

A Guide to Virtual Hearings for Self Represented Litigants in the Housing Court

A Guide to Going to ‘Court’ on the phone or video by yourself.

June 15, 2020

Before the Hearing

Plan ahead. Make sure you know:

- When your hearing is,
- How the Court will hold the hearing, and
- You know how to “go to” the hearing!

The Housing Court uses Zoom for video hearings, and a conference call line for telephone hearings.

Most hearings are on the telephone. If both sides have a lawyer, the court is more likely to do the hearing by Zoom – video meeting.

The Court will send you instructions for your hearing.

Read everything the Court sends you and make sure you understand how to do the hearing.

Give the court the best phone number and email address to reach you.

Sometimes the court has to close unexpectedly, with no warning because of the virus.

To check on the court where your hearing will be held, see <https://www.mass.gov/info-details/courthouse-closures-due-to-covid-19>

Call or email the court as soon as you can if:

- You do not get a letter from the court.
- You do not understand the instructions for Zoom or the telephone conference call line
- You need an accommodation from the court like:

- ◇ You are hard of hearing.
- ◇ You need a break during the hearing.
- ◇ Your eyesight is not good.
- ◇ You need an interpreter.

- You cannot do the hearing on the date the court gave you, because you have to work or you have another scheduling conflict. You must have a very good reason to change the date.
- You do not have enough minutes on your cell phone plan to do the entire hearing. Most hearings are about one hour.
- To find the number or an email for the court go to: https://www.mass.gov/orgs/housing-court/locations?_page=1

If you do not currently have internet service at home and you are a low-income household, you may qualify for free or discounted internet:

- Comcast may be contacted at 1-800-COMCAST or visit https://www.internetessentials.com/covid19#thingstoknow&all_AmIeligibleforIE.
- Verizon may be contacted at 1-800-VERIZON or visit <https://www.verizon.com/info/low-income-internet/>.
- RCN may be contacted at 1-800-746-4726 or visit <https://www.internetfirst.com/>.
- Charter-Spectrum may be contacted at 1-844-488-8395.
- Starry may be contacted at 1-888-231-9403 or



visit <https://starry.com/starryconnect>.

- You may also contact your mobile phone provider regarding high-speed data packages including hot-spot connectivity.

For the Hearing

1. Find a quiet, private place where you can call or Zoom from.

Think of noisy things that could distract you or interrupt the hearing and plan to stop the interruptions. Your plan could be to put a movie on in another room and have snacks out for the children. Or put your noisy dog in another room.

2. Have pen and paper ready to take notes.
3. Make sure you have good cell or WIFI signal and if possible, an electric outlet.
4. Make sure the battery is fully charged on your device.
5. Have your charger with you.

Telephone hearings

If possible, use a landline.

If you are using a cell phone, make sure ahead of time that you call from a place that has good signal for your phone.

Make sure the battery is charged.

Maybe you can find a place that has good signal and is near an electric outlet so if your phone battery tends to run out quickly, you can plug in.

Learn how to mute and un-mute yourself.

If your phone plan has minutes, check the number of minutes you have. Make sure it will be enough for the hearing. Most hearings last about an hour.

Zoom Hearings

If you are using WIFI, make sure ahead of time that you call from a place that has a good WIFI signal.

Download Zoom. It is free. Make sure it works on your device. Note: Sometimes software downloads and updates can take some time.

Learn how to use Zoom. Practice:

- Turn your webcam on and off;
- Adjust the audio and video;
- Mute and un-mute yourself.

If possible, use headphones with a microphone.

Set your camera so that it captures a good view of your face and upper body. You do not want the camera to cut off part of your face. Make sure you are not in front of a window. The light behind you will make it hard to see you.

To practice, you can start a new meeting in Zoom. You do not have to invite anyone else. You can see how you will look in an actual meeting.

Remember this is still a court proceeding and the court can see you if you turn on your video. Dress appropriately. Solid colors are better for Zoom than clothes with patterns. Make sure your background is not distracting or inappropriate. Adjust the lighting in your room if necessary.

Documents or Photos you Want the Judge to Consider

The court's letter will include instructions on how to give the Court documents or photos.

Think about all of the documents that you might need the judge to see.

In an in-person hearing, you have a chance to hand documents to the judge.

In a phone or Zoom hearing, you need to think about all the documents you may need so you can send them to the court **before** your hearing and then refer to them **during** the hearing.

Email your documents to the court **before** the



hearing to: EasternHousingCourt@jud.state.ma.us

Label each document or photo clearly.

For example: “Tenant’s Exhibit A.”

In your email, include your name, the best phone number to reach you, your docket number, and the date of your hearing. Explain that you need to give these documents to the court so the judge can see them at the hearing.

Email is the best way to send something to the Court. If you cannot email your documents, you can mail a copy to the Court. But mail is not as good as email:

- US mail is slower during the pandemic. Send your mail early so the post office has time to deliver it to the Court. If you wait too long, the Court might not get your mail until it’s too late.
- Sometimes the courthouse has to shut down with no warning because of the virus. The court cannot receive mail when the courthouse is closed.

Remember: anything you give to the Court, you also have to give a copy to the other side.

