

EVICTION DIVERSION INITIATIVE | NCSC

Eviction Diversion Case Study: Alaska Court System

Background

When the Alaska Court System (ACS) began thinking about how to support landlords and tenants in the eviction process, they had to get creative. Alaska is vast, more than twice the size of Texas, and the statutory timeframe governing the eviction process is short. With financial support and technical assistance from [NCSC's Eviction Diversion Initiative](#), ACS set out to help resolve landlord-tenant disputes outside of court and reduce eviction filings.

ACS decided to focus its eviction diversion efforts upstream, offering early interventions for landlords and tenants through virtual services in communities across the state. ACS designed and implemented a statewide, pre-filing eviction diversion program and adopted rules and process changes to educate, encourage, and incentivize the community to use the diversion program to resolve housing disputes as early as possible.

Educating Community Members About Alternatives to Litigation

A successful pre-filing eviction diversion program requires a robust outreach plan to educate community members about the program and its benefits. Pre-filing means there is no court case and no accompanying names and addresses. This poses a challenge for courts, which must cast a broad net to reach landlords and tenants directly in the community, before they have any interaction with the court.

[Administrative Bulletin 98](#) requires all housing providers to include a pre-filing eviction diversion flyer when serving an eviction notice. This rule change ensures that every tenant will receive information about the program, even before a case is filed in court.

ACS created two versions of the flyer - one for public housing residents and one for private housing residents. This allows tenants to receive that information that is the most relevant to their situation (see Figure 1). Both versions encourage tenants to contact the eviction diversion program through an online intake form embedded in the ACS website

Alaska Court System
Eviction Diversion Program
AHFC Pre-Filing Information Sheet

Your landlord, the Alaska Housing Finance Corporation (AHFC), previously gave you a **Notice to Quit**. The problem was not fixed and AHFC is now preparing to start an eviction case against you.

If you and AHFC do not work things out and they start an eviction case, the judge may order you to move out.

Act **Do not ignore the problem!**
If you ignore the problem, AHFC intends to start a court case to evict you.
You have options:
• Try to fix the problem,
• Talk to AHFC and try to work out an agreement, or
• You move out.

Learn **It is always a good idea to get legal information and advice.**
Get **free** legal information from the court's webpage: visit ak-courts.info/housing or scan the QR code.
Get **free** legal advice from volunteer lawyers with Alaska Legal Services Corporation's (ALSC) Landlord-Tenant Helpline:
855-743-1001 Monday - Thursday
6:00 p.m. - 8:00 p.m.
If you think you may qualify for ALSC services, apply at 888-478-2572 or alsc-law.org/apply-for-services

Get Help **Contact the court's Eviction Diversion Program for free help.**
The court has **free**, neutral mediators who can help landlords and tenants work out their issues.
Get more information:
• Go to ak-courts.info/edp or
• Scan the QR Code
Sign-up:
• Go to ak-courts.info/edpsignup
• Scan the QR Code or
• Call 907-264-0883

Figure 1 - Tenants receive an eviction diversion information sheet with the eviction notice.

(see Figure 2) or by calling the eviction diversion facilitator.

ACS engages directly with community members and program stakeholders by regularly participating in housing coalition meetings that bring together landlords, tenants, and housing advocates. These meetings are opportunities for ACS to collect feedback about the program, identify emerging trends and community needs, and connect with potential program partners.

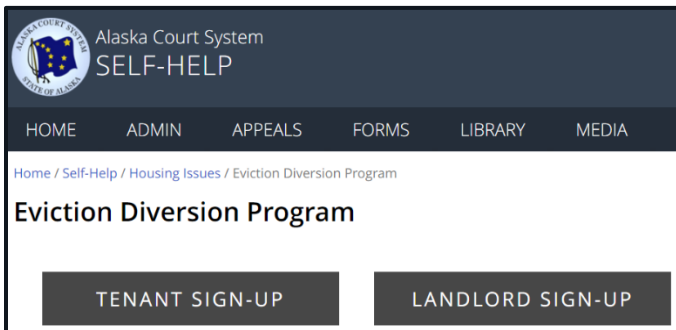


Figure 2 - Landlords and tenants can access the statewide diversion program through the ACS website.

