survive*, New York Times, Nov. 26, 2006, quoting Jake Harrington, founder of On-Site.com.

86.5%

Nonpayment of Rent

52.3%

For 1 Month or Less

“

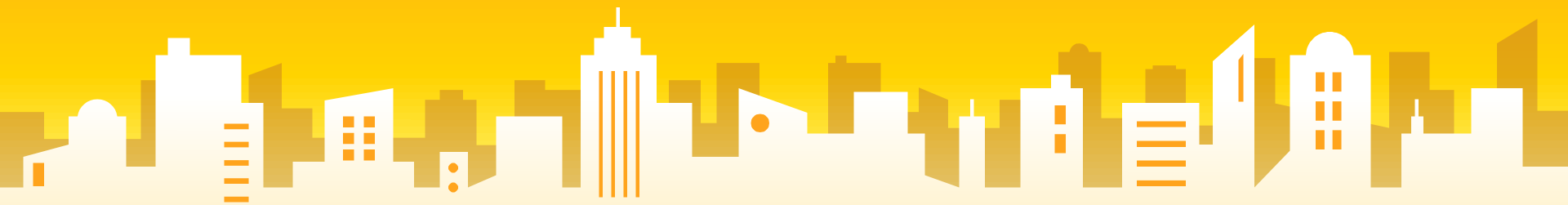
Once the [eviction case] is served and filed, you will have a permanent record in housing court... If you win sanctions against me and you can say you won in court... [do] you think that will make any prospective landlords feel better about renting to you?

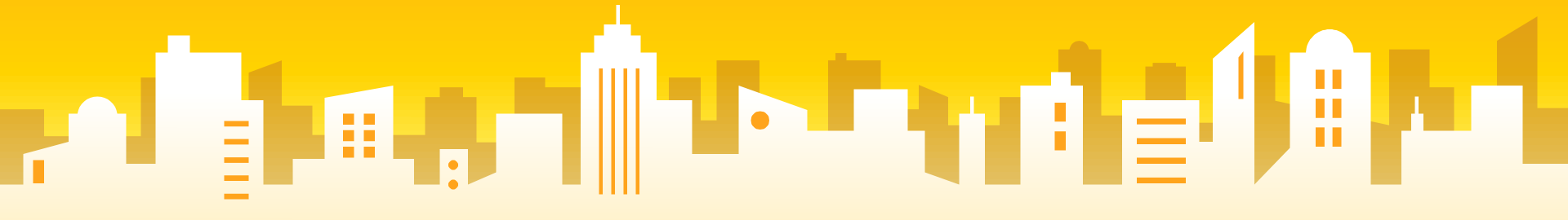
Esme Caramello & Nora Mahlberg, *Combating Tenant Blacklisting Based on Housing Court Records: A Survey of Approaches* (September 2017) available online at: <https://povertylaw.org/clearinghouse/article/blacklisting>

Who are the Clients?

- 200% or below the FPL
- Residents of King County
- Furthest from Opportunity

**ORDER FOR
LIMITED
DISSEMINATION**





isn't
**What ~~is~~ an Order for
Limited Dissemination
(OLD)?**

RCW 59.18.367

(1) A court may order an unlawful detainer action to be of limited dissemination for one or more persons if:

(a) The court finds that the plaintiff's case was sufficiently without basis in fact or law;

(b) the tenancy was reinstated under RCW 59.18.410 or other law; or

(c) other good cause exists for limiting dissemination of the unlawful detainer action.

What's the Process?

