Facilitating the Use of Local Court Eviction Data

Findings from New America Focus Groups

Summer 2023

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New America's Eviction Data Efforts to Date

Workshops on Challenges with Eviction Data

New America hosts four in-depth workshops with over 30 housing, data, and innovation experts and municipal leaders to explore the current state of eviction data quality in the U.S.

Improving Eviction Data 2.0 Coalition Convened

New America convenes an expanded coalition of over 50 housing, eviction, and municipal leaders to push forward recommendations released in 2021, specifically around eviction data standards and supporting localities using eviction data.

Spring 2021

Fall 2020

Fall 2022

Spring 2023

Release Eviction Data Recommendations

As part of a longer report on eviction data, New America, along with eight other organizations, releases recommendations for creating a better eviction data infrastructure.

Focus Groups on Eviction Data Use at the Local Level

New America conducts focus groups to better understand the support municipalities need in using eviction court data.

Table of Contents

- Background and Methods
- Key Finding: Formal and Informal Data Use
- Key Finding: The Necessary Preconditions
  - Precondition 1: Data Must Be Accessible
  - Precondition 2: Data Must Be Useable
  - Precondition 3: Data Must Be Formalized
- Looking Ahead

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Background and Methods

Ideal End State for Court Eviction Data

Ideal end state: Local users are able to access court eviction data and use it in actionable and recurring ways to better understand and prevent evictions.

→

- **Inform** eviction prevention and housing stability policy and programming

- **Track** geographic, demographic, and socioeconomic trends in eviction over time

- **Evaluate** the impact of housing policies and programs

- **Advocate** for tenant protections, more robust enforcement of protections, and more resources

- **Raise awareness** of the volume and disproportionate impacts of eviction

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Background on Court Eviction Data

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Each year an estimated 5 million Americans are evicted from their homes. Eviction lawsuits filed by landlords in local courts are the primary source of data on U.S. evictions.

However, the availability and quality of court eviction data is often poor and variable across the United States.

Given the lack of uniformity in data availability and quality, and the absence of a federal mandate to undertake these efforts, those looking to use court data to better understand and prevent evictions in their local communities (referred to as *local users*) must develop their own pathways for accessing and using this data.

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Methods

Study Title: Facilitating the Use of Local Court Eviction Data

Time Period: March–July 2023

Purpose: To address the following questions:

- What are the common barriers and facilitators for local users in accessing and using court eviction data?

- What are the supports that local users need most in their efforts to effectively use court eviction data?

Methods: New America conducted three focus groups, with a total of 12 local users of court eviction data, across seven states.

Focus Group Participants

The roles, organizations or government agencies, and states represented in the three focus groups of local court eviction data users.

Focus Group Date	Roles of Participants	Type of Organization or Government Agency	States
April 20, 2023	Executive Director Administrative Analyst Planner/GIS Analyst Housing and Finance Evaluator	City Community Development Dept. City Eviction Office County Community and Human Services Dept.	Michigan Indiana Washington
April 21, 2023	Program Coordinator Neighborhood Program Coordinator Program & Grants Manager Deputy Director	City Office of Family Empowerment State Housing and Homelessness Coalition County Economic and Community Development Dept.	Tennessee Texas Alaska
April 26, 2023	Housing Staff Attorney Researcher Housing Policy Manager	Legal Service Provider Academic Institution County Community and Human Services Dept.	Virginia Michigan Washington

Key Finding:
Formal and Informal Data Use

The findings summarized in this presentation, as well as the quotes, are all generated from the focus groups.

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Local Eviction Data Use Can Be Formal or Informal

Because there is no federal mandate to collect and use court eviction data, localities have filled this role themselves. Local data use can be characterized in two ways:

➔ **Formal Use of Eviction Data**
- ◆ Mandated or actively supported by local decision-making bodies
- ◆ Backed by resources (e.g., time, effort, labor)
- ◆ More likely to be regular and systematized

➔ **Informal Use of Eviction Data**
- ◆ Typically initiated by individual(s)
- ◆ Not backed by resources or funding
- ◆ More likely to be one-time or ad hoc

Informal data use is typically less sustainable than formal data use, and so formalizing these efforts is necessary for data use to be recurring.

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Who Is Making Eviction Data Decisions Locally?

