

**UCLA**

**UCLA Previously Published Works**

**Title**

The Microfoundations of Bureaucratic Outcomes: Causes and Consequences of Interpretive Disjuncture in Eviction Cases

**Permalink**

<https://escholarship.org/uc/item/4hr4820b>

**Journal**

Social Problems, 68(1)

**ISSN**

0037-7791

**Author**

Nelson, Kyle

**Publication Date**

2021-01-18

**DOI**

10.1093/socpro/spz050

**Copyright Information**

This work is made available under the terms of a Creative Commons Attribution-NoDerivatives License, available at <https://creativecommons.org/licenses/by-nd/4.0/>

Peer reviewed

# The Microfoundations of Bureaucratic Outcomes: Causes and Consequences of Interpretive Disjuncture in Eviction Cases

Kyle Nelson

University of California, Los Angeles

## ABSTRACT

Eviction transforms landlords into plaintiffs and tenants into defendants, reframing expansive histories of housing trouble into legal problems. Researchers note high rates of default judgments against tenants, a majority of tenants without attorneys, and a disconnect between the ways that landlords and tenants understand cases. This study reveals the micro-foundations of case outcomes by explaining causes and consequences of “interpretive disjuncture.” How does interpretive disjuncture shape case trajectories and outcomes as housing trouble transforms into an eviction lawsuit? Drawing on one year of ethnographic fieldwork in tenants’ rights clinics in Los Angeles County, I follow tenants’ cases back to their roots and explain how both everyday and institutional challenges shape tenants’ interpretive processes as they navigate eviction.

**KEYWORDS:** eviction; housing; ethnography; inequality; law and society.

Metropolitan areas across the United States are in the midst of eviction epidemics, and, with the notable exception of informal evictions, landlords utilize courts to evict tenants (Desmond 2016; Desmond and Shollenberger 2015). Due to the summary nature of eviction proceedings, a lack of access to justice for tenants (Sandefur 2008), and the complexity of procedural law (Bezdek 1992), the legal process favors landlords, putting tenants at an inherent disadvantage as they use the law to defend themselves (Engler 2010; cf. the criminal context in Van Cleve 2017). In court, tenants typically lose or settle on terms that lead to their ultimate eviction (Engler 2010), which causes negative consequences to tenants’ immediate and long-term material and psychological well-being (Desmond and Kimbro 2015). Research on eviction is remarkably consistent over time and across place, revealing a majority of tenants without attorneys in court (Desmond 2016; Engler 2010) and a high volume of default judgments against tenants (Mosier and Soble 1973; Seron et al. 2001), meaning that many tenants lose their cases and housing with little to no engagement with the legal system.

I would like to thank Stefan Timmermans, Rebecca Jean Emigh, and Jack Katz for their invaluable advice and support throughout. Sarah Bane, Sharon Cornelissen, Michael DeLand, Becca DiBennardo, Nina Eliasoph, Neil Gong, Zach Griffen, Andrew Herman, Yotala Oszkay Febres-Cordero, Rennie Lee, Paul Lichterman, Carrie Miller, Corey O’Malley, Pei Palmgren, Corey Pech, Elena Popp, Allison Ramirez, Benjamin Ramm, Kevin Shih, Isaac Speer, Lina Stepick, Iddo Tavory, Eli Wilson, the editors of *Social Problems*, and the anonymous reviewers offered helpful suggestions. I am grateful for feedback from presentations at the 2015 American Sociological Association Annual Meeting in Chicago, the 2015 Chicago Ethnography Conference, and UCLA’s Ethnography Working Group. Direct correspondence to the author at the Department of Sociology, University of California, Los Angeles, 264 Haines Hall, Los Angeles, California 90095; email: kylenelson@ucla.edu.

According to data from the Los Angeles Superior Court (LASC), landlords filed 246,695 eviction lawsuits against tenants from 2014–2018, an average of just under 50,000 cases per year. In California, evictions are processed through summary legal proceedings, which give tenants only five days to respond to the cases against them. Using data from the Judicial Council of California, advocates in Los Angeles estimate a default rate of up to 40 percent, meaning that in 2018 almost 17,000 of the 42,742 eviction cases filed in LASC were closed prior to tenants receiving their day in court (cf. Heskin and LeGates 1992, as cited in Gerchick 1994). Based primarily on quantitative analyses of administrative records, researchers suggest that a case’s degree of difficulty (Larson 2006), the legal system’s “silencing” of tenants (Bezdek 1992), and a lack of legal representation (Seron et al. 2001) explain default outcomes.

Attending to tenants’ accounts of their troubleshooting, however, reveals an additional set of social mechanisms to explain default outcomes in eviction cases. Once a landlord gives a tenant a legal notice, the tenant’s experiences, interpretations, and strategies for resolving trouble become subordinated to the legal system, its perspectives, and troubleshooting protocols (Emerson 2015; Ewick and Silbey 1998). In attempting to resolve trouble through the legal system, laypeople encounter obstacles that make it difficult for them to come out ahead in court, irrespective of their substantive knowledge of the law (Ewick and Silbey 2003). For example, laypeople’s understanding of everyday trouble as law (DeLand 2013) and enacted via legal consciousness may fundamentally clash with bureaucratic, legal definitions of situations. This prompts the question: why does laypeople’s everyday legal consciousness leave them at a disadvantage when using the courts to troubleshoot?

Based on 12 months of fieldwork in two tenants’ rights clinics in Los Angeles County, I observed that tenants’ different troubleshooting trajectories often resulted in default. To explain this phenomenon, I propose an interpretive mechanism that shapes litigants’ action and legal outcomes: *interpretive disjuncture*, the disconnect between the way laypeople and experts interpret and treat everyday troubles as legal problems. Inherent to the social reality of the law is that navigating interpretive disjuncture requires a precise expertise; even the slightest misstep may become a cause for negative sanction, as judicial decision-makers may dismiss laypeople’s attempts to resolve their situations as legally or culturally inappropriate (Desmond 2012b, 2016; Lempert and Monsma 1994). I show that interpretive disjuncture occurs as everyday troubles transform into institutionally defined problems, at which point laypeople’s interpretations of trouble clash with those of experts who represent bureaucracies that sanction particular interpretive possibilities and forms of social action instead of others (Weber 2013). When encountering the legal logic of eviction lawsuits, tenants’ understandings of themselves, their situations, and material manifestations of trouble and subsequent troubleshooting all too often result in eviction.