Incentivizing Early Participation

The ACS pre-filing eviction diversion program is entirely voluntary; neither landlords nor tenants are required to participate. While developing the program, housing providers expressed concern that participation may ultimately extend the timeframe for eviction, resulting in additional expenses and discouraging them from participating. [Administrative Bulletin 98](#) addresses this concern, establishing a mechanism for waiving filing fees for landlords who participate in the diversion program, but are unsuccessful and must move forward with litigation due to a breach of the settlement agreement.

Establishing Strong Referral Partnerships

Alaska is a large state with a small population, and it can be challenging to connect individuals with service providers. ACS has worked closely with partner agencies to develop and refine a system to screen cases and make appropriate legal and non-legal referrals for landlords and tenants.

Mediation Services

Mediation is a core component of the ACS eviction diversion program. ACS established a new pro bono mediation program, recruiting and training volunteer mediators to work with landlords and tenants before or during court. Mediations can be scheduled virtually, allowing mediators to work with landlords and tenants from anywhere in the state.

Financial Assistance

When Alaska's statewide Emergency Rental Assistance funding ran out, ACS worked to connect landlords and tenants with new sources of funds. ACS coordinated with a local partner in Anchorage that operates a smaller rental assistance program which offers bridge funding to families who have experienced a temporary financial setback but are able to pay rent moving forward. This funding is not accessible to the public and may only be accessed through a referral from the eviction diversion program. Program staff screen cases and make targeted referrals in situations where bridge funding can help to sustainably resolve a landlord-tenant dispute.

ACS also partners with the local risk mitigation fund. The fund provides financial compensation to landlords who rent to high-risk tenants if they experience financial hardship or property damage.

Legal Assistance

Landlords and tenants can access free legal advice via the Alaska Legal Services Corporation's (ALSC) statewide Landlord-

Tenant Hotline. ACS is also working with ALSC to explore options for expanding access to legal services, including onsite services during the weekly eviction docket in Anchorage.

Creating Multiple Entry Points for Eviction Diversion

While the primary focus of the program is on early intervention, landlords and tenants may also participate post-filing. This creates multiple opportunities for landlords and tenants to resolve their disputes outside of litigation. When filing an eviction case, a landlord must also give tenants a flyer informing them of resources available through the diversion program. Landlords are asked to complete an [Eviction Case Information Sheet](#) which collects tenant contact information, including a phone number and email address. This permits court staff to communicate with tenants before the initial hearing.

Seventy percent of eviction cases are heard in Anchorage. Here, mediators are available onsite during eviction dockets and can take referrals in real-time from judges to help landlords and tenants resolve cases same day.

Limiting Access to Eviction Records

An eviction filing carries stigma and can negatively impact a tenant's ability to secure future housing, even if the case is settled or dismissed. While Alaska law does not currently

authorize the court to seal eviction records, ACS has created a mechanism for restricting online access to eviction records in cases that are resolved without a negative judgment against the tenant. In these situations, ACS removes the case from [CourtView](#), a website that permits public access to electronic court records. This process happens automatically, and tenants do not need to file any paperwork with the court. Eviction records remain public records and can be viewed onsite at the courthouse, but they are not available to view online.

Looking Ahead

ACS continues to explore new ways to promote the eviction diversion program and expand the statewide network of program partners and housing stability stakeholders.

ACS is exploring a text messaging notification system to improve appearance rates and inform court users about the diversion program before their court date. ACS remains committed to operating a statewide program and improving service delivery to reach even more community members who are experiencing housing or financial instability.

NCSC Eviction Diversion Initiative

Visit ncsc.org/eviction or email EDI@ncsc.org for more information and resources on court-based eviction diversion programs or to [schedule a free consultation](#).

To learn more about NCSC's Access to Justice work, visit ncsc.org/a2j.