Given the significant investment in time, resources, and capacity to undertake eviction data collection and use, whether it occurs is incumbent on:

State and local decision-making bodies that can unlock needed resources, often embedding this responsibility within a job, department, or organization (**formal**)

→ Governors, mayors, city council, county board of commissioners, government agency heads, chief judges

Resourceful individuals who take it upon themselves to fill an eviction data gap, using any and all resources at their disposal (**informal**)

→ Advocates, researchers, legal aid attorneys, service providers, organizers
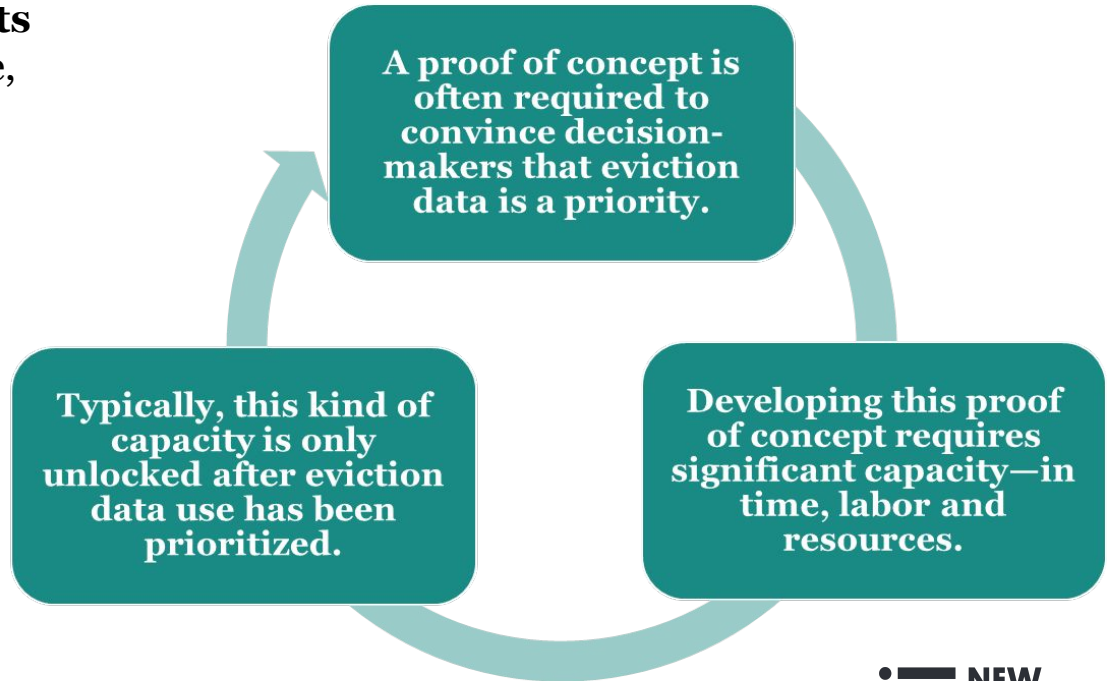
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Role of Proof of Concepts in Formalizing Data Use

Eviction data **proof of concepts** can be the creation of a database, a one-time analysis of evictions over a specific period of time, or another data output that showcases this data's utility.

"Once [city council] started to see some of the [eviction] data, they wanted to know more… So they finally decided to fund a permanent position for that purpose."

A proof of concept is often required to convince decision-makers that eviction data is a priority.

Developing this proof of concept requires significant capacity—in time, labor and resources.