## NAVIGATING TROUBLE’S TRANSFORMATION IN SOCIOLOGY

### *Individualistic and Organizational Cultural Explanation*

Sensing that something is not quite right in their everyday lives, laypeople work to resolve the emergent trouble through a variety of troubleshooting strategies (Emerson and Messinger 1977; cf. Felstiner, Abel, and Sarat 1980). When interpersonal or informal means of troubleshooting fail, they seek experts’ assistance in formal bureaucracies (Emerson 1981, 1992; Lipsky 2010). Sociologists have long observed, however, that myriad structural and institutional barriers stand in the way of efficacious troubleshooting and access to information among the urban poor (e.g., Massey and Denton 1993; Sampson 2011). This literature reveals a circular dynamic, however, wherein network (Wilson 1987) and cultural (Wilson 1996) mechanisms explain how a lack of individual and collective efficacy among the urban poor complicate individual and neighborhood-wide troubleshooting efforts (cf. critiques in Small 2006).

Processual analysis identifies determinants of everyday social action by not only showing exactly how cultural considerations shape interpretative processes and situational understandings, but also

connecting bureaucratic outcomes that predominate in the literature to their micro-interactional foundations (Emerson 2015; Lareau 2015).

Cultural mechanisms predominate in the literature on eviction and its outcomes. Desmond (2012b), for example, suggests that male tenants are evicted less often than female tenants because their gendered-habitus informs troubleshooting strategies that appeal to male landlords and building managers more effectively than women's strategies do (pp. 110–16). These “interactional patterns” complement structural mechanisms in Desmond's broader claim that eviction is both cause and consequence of urban poverty (Desmond 2016). Lempert and Monsma (1994) highlight a similar cultural mechanism at play in legal settings, as cultural differences explain why middle-class board members who referee public housing evictions are less likely to sympathize with poor Samoan tenants' defenses against allegations and more likely to recommend eviction (pp. 902–4). These studies present complementary structural and cultural mechanisms to explain why the legal system disadvantages “have nots,” even while subsequent research has shown that eviction is the most likely outcome for most tenants across cultural contexts (e.g., Engler 2010; Larson 2006).

Sociologists of organizations and institutions, however, provide an alternative explanation for the why “have nots” experience unequal eviction outcomes that de-center cultural mechanisms. Instead, inequality makes sense given the way that bureaucracies interpret, label, and resolve trouble. Merry (1990: ix), for example, suggests that the legal system's power lies in:

the domination inherent in the ability of some to construct authoritative pictures of the way things are, pictures that others accept. These pictures are powerful in that they suggest what must be done about a situation. Pictures are negotiated between the various participants in court processes, participants who differ in their influence on the ultimate portrayal of the situation. Who constructs authoritative pictures and who goes along with them are central questions, as are the sources of authority that render some pictures compelling and others pale and unpersuasive. Some people resist the pictures painted by others, insisting on their own.

Merry writes that the legal system's power lies in its ability to authoritatively interpret and re-frame trouble. By engaging bureaucracies on a formal basis, laypeople task bureaucrats with diagnosis and treatment. In treating trouble, however, bureaucracies require that laypeople accept their subsequent definition of the situation and course of action (Goffman 1959).

This processual corrective—that as people move through different institutions, so do their problems—allows researchers of institutional inequality to sidestep individualistic-cultural explanations. From this perspective, everyday housing troubles *become* eviction, uncomfortable and inappropriate physical or verbal advances *become* sexual harassment (e.g., Smith and Martinez 1995), and dull pains (and other as-yet undiagnosed symptoms) *become* disease (e.g., Mol 2002) when laypeople formally troubleshoot. This literature notes stark differences between laypeople's experiences of troubleshooting's pace, rhythm, and sequencing prior to and after trouble's bureaucratization. As bureaucracies channel trouble, its prevailing logics, and its treatment, they impose a pace and style that may catch those embroiled in trouble by surprise. This transformation explains why tenants, patients, and respondents often describe being caught off-guard once confronted with the bureaucratic re-definition of their situation.<sup>1</sup>

Just as everyday troubles become institutional problems, laypeople must re-orient their senses of self and situation according to new institutional demands and logics or risk sanction at the hands of the same bureaucracies that they engaged to treat trouble. The literature offers fewer explanations for

1 Desmond and Shollenberger (2015:1755) illustrate this phenomenon in eviction: “[M]any [tenants], lacking legal counsel, are confused by the eviction process – which from first eviction notice to removal by sheriff, takes roughly one month in Milwaukee, although most tenants vacate before their landlords summons the sheriff – and are caught off-guard when the eviction squad raps on their door and orders them out.”

the reasons why negative sanction is common when laypeople navigate this phenomenological shift. Neo-institutionalists theorize organizational-cultural mechanisms to explain the way people make sense of themselves and their social action amid changing environments, but these studies typically focus on actors who are embedded in bureaucracies, rather than on those who engage with bureaucracy briefly as they troubleshoot in their everyday lives (e.g., Hallett 2010; see reviews by DiMaggio 1997; Weick, Sutcliffe, and Obstfeld 2005). By attending to meaning-making practices that unfold as laypeople navigate the bureaucratic transformation of trouble, analysts can explain why “the haves come out ahead” (Galanter 1974) as a function of both institutional and interpretive mechanisms (Gross 2009). This approach, I argue, necessitates attention to interpretive disjuncture.

### *Interpretive Disjuncture*

*Interpretive disjuncture* is a disconnect between the way laypeople and bureaucracies interpret trouble during the process of bureaucratic transformation. Disjuncture is likely because bureaucratic transformation occurs in a liminal space between informal and formal troubleshooting stages, and, therefore, can sustain both everyday and institutional interpretations. While everyday life is rife with the potential for diverse interpretations of experience (Schutz 1967), institutional power limits the efficacy of certain interpretations by privileging institutionally-sanctioned interpretive possibilities and associated routes of action (Thornton, Ocasio, and Lounsbury 2012). For this reason, laypeople and experts entangled in a now-formal troubleshooting process may experience interpretive disjuncture differently, but they must respond to trouble in ways that bureaucracies obfuscate through official procedure.

