**WHAT TO EXPECT WHEN YOU GO TO YOUR UNLAWFUL DETAINER TRIAL**

**AMS LEGAL SUPPORT SERVICES IS NOT AN ATTORNEY, AND THEREFORE, WE CANNOT GIVE LEGAL ADVICE. We are a document preparation service. The following is provided for informational purposes only to help you anticipate what *may* happen when you go to court.**

1. BE PREPARED. Prior to your hearing date, gather all documents and/or photos you may need to support your case. Make extra copies of your documents and/or photos in case you need to present them to the judge. Contact any necessary witness(es) if the matter is contested (issues about repairs, pests, water damage, etc.) and make sure the witness(es) are available for the hearing date and time.
2. BE EARLY! Allow plenty of time for parking and walking into the courthouse.

Be waiting at the assigned courtroom at least 15 – 20 minutes prior to your scheduled hearing time and wait outside the courtroom until the Bailiff calls everyone in. When you enter the courtroom have a seat in the audience and wait patiently. Once court is called to order you should sit quietly in your seat and refrain from talking to anyone.

1. Listen carefully to the judge. She will call roll and you are expected to respond when your name is called.
2. If the defendant (tenant) does not appear at the hearing, the judge will call you forward to do your “prove up”. Wait patiently until the judge calls you forward. When called, you will approach the judge, give an oath, and respond to the questions the judge asks you regarding the property and eviction. This is when you will get a judgment for your money damages (i.e. back rent, daily rental value-

“holdover damages”, and/or late fees (if requested in the complaint)). Be prepared to answer questions regarding your case and as to your money damages and costs. Once the court excuses you, you may leave.

1. If both parties are present at the hearing the judge will instruct the parties to go into the hall and to do one of two things:
	1. Attempt to come to an agreement regarding the eviction (i.e. move out date of the tenants, amount of money owed, etc.)
	2. Make use of the court appointed ***free*** mediation services. The mediators will assist the parties in coming to an agreement regarding the eviction.
2. If the parties reach an agreement they are to return to the courtroom and take their seats in the audience.
3. Once the judge calls your name you will inform her you have an agreement. You will be called forward and will take an oath. You will inform the judge of your agreement or the judge will recite the agreement reached through the mediator. Once that is completed you will receive a copy of the agreement (if reached through a mediator). Once the court excuses you, you may leave.
4. If you were unable to reach an agreement with the other party you will return to the courtroom and take a seat. The judge will call your name and you will tell her that you were unable to reach an agreement.
5. The judge will call the parties forward and they will take an oath. Each party will have an opportunity to speak to the judge and to present documents, photos, witnesses and any other evidence to support his or her case. The judge will ask appropriate questions and once all testimony is given, she will make a ruling. Once the judge has excused the parties, you may leave.
6. **If AMS Legal Support Services prepared your paperwork for your eviction, contact us (324-8018) and inform us of the result**. We will prepare all necessary final paperwork (necessary even if you reached an agreement and have paperwork). Any delay in contacting our office may cause a significant delay in finishing your eviction.