Typically, this kind of capacity is only unlocked after eviction data use has been prioritized.
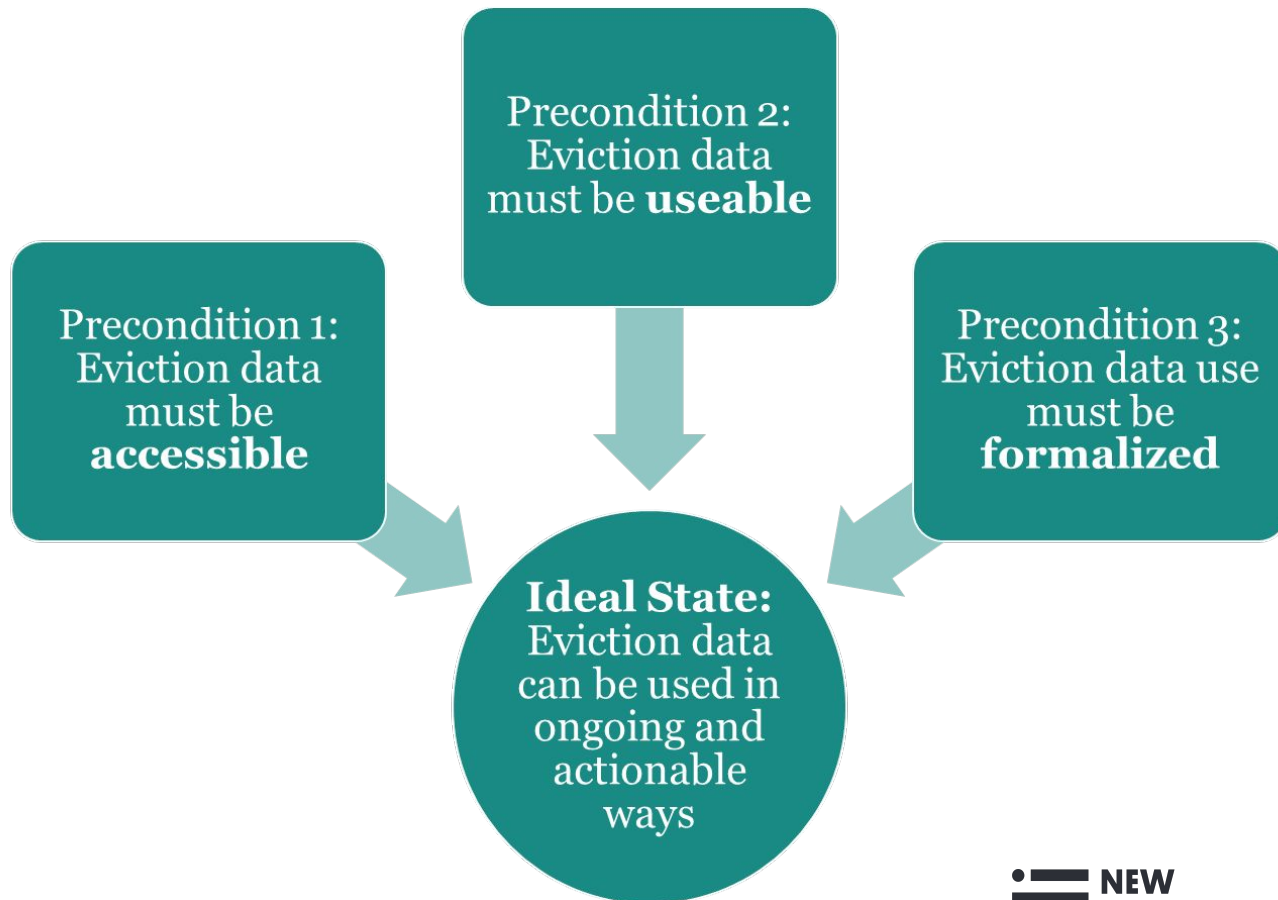
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Key Finding:
The Necessary Preconditions

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There are three preconditions that must be in place for local use of eviction data.

Precondition 2: Eviction data must be **useable**

Precondition 1: Eviction data must be **accessible**

Precondition 3: Eviction data use must be **formalized**

Ideal State: Eviction data can be used in ongoing and actionable ways

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Precondition 1: Eviction Data Must Be **Accessible**

Barriers to Accessing Court Eviction Data

Common barriers to data access include:

- **Data collection is not overseen by a central entity**. Data collection is dispersed across several entities (e.g., government agencies, legal aid, nonprofits), with no centralized entity responsible.

- **Courts operate under different set of incentives than users.** This can result in gaps in access.

As a result:

- **Significant human resource capacity is required** to track down and develop relationships with court staff or others who can unlock access and negotiate data agreements.

"The data we can get from the court system—it took months of phone calls to find someone who was willing to work with us even a tiny, little bit."

"It would be helpful if someone was actually doing this as their job, as opposed to people in five different agencies picking a little bit here and a little bit there."