While trouble itself changes on an ontological level once it enters a bureaucracy, laypeople may not be fully aware of this transformation and its implications. It is an expert’s job and a bureaucracy’s jurisdiction to define, process, and dispose of trouble in particular ways, but laypeople can only overcome interpretive disjuncture by first realizing and then realigning their understanding of their situation and self to that defined by bureaucracy. Goffman (1959) suggests that this process might unfold tacitly through working consensus, but interpretive disjuncture entails a coerced consensus, whereby one party monopolizes the ability to legitimately define the situation (and create confusion) as a function of its jurisdiction and authority (Emerson 1992; Weber 2013). Once laypeople recognize the situation and *themselves* as practical problems, they experience the subsequent realization as a shock, but are typically able to quickly re-orient their action to a different key thereafter (Goffman 1974; Schutz 1967).

While interpretive disjuncture is a common feature of any bureaucracy that processes people and their troubles, Ewick and Silbey (1998:16) describe why it is especially common in law.

Normal appearances are shattered when our motives, relationships, obligations, and privileges are explicitly redefined within “legal” constructs and categories . . . The taken-for-granted practices of parents’ materially providing for their children are transformed, in the context of divorces, into contracts that are purposively negotiated and then monitored and enforced by attorneys, mediators, social workers, and judges. The tragic, but commonplace, aspects of life become strangely reconfigured through law . . . [When] we confront our own lives transposed within the legal domain, we often find ourselves subject to a mighty power that can render the familiar strange, the intimate public, the violent passive, the mundane extraordinary and the awesome banal.

From this perspective, “the law” not only transforms trouble into litigation, but it also changes litigants, plaintiffs, and defendants alike, in ways that may not make sense given their own experience. Without an attorney, therefore, laypeople must consciously become litigants and troubleshoot their disputes using the legal system on its own terms or risk negative sanction (Bourdieu 1987).

Complementing studies questioning “why landlords choose to evict some tenants and not others” (Desmond 2012b) and “why judicial decision makers sympathize with some tenants’ ‘excuses’ and not others” (Lempert and Monsma 1994), I suggest that elaborating the causes and consequences of

interpretive disjuncture offers a way of explaining both tenants' surprise and decision-makers' callousness. As the following analysis will demonstrate, attention to interpretive disjuncture encourages a processual and interactional accounting of how tenants' legal consciousness becomes less effective when deployed in legal settings and why legal experts negatively sanction these efforts.

### DATA COLLECTION AND ANALYSIS

The following study draws on 12 months of participant observation fieldwork in two tenants' rights clinics in Los Angeles County. Los Angeles County-based non-profit organizations sponsor tenants' rights clinics six days per week in locations nearby regional "hub" courthouses<sup>2</sup> and in areas where tenants commonly experience housing precarity. Volunteer attorneys and intake interviewers—typically law school students, housing attorneys from local law firms, paralegals, or tenants' rights advocates—"staff" each clinic. One clinic that I studied was in Lincoln Heights, a working class, Latinx community northeast of Downtown Los Angeles; the other was in West Hollywood, a predominately white, middle class city in Los Angeles County with a large LGBTQ+ population. In May 2014, the firm that staffed the Lincoln Heights clinic relocated its clinic to Westlake, a neighborhood west of Downtown Los Angeles with a similar demographic profile to Lincoln Heights. Renters comprised at least 75 percent of residents in both of these neighborhoods. While clinics were most accessible to local residents, they drew tenants from throughout Los Angeles County, typically via referrals from friends and local agencies. Clinics offered English and Spanish-language services.

I observed and conducted intake interviews—anywhere between three and eight interviews per day, between three and eight hours per day—in weekly tenants' rights clinics for one year between January 2014 and January 2015. From January 2014 to August 2014, I attended two clinics per week; from September 2014 to January 2015, I attended one clinic per week. Since I am not an attorney, I conducted participant-observation fieldwork as a volunteer intake interviewer. I collected data only when I received consent from attorneys and tenants to take notes. I acquired consent prior to the start of an interview; if a tenant did not provide consent, then I fulfilled my obligation as a volunteer interviewer without taking notes. I was unable to come up with a distribution of case types in clinics, but the vast majority of eviction-related cases in my field notes were based on allegations that tenants did not pay rent.<sup>3</sup>

Similar to existing accounts (Katz 1982; Zimmerman 1969), intake interviews typically unfold in the following sequence. First, tenants complete a questionnaire where they record a brief written account of their housing issues. Then, intake interviewers invite tenants to a work station and the interview begins with a series of clarifying questions. After these questions, interviewers ask tenants about their housing trouble and the legal documents that they have received. Through this process, interviewers reconcile tenants' conceptions of their cases with "official" narratives inscribed on legal notices and then consult with an attorney for legal advice. In doing so, interviewers translate tenants' narratives into case facts, eliminating what they believe that attorneys will perceive to be unnecessary. This process was similar in both clinics.

By conducting ethnographic fieldwork in an intake setting, I observed tenants' narrative understandings of their situations and social roles within them, presented in a way to receive legal advice or

2 In 2013, the LASC system designated five courthouses in cities of Lancaster, Long Beach, Los Angeles, Pasadena, and Santa Monica as specialized eviction courts, or "hubs" (Branson-Potts 2013). Landlords may file lawsuits only in these courthouses. Since I concluded fieldwork, LASC expanded the hub system to include Chatsworth, Compton, Inglewood, Norwalk, Van Nuys, and West Covina courthouses.

3 Data collected on clients who were represented by legal aid organizations in Los Angeles County between March 2012–October 2015 shows that 78 percent of lawsuits were based on nonpayment of rent allegations; allegations were unknown or missing in ten percent of cases and just two percent of cases were based on other lease violations (Jarvis et al. 2017:210). Reviews by Engler (2010) suggest that this is true over time and nationwide. For example, Monsma and Lempert (1992:636) reported that approximately 75 percent of eviction cases filed between 1966–1985 on the island of Oahu in Hawaii alleged nonpayment; in a 2011 court survey conducted in Milwaukee, Wisconsin, Desmond (2012b:101) found that 92 percent of tenant-defendants faced eviction for nonpayment.