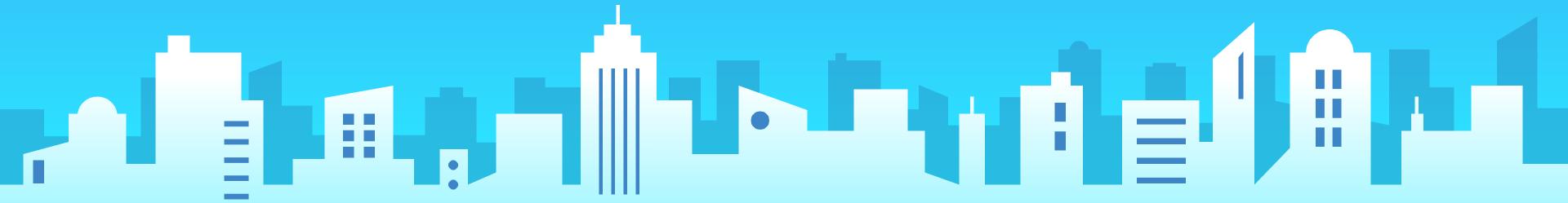
Try to get an
Agreed OLD

Go to Hearing



Meet the client;
Get the story

Draft Documents
and File with Court



Meet the Client; Get the Story

- **BEFORE the Eviction**
- **DURING the Eviction**
- **AFTER the Eviction**

Draft Documents and File with Court

- **Note for Hearing**
- **Motion for Order of Limited Dissemination**
- **Declaration of Defendant (Tenant)**
 - **Additional Supportive Documents**
- **Order for Limited Dissemination**

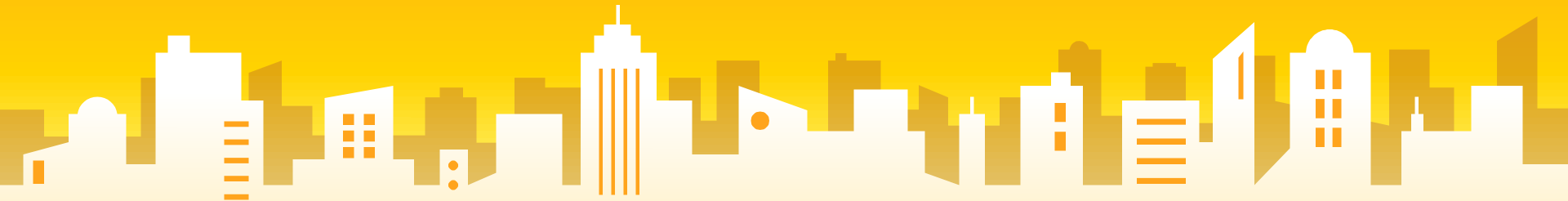
Notification Rule

If the landlord had an attorney in the eviction case, *and* it is not yet 30 days since entry of the ruling in that case,

OR

If 63 days have passed since the filing of the last pleading in the case,

You must have the landlord's attorney served.



Under What Circumstances is an OLD Granted

1) Sufficiently Without Basis in Fact or Law

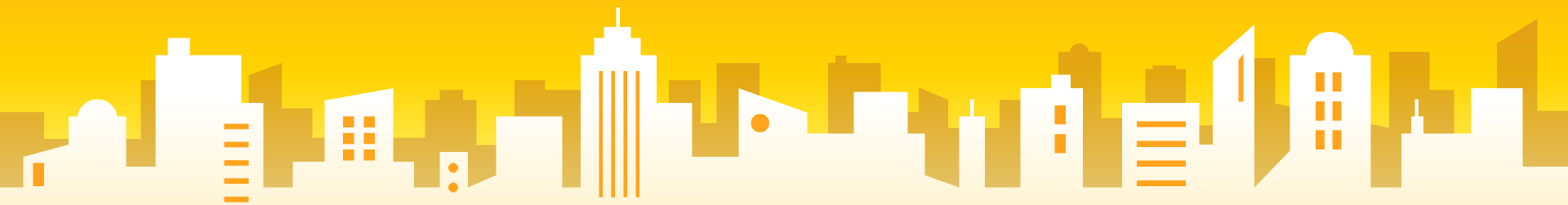
For example: the wrong defendant is named in the eviction petition, or if service of the eviction action is improper.

2) Payment After Judgment

In the rare instance that tenancy is reinstated, wherein the tenant pays all of the judgement, attorney's fees, and costs within 5 days allowed by law.

3) Other Good Cause

Judge must be satisfied that a tenant has proven their unique circumstances outweigh a future landlord's interest in learning about a prior eviction record.



Hurdles to the Process

- **Misconceptions v. Realities**
- **Judicial Discretion**
 - **Unfamiliarity with Law and Consequences of Eviction**
- **Does not remove from public record, so it is still discoverable to the general public.**
- **Other “clues” give away evictions**

GOALS

- **Successfully argue a motion for OLDs to help more people avoid homelessness**
- **Work with courts and educate the judiciary**
- **Aggregate small cases and change the culture regarding the ultimate cost of evictions**
- **Help people find a home again**





🏠 **Thanks!** 🏠

Any questions?

You can contact KCBA Volunteer Legal Services Department
206-267-7025
mariaj@kcba.org

