

Hennepin Housing Court Practice Tip

Housing Court first appearances (VLN's Housing Court Clinic) are in-person in Hennepin County. The location for Housing Court is the Hennepin County Government Center, C Tower, 3rd floor. Our clinic services room is number 372, which is right past the main courtroom.

In advance of your volunteering date, you will receive:

- A copy of the court calendar listing the cases scheduled, typically on Thursday or Friday the week before your scheduled clinic.
- The name of the Clinic Assistant, usually Barb Cruz, and an email address will come with the court calendar.
 - If you need anything during the clinic, you should contact the Clinic Assistant.
- As we typically serve only a few of the litigants on any given court calendar, you do not need to review the cases ahead of time. If you want to look at court documents for the cases on the calendar prior to the court clinic:
 - Search for "Minnesota Court Records Online" or go to <https://publicaccess.courts.state.mn.us/>
 - You can search for cases and all public court documents by case number or party name.

How an In-Person Clinic works:

- **In attendance:**
 - There will be many different people attending the initial appearance hearing calendar including:
 - Court staff (clerks, a judicial officer, a court reporter)
 - VLN's Clinic Assistant.
 - Other service providers, such as other legal service providers.
 - Tenants and landlord attorneys.
- **Clinic Areas:**
 - Courtroom – for roll call and all court appearances before the judge or referee. Do not address the court until directed to do so by court staff.
 - Clinic Services Room (next to courtroom, room 372) – The Clinic Assistant will meet you here and let you know which case is first and then next.
 - Conference Rooms – at the end of the hall, to the right are a series of conference rooms. You may find landlord attorneys there.
 - Hallway – where our clients wait for services, and where you will often find landlord attorneys and negotiate with them.
- **Time:**
 - The court clinic begins on Tuesday, Wednesday, and Thursdays at 8:30, please arrive by 8:45 a.m. (morning shift) and 1:00 p.m., please arrive by 1:15 (afternoon shift).

- **Process:**

- You will start in the Clinic Services Room. Meet the Clinic Assistant there.
- In the courtroom, court staff takes roll call and makes announcements about procedures and potential services available to tenants, and a few pro se landlords. This begins at 8:30 a.m. or 1:00 p.m.
- Once the court staff has completed roll call, clients are generally available to be served.
- The Clinic Assistant will do an intake interview and determine if the client is eligible and for what level of service the client is eligible: full representation or brief advice. The actual level of service provided is up to you as the attorney.
- Options for legal services provided to clients at clinics:
 1. Advice only
 2. Limited Representation (clients need only qualify for brief advice services to receive limited services)
 - a. Speak with opposing counsel
 - b. Negotiate settlement
 - c. Brief court appearance
 3. Full Representation (extending beyond the clinic time)
 - a. By you
 - b. Referral back to VLN for possible placement with a full representation volunteer lawyer
- Before you meet with the client, you must review the case documents on the courts' public access site, MCRO. (See above or below.) It is important to review the service documents in each case to make sure the client was properly served.
- You will then meet with the client, usually in the Clinic Services Room although you can also meet with clients in the hallway or other conference room.
- If you decide to negotiate with the landlord's counsel, the Clinic Assistant can help you locate them. They are most often in the hallway.
- Once you have finished negotiations, if you have an agreement, you can often send the client in alone to go before the referee with opposing counsel to put the settlement on the record. Opposing counsel will generally send the agreement to the court after you have approved it and reviewed with your client. To send the client to the courtroom on their own, escort the client to the courtroom and explain the status to the Court Clerk, and tell the Court Clerk that you will not be representing the tenant. Or, if you choose, you can represent them in court.

There is a standard paper settlement form available in the courtroom, on the closest counsel table; otherwise, settlement agreements may be emailed. Usually, the landlord's attorney will do this. Settlement agreements should be sent to: 4thsettlementagreements@courts.state.mn.us.

- If you do not come to a settlement:

Motion to Dismiss:

If you are going to make a motion to dismiss, you should represent the client before the Referee. Go to the Clerk in the courtroom and let the Clerk know that the case is contested and you are planning to make a motion to dismiss.

Requesting a Compliance Hearing or Other Non-Trial Hearing:

If the client needs to request a compliance hearing, second first appearance, or other non-trial hearing, you can either represent the client in making the request or prepare the client to represent themselves. In either case, please inform the Court Clerk that you will be appearing or that the client will be representing themselves.

Requesting a Trial Date:

If the client is going to ask for a trial date, you should represent before the Referee if you are going to keep the case. If you are going to refer it back to VLN to try to find a full representation volunteer attorney, you may or may not represent the client before the Referee, but it is helpful to find out the trial date and include on your advice form. Either you or the client should be prepared to explain to the Referee what the issues are for trial.

If you are referring the case back to VLN for full representation placement:

1. You must let the client know that we will try to find them an attorney, but they may have to proceed on their own.
 2. Notify VLN Clinic Assistant and VLN will attempt placement of the case with a full representation volunteer attorney after the hearing.
 3. Take good notes as to why a case is recommended for full representation. Include this information in your case closing form.
- If you make a court appearance, VLN requires a Representation Agreement with the client. The Clinic Assistant will help you with the Representation Agreement. Your description of services on the Representation Agreement must specify the limited services to be provided.
 - Note to the court that you are appearing on behalf of the client only for the day. The clerks generally know to not make you an attorney of record in the court file when you say this.
 - If you have questions, need help, or need to communicate with VLN while in clinic:
 - The VLN Clinic Assistant is available in person at the clinic.
 - A VLN staff attorney is available during the clinic time – have the Clinic Assistant ask for staff assistance.

What if?

- There are too many clients that need help:
 - VLN's Staff Attorney can provide backup. Let the Clinic Assistant know another attorney is needed to come to the clinic.
 - You can request a continuance from the court for clients that cannot be seen during the time allotted by the court.
- You are unable to appear for your scheduled shift: Email the VLN Clinic Assistant who sent you the court calendar, Sonja.Woodward@vlmn.org, or other VLN staff you have been in contact with for the court shift, as soon as possible.

Helpful Information:

- Hennepin County Government Center – 300 South 6th Street, Minneapolis, MN 55487
- [Minnesota Court Records Online \(MCRO\)](#)
- Hennepin County Housing Court Clerk 612-348-5186, ext. 4