**Table 1.** Interviewee Information

Interviewee	Estimated Age	Race/ Ethnicity	Gender	Occupation	Represented	Interview location	Other Facts
1	Late 30s	White	Man	Unemployed	Yes	Courthouse	On disability; U.S. Army Veteran
2	Late 50s	Latino	Man	Truck Driver	Yes	Courthouse	On disability
3	Late 20s	Hawaiian	Man	Self-Employed	Yes	Courthouse	Food truck industry
4	Late 30s	Latino	Man	Self-Employed	Yes	Courthouse	Food truck industry
5	Mid 30s	Filipino	Woman	Unknown	No	Courthouse	None
6	Mid 50s	Black	Woman	Realtor	Yes	Courthouse	None
7	Early 40s	White	Woman	Unemployed	Unknown	Clinic	None
8	Early 20s	Latina	Woman	Unemployed	Yes	Courthouse	Formerly a building manager
9	Late 40s	Black	Woman	Unemployed	Yes	Courthouse	On disability
10	Mid 40s	Latina	Woman	Unknown	Yes	Courthouse	None

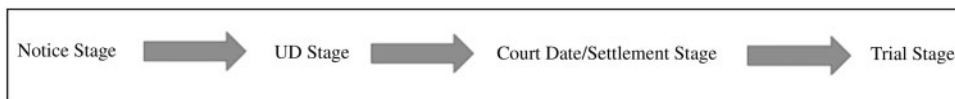
Tenants' Race/Ethnicity, Occupation, and "Other Facts" are based on information that tenants shared over the course of interviews. Tenants' "Estimated Age" and Gender were inferred by the author.

referrals to law offices, code enforcement bureaucracies, and other agencies. Attending to tenants' accounts through participant-observation methods in a setting where clarity affected the legal advice revealed underlying meanings that informed tenants' practical actions. This methodological decision runs three risks, however: 1) those of the analyst siding with the tenant without having observed first-hand the events discussed (Emerson 2015:26-27); 2) treating talk as a proxy for social action (Jerolmack and Khan 2014; cf. Lamont and Swidler 2014); and 3) drawing generalizations from what may be observations of people "performing a particular self within a particular context" (Goffman 1959, 1961; Trouille and Tavory 2019:6). While I did not directly see tenants' *in situ* troubleshooting practices, I observed tenants' situated accounting practices, practices of talk-in-interaction (e.g., Schegloff 2006), in a setting where legal experts treat talk as truth until accounts become problematic with contradictory evidence.<sup>4</sup> I argue further that analyzing shared features of trouble-narratives affords ethnographers insights that observing *in situ* action might not, while identifying narrative turning points that "transform prior understandings and responses in significant ways" (Emerson 2015: xxix; Vaughan 1990).

I supplemented ethnographic data in legal clinics with ten semi-structured interviews with tenants who were later represented by the attorneys who volunteered in clinics. I recruited interviewees by asking their attorneys if they had clients who might be interested in speaking with me while in court. Interviews were conducted across brief periods of downtime during courthouse settlement negotiation interactions and lasted between 30 and 60 minutes. Table 1 represents information on my sample of interviewees that I determined based on tenants' self-reported characteristics, my *in situ* observations, and interview transcripts.

While ethnographic data reveal common experiences of interpretive disjuncture, there was a chance that these findings were specific to clinics and tenants in clinics who were without counsel. With one exception, all of my interviews occurred after I completed fieldwork, and this provided me with an opportunity to assess the ethnographic evidence among a different population of tenants:

4 Courts privilege landlords' accountings of events while requiring little evidence beyond proof of a notice to cure an alleged breach. The landlord's account is literally inscribed in Summons and Complaint documents and, in this way, becomes the "official version" of events. Clinic attorneys often qualify advice to tenants with statements such as "based on what you told us" or "with the information that we have" because tenants typically cannot substantiate their accounts with evidence that attorneys anticipate judges considering "appropriate" to the case-at-hand.



**Figure 1.** A Model of the Eviction Process from Legal Experts' Perspectives

those who not only retained an attorney, but who also avoided default. Comparing data from both groups—tenants without counsel in clinics and tenants with counsel farther along in the process—revealed similar interpretive processes and narrative trajectories.

I employed “abductive analysis” throughout the research process (Tavory and Timmermans 2014). Abductive analysis encourages ethnographers to engage simultaneously with empirical data, literature, and alternative explanations throughout the research process to discover and explain unexpected dimensions of a phenomenon. Different stages in my fieldwork revealed distinct insights that, upon reflection, led me to new research questions and theoretical puzzles. Eschewing the orthodoxy of traditional inductive and deductive approaches to ethnographic methodology, abductive analysis allowed me to push the boundaries and assumptions prevalent in existing research with my data, and vice versa.

### CAUSES AND CONSEQUENCES OF INTERPRETIVE DISJUNCTURE IN EVICTION CASES

In this section, I will describe interpretive disjuncture in the eviction process and as tenants realize it in intake interaction sequences. While tenants' familiarity with housing law varied significantly across cases, most expressed confusion and surprise when presented with attorneys' interpretations of their cases in clinics (cf. Desmond and Shollenberger 2015). Some tenants in clinics had received eviction notices before or they knew somebody who had. Furthermore, most tenants communicated that they understood legal interpretations of their cases when conveyed in jargon-free language. I learned that tenants were so often (and so similarly) surprised because they did not recognize a legal re-definition of their housing trouble that bore so little resemblance to their experience troubleshooting in everyday life. It became clear that tenants and experts—attorneys, housing justice advocates, and court bureaucrats—understand the eviction process in strikingly different ways. Figure 1 represents how legal experts generally understand the sequencing of eviction.

From clinic attorneys, I learned that, for most, eviction begins with the Notice Stage, in which tenants typically have three days to respond to a breach of lease (e.g., nonpayment of rent and unauthorized occupants or pets, among other issues) alleged by their landlord.<sup>5</sup> If tenants can cure an alleged breach during the notice stage (and to their landlord's satisfaction, however practically defined), then they can avoid a lawsuit. Most often, however, landlords gloss over nuanced natural histories of trouble by alleging nonpayment of rent as the basis for eviction. The landlord-plaintiff's unsubstantiated allegation comprises the lawsuit's core against the tenant-defendant. It is no surprise, therefore, that tenants are initially confused by this “official” interpretation of their case, where landlords' version of events come to subvert that of the tenants.