Prepare what you need to say

Write down everything you need to tell the court at this hearing: Dates, names, addresses, and dollar amounts are all helpful details.

Include the specific things you need the court to order. For example:

- I need the court to give me more time to move.
- I need the court to order my landlord to fix the heat.
- I need the court to order my tenant to stop disturbing the other tenants.
- I need the court to dismiss the case.

The Day of the Hearing

The clerk will ask everyone on the phone or in the Zoom meeting to say their names. Once everyone is present, the judge will join in.

Be aware: the court can do the hearing even if not everyone in the case is at the hearing.
If you miss the hearing and you did not tell the court ahead of time, the court can hold it without you.

The judge or the clerk might give instructions to everyone at the beginning of the hearing. Listen carefully.

If the judge or the clerk does **not** give instructions at the beginning, you can ask the court to explain how the hearing will be done.

Speak slowly and clearly. Pauses are helpful.

Speak loudly and clearly enough so everyone can hear you.

Remember: **This is still a court proceeding.** Even though you are not physically in the courtroom, this is a serious matter.

The hearing is recorded.

Everyone can hear you. This is not a private phone call or Zoom meeting.

If there is a lot of noise where you are, the judge might ask you to mute yourself when you are not talking. Remember to un-mute yourself when you want to talk.

Be polite and respectful to everyone.

Address the judge as “Your Honor.”

Do not interrupt the judge, the other side, or anyone else during the hearing. Wait your turn. The judge will give everyone a chance to talk.

If someone says something and you want to respond to it, write it down. You can come back to it when it is your turn.

Be patient. The judge and the clerk are doing the



best they can.

If you need something to be repeated, ask politely.

If you have trouble with the phone or the technology, tell the judge as soon as possible.

- Some examples: the call breaks up and you cannot hear or see anything, Zoom stops working, or your phone battery is about to die.

If you accidentally get disconnected:

- **On Zoom**, the court can see if someone “leaves” the Zoom. Try to re-enter the Zoom. Use the same link you used to join. The court will try to call you back at the phone number you gave if you do not re-enter the Zoom.
- **Over the phone**, it might be harder for the court to notice if you get disconnected. If they notice, they will try to call you back. If the Court does not call you back, call them. Let them know you got disconnected. Give the court the best phone number to reach you, even if you already gave it to them. Once you are re-connected, ask the court to tell you what you missed.

If your hearing is by telephone

Remember the judge cannot see you nod or shake your head. Give a verbal response.

If there are a lot of people in the telephonic hearing, it is helpful to identify yourself each time you speak.

If you have someone else with you and you are on speakerphone, tell the judge.

If someone needs an interpreter for this hearing:

- Speak in short sentences.
- Pause between sentences so the interpreter has a chance to interpret what you said. Talking for a long time without a break makes it difficult for the interpreter to do their job.
- The interpreter might ask you to repeat

yourself if say too much at once.

Have all of the Court documents and your documents or photos ready in front of you, so you can find them easily during the hearing. It is helpful to organize in the same way as the documents you sent to the court. So if you refer to “page 4,” you and the judge are both looking at the same document.

If you need the judge to look at a document you filed, say clearly which document you are referring to.

- Give the judge a chance to find the document.
- For example: “I’d like to turn the court’s attention to my email to my landlord, dated May 20, 2020.”

Sometimes, the case being heard before your case might run a little late.

- If the court is still hearing another case and is not finished yet, or if you call the court a little early, the court might ask you to wait a few minutes so it can finish up the other case.
- You can call back, or you can stay on the line and wait for your case to be called.
 - ◇ If you decide to wait, mute yourself until your case is called. You can listen to this other hearing, but do not disrupt it.
 - ◇ If you decide to hang up and call later, ask the court what time you should call back.

If you are being questioned by the court or the other side:

- Listen to each question carefully.



- Wait until the person is finished asking the question before you answer.
- If you do not understand a question, tell the judge.
- If you do not hear a question, tell the judge. Ask the judge to repeat the question.

At the end of the hearing, the judge will tell you what happens next.

- The judge might say what his or her decision is, or the judge might say the case is “under advisement” and you will get a written decision later.
- Listen to the judge. Write down if you need to. If you do not understand what the judge says, ask the judge to explain.
 - ◇ Most people will get the Court’s decision by email. But you can ask the Court to send you a copy by regular mail.
 - ◇ Do not hang up until the judge says the hearing is over.

More tips on using Zoom

For more on Zoom, click here for the Zoom Help Center: <https://support.zoom.us/hc/en-us/categories/201137166>

Find more tips here:

- <https://www.theverge.com/2020/4/8/21202907/zoom-tips-video-call-lighting-audio-look-your-best>
- <https://www.theverge.com/2020/3/19/21185472/video-conference-tips-zoom-skype-hangouts-facetime-remote-work>

Additional Help

You can also get additional help with your case at the Court Service Center, the locations and contact information can be found at <https://www.mass.gov/info-details/learn-about-court-service-centers>

You can also call a law librarian for help with research on your case at (800) 445-8989

You may be able to get some of your legal questions answered at Mass Legal Answers Online: <https://mass.freelegalanswers.org>

If you would like to see if you qualify for a free or reduced cost lawyer to help you check this website: <https://www.masslegalservices.org/findlegalaid>

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