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Pathways for Accessing Court Eviction Data

Despite barriers, local users have established the following pathways to access data:

Directly from court:

◆ A formal arrangement with court (e.g., data-sharing agreements)

◆ An informal contact within court system willing to share data when requested

Directly from public eviction case records:

◆ Pull information manually from individual records

◆ Scrape data from public website with eviction case records

Via third-party vendors:

◆ Purchase data from vendor that pays the court for data or scrapes it (e.g., AIRS, LexisNexis)

◆ Obtain data free of charge from organizations (Legal Services Corporation)

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Facilitators for Accessing Court Eviction Data

- Access to **volunteer, pro-bono,** or **low-wage** workers for the time investment in manual data extraction

- The **time and capacity** to manually pull data or develop a scraper or a establish relationship with court staff

- **Roadmaps or examples** on how to obtain data from the court, and which pathways are most viable

- **Data champions** that understand the role data can play in preventing evictions embedded in decision-making roles or within relevant entities

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Precondition 2: Eviction Data Must Be **Useable**

Barriers to Using Court Eviction Data

Even when users can access court data, its poor quality often means it has limited utility. Common data quality challenges include:

- **Incomplete information:** The most critical fields for understanding eviction are often missing, including address information and case outcome information.

- **Inaccurate information**: Key pieces of information are often inconsistently entered and/or inaccurate in court data.

"The challenge is that so much of the data that would be helpful for us (e.g., outcomes, nuances of cases) is handwritten in some random PDF that is poorly scanned into the court record system."

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Example: Address Information in Court Records

Address information shows **where an eviction took place**, which is critical for understanding geographic trends in evictions. Address information is commonly:

- **Not digitized** and often embedded within physical case files or PDFs, requiring significant manual effort to extract.

- **Not validated,** resulting in inaccurate info that is not reflective of where the eviction took place or inaccurate (not consistently entered, misspelled, etc.).

"Courts feel that they have to manually enter what the tenant writes on their form, even if their zip code is wrong, the street name is spelled wrong, [and] even if they write 'lower unit next to bathroom next to garbage can' in the address line."

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Overcoming Data Challenges Requires Investment

Because court data is incomplete and/or inaccurate, users often have to spend a significant amount of time and resources to:

- Manually **clean and/or verify** data

- **Supplement** court data with other sources (e.g., legal aid, private vendors, sheriff's office)

- **Manipulate** data or supplement it to understand how a court case ended (due to lack of quality or consistent outcome information)

- Work with legal aid providers or advocates with knowledge of local laws and processes to accurately **interpret** eviction data

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Precondition 3: Eviction Data Must Be **Formalized**

Common Catalysts for Formalizing Eviction Data Use

Ways that eviction data use became a priority include:

- **Influx of funding**: Unprecedented influx of federal funds from ARPA and CARES Act.

- **Evaluation:** Need to monitor impact of funding or new eviction prevention program.

- **Local comparisons:** Desire to understand high eviction rate relative to surrounding areas.

- **Data culture:** General culture of data and evaluation within a department or organization.

"Our work on evictions began with ERA. There was no one in the state doing any work [on evictions] prior to that."

On the influx of $300 million into the local ERA program, "it's important to know, 'Did that work? Did that help anything? Was there any long term impact?"

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Guidance for Formalizing Data Use Locally

State and local decision-making bodies can formalize data use in the following ways:

- Unlock **funding** for incentivizing eviction data collection and use from as many sources as necessary.

- Designate a **centralized entity** that is responsible for eviction data collection and use.

- Embed those with knowledge of local eviction processes, laws, and **tenant experiences** alongside those with technical and data skills.

- Take up eviction data **proof of concepts** by supporting them with the necessary resources.

"No one here—on this whole floor—really has a job description that says 'focus on evictions', but so many of [our] jobs here touch across it."

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Looking Ahead

Court Eviction Data Is Necessary, but Not Sufficient for Reaching the Ideal State

Eviction court data is essential for localities to be able to address key questions on evictions but it's important to remember:

- Even with improvements to quality and access, court data will still not be comprehensive enough to fully understand the causes and consequences of eviction.

- To reach the ideal state, where it can be effectively deployed to inform, track, evaluate and educate, court eviction data will always need to be supplemented with other types of data (e.g., sheriff data, legal service data, etc).

"In terms of how we can, at a higher level, improve data quality: the first would be to change the incentives and capacity at the court level—it makes the most sense to get high-quality data straight from [the courts], but it's also the hardest thing to do."

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What's Next for This Work?

These focus groups, and other efforts, stem from an eviction data coalition of local and national housing leaders that New America stewards. Prior work can be found here:

- Report: What Can Court Data Actually Tell Us About Evictions?
- Brief: Informal Evictions: Measuring Displacement Outside the Courtroom
- Memo: 8 Recommendations for Improving Local and National Eviction Data
- Report: Why is Eviction Data So Bad?

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