For this reason, how legal experts understand an eviction rarely corresponds to representations in laypeople's everyday legal consciousness, even in cases where tenants have experience engaging with housing or legal bureaucracies prior to the notice stage. Thus, interpretive disjuncture is a common, if not predictable, feature of eviction cases and inevitably puts tenants at risk of negative institutional sanction. Consider the following field note.

5 Tenants have three days to respond to a notice and five days to respond to their landlord's Summons and Complaint. Until the passage of AB 2343 in 2018, California Superior Court judges' opinions varied as to whether weekends and holidays counted towards tenants' five-day deadline (Gutierrez 2018).



A young Latina tenant walked over to my desk at the clinic. She pulled out her paperwork and placed it on the desk. I noticed a snippet of text from a Notice to Vacate peeking out of her folder. She explained that she had decided to stop paying her rent in August because her apartment is infested with cockroaches and bedbugs. She lifted up her sleeve and said that the bites and scars were painful and embarrassing for her and her four children. The vermin come in, she speculated, through cracks in the kitchen tile that she had asked her building manager to fix for months. Her balcony's railing was loose, too, which posed a danger not only for her but for her children who live in their second-floor apartment. She explained that she strategically made requests for repairs prior to paying her rent, but that she never heard back from her manager and did not know if the landlord was even aware of the issues.

She made her final request for repairs at the end of July. When that request went unanswered, she decided to withhold her rent as a way of convincing her landlord to call an exterminator and make repairs to her unit. Like many tenants, she heard from somebody, though she could not recall from whom, that withholding rent was an acceptable course of action after her landlord had ignored requests over what she described as "a reasonable amount of time." Soon after her decision, she received a 3-Day Notice to Pay Rent or Quit but continued to withhold rent, hoping that her landlord would eventually address her requests for extermination and repairs. As she explained it, her withholding of the rent was a reasonable response to her landlord's negligence; withholding rent was the only way that she thought that she could get his attention. Once the 3-Day Notice expired, however, she received a Summons and Complaint on her door and in her mailbox, notifying her that her landlord had filed an eviction lawsuit.

Visceral lived experiences inform tenants' understandings of their situations—here, by the pain from bug bites, fear from children playing on a balcony with a shaky rail, and embarrassment at being visibly marked by scarring as living in substandard housing. As an intake interviewer who had read hundreds of legal notices by this point, I immediately understood that the notice signified trouble's transformation, but paying rent made little sense to the tenant within her lived experience of housing trouble. When she received a Summons and Complaint, however, she realized that her situation had transformed. Following instructions on the handout that the courts mail to any address served with an eviction lawsuit, she immediately went to a courthouse-based self-help center to receive assistance, completing an answer to her landlord's complaint and a fee waiver to help offset legal costs. She explained that the volunteer at the self-help center was unable to complete her documents and told her to "follow up" at a later date for an update. "Why didn't you?" I asked her. "I am a single mother with four kids," she responded. "I work 'seven-to-seven.' I don't really know about this, so I thought they would just file it themselves."

When she did not receive the court date that she was expecting based on the advice that she had received from the self-help center, she returned to the self-help center and the volunteer told her that she was in default and recommended that she immediately file a Motion to Set Aside Judgment (though the volunteer could not assist her in drafting or filing this), and referred her to the tenants' rights clinic. She explained to me that she did not know what a default judgment meant. "Why didn't I receive a court date?" she asked me. I explained that a judge ruled against her because she did not file an Answer within the court-mandated five days. "You lost before you could be assigned a court date," I told her. "You lost your case." She started to cry and then explained that she had contacted the landlord's attorney about postponing the Notice to Vacate, but did not understand the attorney's instructions about where to go in the courthouse. "This is all new to me. I don't even know what department, no nothing." She had lived in the building for seven years prior to this without incident. "I've never been in this type of thing," she said before I walked over to the break room to share her facts about her case with an attorney.

In this example and others in my field notes, the tenant's feelings of surprise and disorientation are linked to a realization that the ground has shifted beneath her feet, where one mistake resulted in the court entering a judgment against her and an imminent lockout. While she was unaware of the

precise sequencing of legal procedure due to a lack of experience with eviction, she understood her situation in “the key of law,” recognized the law as a guiding logic of action, and engaged with relevant troubleshooting resources. However, failure to respond on the court’s precise terms resulted in a negative sanction, here, in a default judgment and impending lockout.

What attorneys often take for granted is that their understanding of eviction begins amidst tenants’ ongoing experiences of housing trouble and may not correspond to tenants’ understandings of their situations. Recalling [Figure 1](#), tenants’ experiences pre-date bureaucratic stages of trouble. Some aspects of housing trouble that tenants describe in clinic intake may be directly relevant to the lawsuit; others are not. Regardless, past experiences are central to the way tenants understand their situations and may be informed by other sources of expertise, even if the advice that they are given does not help them avoid or prevent eviction. As I will show in the next section, how tenants navigate cases during interpretive disjuncture is consequential and does not neatly correspond to a lack of experience or expertise.

### INTERPRETATIVE DISJUNCTURE AND THE TRANSFORMATION OF THE SELF

Tenants who are already navigating multiple everyday and institutional roles over the course of their housing trouble organize their action on the basis of their attention to “themes” that render the situation intelligible to those involved ([Goffman 1961:85-91](#); [Schutz and Luckmann 1973:192](#)). Tenants’ narrative troubleshooting accounts, therefore, reveal how they attend to situationally and biographically-relevant aspects of their experience. Interpretive disjuncture not only sustains tenants’ conceptions of self that they understand to be sensible, but it also supports trouble’s legal redefinition as an eviction lawsuit. As the previous example showed, tenants do not mechanistically assume the requisite characteristics of their new, bureaucratic selves, and the interpretations of trouble that they entail. Rather, people must first apprehend their sense and presentation of self as situationally problematic ([Goffman 1959](#); [Weick, Sutcliffe, and Obstfeld 2005](#)). As I will demonstrate, tenants’ self-conceptions, sustained interactionally and materially, become obstacles that tenants and legal experts collectively overcome during intake interactions.

