

The logo for the American Civil Liberties Union (ACLU) in blue, bold, sans-serif capital letters.

Idaho



Advocacy. Education. Representation

ACLU of Idaho, Idaho Legal Aid Services File Emergency Amicus Brief to Halt Ada County Evictions

*The organizations assert expedited proceedings are
unconstitutional and renters need more time given COVID-19*

FOR IMMEDIATE RELEASE

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BOISE, Idaho – An emergency amicus brief was filed late Monday night to urge judges to halt expedited eviction proceedings in Ada County. The brief explains that current eviction proceedings in Idaho violate the U.S. and Idaho Constitutions and pose risks to public health.

“There is free legal help available for most tenants across Idaho facing eviction,” says Ritchie Eppink, Legal Director of the ACLU of Idaho. “All evictions in Idaho present profound constitutional problems. Tenants should call the Idaho Legal Aid Services statewide housing hotline if they want legal advice and representation if they are unable to pay rent and have received a notice or complaint for an eviction.”

The new federal CARES Act includes a moratorium on many evictions across the United States. “Determining when the law applies can be a complicated question,” Eppink said. “Combined with closed courthouses, telephone and video court hearings, lack of fair notice, and economic crisis, it is inhumane and unconscionable to throw families out of their homes during this pandemic.”

Though the Idaho Supreme Court halted most eviction proceedings during the end of March and most of April this year, that moratorium expired at midnight on May 1. Dozens of evictions are scheduled in court across Idaho this week.

“Since the COVID-19 crisis rose, ILAS has dedicated significant staff and financial resources to educate and advocate on behalf of tenants, who through no fault of their own, have found it difficult or impossible to pay their rent on time because of a reduction or loss of income after being laid off or having their work hours reduced at their place of employment,” says Idaho Legal Aid Services staff attorney Martin Hendrickson. “ILAS is committed to protecting the rights of all tenants which are afforded under United States and Idaho constitutions and federal and state statutes, and to preventing the irreparable harm caused by increased homelessness during this unprecedented crisis.”

Idaho Legal Aid Services Housing Hotline:

208-746-7541

10:00 am to 12:30 pm and 1:30 pm to 4:30 pm Mountain Time

9:00 am to 11:30 am and 12:30 pm to 3:30 pm Pacific Time

Amicus Brief:

https://www.acluidaho.org/sites/default/files/ada_county_evictions_brief_of_amici_curiae_redacted.pdf

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***The ACLU of Idaho** is a non-partisan, non-profit organization dedicated to the preservation and enhancement of civil liberties and civil rights. The ACLU of Idaho strives to advance civil liberties and civil rights through activities that include litigation, education and lobbying. Learn more at acluidaho.org.*

***Idaho Legal Aid Services, Inc. (ILAS)** is an Idaho non-profit corporation which for over 50 years has provided high quality legal representation, without charge, to low income Idahoans in all seven Idaho judicial districts. ILAS’s mission is to provide equal access to the courts without regard to income or social status. Learn more at idaholegalaid.org.*