



QUESTIONS AND ANSWERS ABOUT THE RIGHT TO A JURY TRIAL IN IDAHO EVICTIONS

Idaho Legal Aid Services v. State of Idaho

What rights do tenants have when facing eviction?

If you are facing eviction, you have rights. One very important right that you have is the right to a jury trial. The Idaho Constitution protects that right.

Idaho Legal Aid Services and the ACLU of Idaho won a [court ruling](#) in July 2020 about the right to a jury trial. If you are facing eviction, you should contact Idaho Legal Aid Services or another lawyer to make sure you use your rights.

How do I get legal help if I am facing eviction?

If you get an eviction notice or court papers about an eviction, get legal help right away. You can call the Idaho Legal Aid Services housing hotline:

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 to 3:30 pm Pacific Time

Why is my right to a jury trial important?

Your right to a jury trial before you are evicted is very important. There are facts that your landlord must prove before you can be evicted. If you do not agree with your landlord about those facts, then a jury gets to decide.

Right now, there are no jury trials because of COVID-19. Jury trials in eviction cases will not start again until December 2020. If you demand a jury trial in your eviction, it may have to be postponed until then.

What is *Idaho Legal Aid Services v. State of Idaho*?

Idaho Legal Aid Services and the ACLU of Idaho filed a lawsuit against the State of Idaho about tenants' right to a jury trial in evictions. The name of the case is *Idaho Legal Aid Services v. State of Idaho*. We won the lawsuit because the judge ruled that tenants have a right to a jury trial in eviction cases. The judge ruled it is unconstitutional for Idaho to have a law that says that tenants cannot get a jury trial in some evictions. That law, found at Idaho Code section 6-311A, is unconstitutional.

What other tenant rights do I have?

Tenants have many rights. [Idaho Legal Aid Services has information about your rights](#). You can also call the Idaho Legal Aid Services housing hotline if you need help with an eviction or with other tenant rights:

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 to 3:30 pm Pacific Time