#### *Everyday Plaintiffs and Legal Defendants*

As I have shown above, how tenants understand themselves within their cases has significant implications for the way they interpret their situations *and* case outcomes.<sup>6</sup> In other clinic interactions, tenants maintain understandings of themselves as plaintiffs until it no longer makes sense to do so. This phenomenon is particularly visible in cases in which tenants explain their decisions to not pay rent to intake interviewers. A young black male tenant living in an illegally converted garage, for example, came to a clinic on the eve of the court’s deadline to answer his landlord’s Summons and Complaint. In the middle of our interview, he noted that on the third of the month, the landlord had served him a 3-Day Notice to Pay Rent or Quit, because he had not paid his May rent. I asked him if he had paid his rent since, and he answered “No.” I asked him why. “Because he’s breaking the freaking law!” As this example reveals, the category of nonpayment of rent subsumes sequences of action that ultimately lead to nonpayment, as well as the many cases where tenants did indeed try to pay or satisfy a 3-Day Notice. As a result, nonpayment often assumes a moral character, becoming a means of conflict resolution for everyday plaintiffs, a “last resort” ([Emerson 1981](#)) to compel a landlord to respond. Above, the landlord’s alleged lawbreaking and negligence sustained a tenant’s self-conception as an everyday plaintiff, even as his response (not paying his rent and, subsequently, breaching his lease agreement) recast him as a legal defendant.

6 Whether there is a causal link between the tenant’s discounting of the notice and her landlord’s decision to file a case is unclear. There are cases in my data where landlords did not provide tenants with “reasonable” (according to attorneys) bases to comply with allegations. Attorneys told me that this occurs often, but it was difficult to substantiate this trend on a broad scale.

Not all cases of self-as-plaintiff, however, involve withholding rent in this way. As tenants troubleshoot, they engage with housing bureaucracies, tenants' rights organizations, and other experts, as well as many people without expertise who nevertheless provide advice. Other tenants' justifications, which were articulated in less moral registers, referred to code enforcement bureaucracies sanctioning their landlords. One black male tenant, for instance, stopped paying his rent after a building code enforcement agency labeled his building structurally unsound; a young white woman did the same after the health department declared her apartment uninhabitable due to mold; and an older white man in a gentrifying neighborhood who won four consecutive eviction lawsuits against his landlord stopped paying rent after he finally had enough and filed a complaint with his local rent board. Each tenant received Summons and Complaints for nonpayment of rent, despite having open cases with housing bureaucracies that they engaged to resolve housing trouble. In these cases, outside advice acquired during troubleshooting sustains tenants' conceptions of self-as-plaintiff, whether it actually helps the tenant avoid eviction or not.

For example, a middle-aged Armenian man presented a Notice to Vacate at the beginning of a clinic interaction. He explained that he had had issues with the water heater and smelled what he thought was gas. His landlord would not help him when he complained about the issues and verbally discouraged him from hiring somebody on his own. Soon, the landlord stopped responding at all while the issues persisted: the unit did not have a working water heater and there were plumbing problems causing a "waste smell," in addition to the potential gas leak. When his landlord stopped responding, he called 311, the City of Los Angeles's toll-free helpline, and asked for advice. He did not remember who was on the other end of the line, but he said that they told him if the landlord refused to make repairs and if the repairs in question were structural in nature, then he should withhold rent and file a complaint with the City of Los Angeles Department of Building and Safety (LADBS). He called 311 at the end of September; he stopped paying rent in October.

When I asked him whether he received a 3-Day Notice after this point he said no. He explained that he withheld his October rent and requested an inspection from LADBS, since he suspected that his unit had structural issues. While he waited for LADBS and in a moment of frustration, he told his landlord about requesting the code inspection. He did not hear from his landlord again. The inspector confirmed that the unit was illegal and recommended that the tenant wait until LADBS contacted his landlord, mentioning off-handedly that he would be entitled to relocation assistance. As the tenant waited for LADBS to deliver a citation, he did nothing, patiently waiting for the other shoe to drop. The problem, however, was that something *was* happening; his landlord filed an eviction lawsuit for nonpayment of rent. The tenant realized this when he received a Notice to Vacate, which, I noted to him, expired the day after his clinic visit.

The man's interpretation of his situation and himself made sense to him within his experience of the sequential progression of trouble. For this reason, he came to the clinic with questions about relocation assistance, approaching his housing trouble from the perspective of a plaintiff, while I, in my capacity as intake interviewer, recognized him as a defendant and his situation as an impending lock-out. Even after my explanation, he still found it hard to believe that he was not, as he had seen himself up to that point, a plaintiff in a case against a cited, delinquent landlord. He was not wrong that he could have been entitled to relocation assistance. How the tenant's situation unfolded, with his landlord legally undercutting LADBS's citation by filing an eviction, rendered his interpretation of self and situation at odds with those of legal experts and resulted in a default judgment.

### *The Material Dimensions of Sustaining Self-as-Plaintiff*

Troubleshooting interactions support tenants' conceptions of self-as-plaintiff. Selves are also sustained materially through notes that tenants write to themselves documenting trouble, emails and text messages with landlords and property managers, citations from code enforcement bureaucracies, receipts, and other objects that they encounter in everyday life. In the context of these interactions,

engaging with legal notices and written complaints, among other “things,” can compound tenants’ confusion about what to do next by reinforcing their sense of self-as-plaintiff or indicating to them that they require legal expert intervention. On one hand, legal notices embody the legal system’s procedural norms and expectations in material form. On the other, notices exist among any number of other official (and official-seeming) documents that enter tenants’ lives during housing trouble.

This dynamic is particularly clear in an interaction with a middle-aged white female tenant. As she described her case, she lifted a heavy tote bag onto the table and handed me a stack of requests to her landlord and to city agencies documenting defective conditions. She explained that she had moved into the unit one year and two months ago and that she had had issues with building management from the beginning. It should have been a sign, she said, when her air conditioning broke and it took the manager two weeks during a heat wave to replace it. She pointed to a layer in the stack and explained that this was 33 of 82 pages of emails between herself and her landlord; once she felt like the landlord was not responsive, she started emailing her requests. Her frustration may have come from daily dealings with defective wiring and appliances, but it existed materially in her painstaking documentation of each incident. The stack reflected an undoubtedly litigious mode of troubleshooting and sustained her understanding of the housing dispute as one in which the landlord is clearly at fault.

After a contentious interaction with somebody she described as an “unstable” building manager, the tenant visited an attorney who specialized in a different area of housing law and recommended that she withhold rent because of harassment. This advice made sense within her experience and since it came from an attorney with a reputation for successfully suing landlords, she followed the attorney’s advice and had not paid rent since August. She did not realize, however, that what makes sense in one area of law may not make sense in another.

After meeting with the attorney, she sent her landlord a list of problems with her unit and attached all of the communications that she deemed relevant. When the landlord did not respond, she requested that HCID conduct an inspection. After the inspection and about a month after she sent the letter, her landlord responded, acknowledging that she was withholding rent, but not addressing the underlying issues. The landlord gave her an option to move out by the end of the month. “How did you respond?” I asked. “I’ve never had to deal with this before. I don’t know what I’m doing, I ignored her for a while like she [the landlord] does to us.” When she finally responded, she said that the landlord responded with a verbal threat to evict and served her with a 3-Day Notice to Pay Rent or Quit the next day.

After we concluded the interview, I consulted with the supervising attorney, explaining that the tenant appeared to have a solid case and had every claim documented in exhausting detail. The attorney responded that, as it stood, the landlord could still serve a Summons and Complaint at any time. When I explained the attorney’s advice to the tenant, she looked visibly confused. She told me that she thought she had been served a notice in error and had a good case against her landlord. I told her that at one point, perhaps she had, but the issue was that she was simultaneously involved in two cases: a potential lawsuit against her landlord in which she was plaintiff *and* a likely eviction lawsuit in which she was defendant. One reflected her experience of housing trouble and was inscribed in the stack of physical evidence that she had brought with her to the clinic. The citation letters and notes documenting trouble sustained her conception of self and situation, which made sense to her in the context of continued interactions with housing bureaucracies and housing attorneys. To respond to her landlord’s lawsuit, however, she needed to understand that her landlord’s interpretation of the situation represented the sole reality to which she can orient her response without risking negative sanction. Had she not come to the clinic, she might have defaulted or filed an Answer that hurt her case.

Thus, notices that tenants encounter while navigating housing trouble may offer compelling and sensible rebuttals to self and situation. In the context of interactions with attorneys and advocates, increasingly frustrating living situations, and landlords and their agents, tenants’ decisions to attend to one set of objects over others make sense. For this reason, what legal experts understand as well-

defined settings, objects, and situations become imbued with interpretive flexibility at odds with the legal-bureaucratic reality of the situation.

Experience with eviction and lease agreements does not necessarily change the flexible nature of objects<sup>7</sup> that tenants encounter and encourage interpretive disjuncture. In the following interview excerpt, a middle-aged Latina tenant and one-time building manager explains why she ignored her former employer's notice on her door.

*Tenant:* In May, I kind of fell behind because I barely started working and I had four people in my family die so that set me kind of behind, but I told him that if you wait until the end of June, I will have that money. And the owner said, "Fine," but during that time, before the end of June, he hands me an eviction notice and I was like, "that is so unfair."

*Interviewer:* What did [your landlord] tell you when you told him that – that you had four people die and that you needed some more time [to pay the rent]?

*Tenant:* Uh, he said he would wait, but next thing I know, I got a summons on the door. The summons on the door . . . I didn't pay any attention to it because I had already spoke to him and I thought, "Okay, everything is clear," but then I had a man come knock on my door and serve me the papers to court. And so, I said, "Fine" and accepted them. I didn't hide from him or nothing. I told him, I'll accept it because I know what I gave and how . . . I have all my receipts. So, umm . . . hopefully G-d gives me favor in court. I'm just praying because I am being wrongfully evicted. I mean, [the landlord] has had people that have owed him rent for like six months and he's never ever gave them any hassle like me.

As a former building manager, she had a sense of what constitutes a normal or typical eviction situation (e.g., [Sudnow 1965](#)), a sense that is supported by observations that her landlord had been flexible with other tenants. This is why she ignored the first notice after being told "everything is clear." When she received the second notice after attempting to pay her rent, however, the material manifestation of trouble no longer sustained this sense of self and situation, and she quickly changed her interpretation of the situation to avoid eviction.

## DISCUSSION

While structural and cultural explanations of power dynamics are essential for an understanding of why a nationwide eviction epidemic appears to be intensifying ([Badger and Bui 2018](#)), these mechanisms alone cannot show how, in cases such as eviction, institutions enter laypeople's lives and so powerfully alter social outcomes (see, e.g., [Maynard 2014](#)). Analyzing how tenants navigate interpretive disjuncture not only reveals how tenant troubleshooting results in negative sanction, but also how the legal system puts tenants at a particular disadvantage as it "penetrates" their lifeworlds ([Habermas 2015](#)). While tenants in this study shared common experiences of interpretive disjuncture, laypeople can experience interpretive disjuncture in fundamentally different (and unequal) ways. Even if landlord-plaintiffs are confused or caught by surprise at the way the legal system reframes their experience of housing trouble, for example, bureaucratic transformation results from their active initiation of a lawsuit that directly concerns their material interests. Attending to tenants' troubleshooting trajectories during interpretive disjuncture reveals that the legal system becomes stacked against tenants at precisely the moment that commonsense suggests it should be most accessible and accommodating.

In this way, this study complements structural explanations as to why tenants' troubleshooting so often results in eviction. In cities that lack expansive tenants' rights resources, where access to legal representation is limited, where factors such as racial residential segregation, job market insecurity, and aggressive discriminatory policing make eviction more likely in certain neighborhoods and

7 For a discussion of the interpretive flexibility of objects, see [Vaughan \(1996\)](#) and [Star and Griesemer \(1989\)](#).

among groups of tenants, this study shows why so few tenants are able to use the legal system to their advantage. I am not suggesting, however, that the way tenants navigate interpretive disjuncture is determinative of eviction case outcomes. Even when the legal system's reframing of everyday housing trouble catches tenants by surprise, many tenants can and do avoid negative legal sanction. This study, therefore, explains why tenants sustain interpretations that, as they troubleshoot, make default outcomes both possible and likely in eviction cases. Tenants in Los Angeles have limited opportunities (not to mention time) to troubleshoot in settings that will help them navigate the interpretive disjuncture that is part and parcel of the legal eviction process.

This study also complements cultural explanations by showing how tenants become defendants in eviction lawsuits, and, in the shadow of the law that looms over this transformation of self and situation, often struggle to contest their landlord's allegations in ways that judicial decision-makers deem appropriate in legal settings. [Bezdek \(1992:581\)](#) warns that a "legalist interpretation of no-showing . . . [does not] explain why legal knowledge is of little help," but attending to how tenants navigate interpretive disjuncture reveals the sensible foundations of social action that legal experts, judicial decision-makers, and even sociologists evaluate as irrational *post hoc*. For this reason, the legal system, its experts and its institutional logics, bears responsibility for the inevitability of interpretive disjuncture and its consequences.

Focusing on how laypeople navigate interpretive disjuncture during the bureaucratization of trouble will not only help sociologists construct more accurate descriptions, but also bridge the gaps between empirical description, theory development, and policy prescription. By elaborating the micro-foundations of default outcomes in eviction, this study suggests that policymakers may be missing the mark by advocating for legal assistance too late in the eviction process. For example, research showing that lawyers achieve better legal outcomes than litigants representing themselves in *pro per*—without an attorney—clearly supports eviction prevention initiatives extending a "right to counsel" for tenants facing eviction (e.g., New York City's Intro 214-A in 2017 and ongoing efforts in the city and county of Los Angeles) ([Sandefur 2015](#)). Policymakers must look earlier in the eviction process, however, and consider how to help tenants access justice in the first place. Complementing studies that show the value of eviction defense for trial outcomes, this study makes a case for eviction prevention services as eviction defense policy. Identifying barriers to treating housing trouble in local bureaucracies may provide policymakers with a "demand-side" framework ([Steinberg 2015](#)) for making the substantive law, bureaucratic procedures, and tenants' rights resources more accessible and equitable

## CONCLUSION

Increasingly unforgiving housing markets across the country ([Desmond 2018](#)), personal hardship and job loss that lead to economic insecurity ([Desmond and Gershenson 2016](#); [Purser 2016](#)), mass incarceration ([Desmond 2012b](#)), and specific housing policies ([Sullivan 2017](#)) all play a part in the complicated causal puzzle of why landlords evict tenants, but so too do interpretive mechanisms. Eviction is both a cause and effect of poverty ([Desmond 2016](#)), a force in shaping negative physical and mental health-related outcomes ([Desmond and Kimbro 2015](#)), and a process that can trigger prolonged residential and social instability well beyond the eviction action itself ([Desmond 2012a](#); [Desmond, Gershenson, and Kiviat 2015](#)). In the eviction literature, a focus on interpretive disjuncture shows how seemingly mundane interpretational processes have significant consequences. Attending to this interpretive mechanism reveals micro-foundations of eviction outcomes; this approach specifies that before this avalanche of consequences, eviction typically begins as housing trouble in everyday life.

Interpretive disjuncture not only illuminates how tenants' troubleshooting results in default, but shows precisely *how* "the haves come out ahead" ([Galanter 1974](#)) upon trouble's formalization. This study contributes to studies of legal consciousness a processual analysis that may apply to other forms

of civil litigation, criminal litigation, and other phenomena where everyday trouble becomes bureaucratized within a legal framework. Subsequent research should look for the causes and consequences of interpretive disjuncture in an array of cases from sexual harassment investigations in the workplace (Saguy 2003) and on college campuses (Khan et al. 2018) to U.S. Immigration Bond Hearings (Ryo 2016). As in the case of eviction, mundane interpretive processes during the bureaucratization of trouble have significant implications both for laypeople's life chances and for the study of social problems. Continued attention to how laypeople navigate interpretative disjuncture will generate empirically grounded descriptions of processes and the outcomes that are produced along the way.

## REFERENCES

- Badger, Emily, and Quoc Trung Bui. 2018. "In 83 Million Eviction Records, a Sweeping and Intimate New Look at Housing in America." *The New York Times*. <https://www.nytimes.com/interactive/2018/04/07/upshot/millions-of-eviction-records-a-sweeping-new-look-at-housing-in-america.html>.
- Bezdek, Barbara. 1992. "Silence in the Court: Participation and Subordination of Poor Tenants' Voices in Legal Process." *Hofstra Law Review* 20(3):533–608.
- Bourdieu, Pierre. 1987. "The Force of Law: Toward a Sociology of the Juridical Field." *Hastings Law Journal* 38:805–53.
- Branson-Potts, Hailey. 2013. "L.A. County Courts Plan Will Hurt Poor Tenants, Advocates Say." *Los Angeles Times*, February 28. <http://articles.latimes.com/2013/feb/28/local/la-me-court-hubbing-20130301>.
- California Legislative Information. 2018. "California's Assembly Bill 2343." [https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=20170180AB2343](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=20170180AB2343).
- DeLand, Michael. 2013. "Basketball in the Key of Law: The Significance of Disputing in Pick-Up Basketball." *Law & Society Review* 47(3): 653–85.
- Desmond, Matthew. 2012a. "Disposable Ties and the Urban Poor." *American Journal of Sociology* 117(5):1295–1335.
- Desmond, Matthew. 2012b. "Eviction and the Reproduction of Urban Poverty." *American Journal of Sociology* 118(1):88–113.
- Desmond, Matthew. 2016. *Evicted: Poverty and Profit in the American City*. New York: Crown.
- Desmond, Matthew. 2018. "Heavy is the House: Rent Burden among the American Urban Poor." *International Journal of Urban and Regional Research* 42(1):160–70.
- Desmond, Matthew, and Carl Gershenson. 2016. "Housing and Employment Insecurity among the Working Poor." *Social Problems* 63(1):46–67.
- Desmond, Matthew, Carl Gershenson, and Barbara Kiviat. 2015. "Forced Relocation and Residential Instability among Urban Renters." *Social Service Review* 89(2):227–262.
- Desmond, Matthew, and Rachel Tolbert Kimbro. 2015. "Eviction's Fallout: Housing Hardship and Health." *Social Forces* 94(1): 295–324.
- Desmond, Matthew, and Tracey Shollenberger. 2015. "Forced Displacement from Rental Housing: Prevalence and Neighborhood Consequences." *Demography* 52(5):1751–1772.
- DiMaggio, Paul. 1997. "Culture and Cognition." *Annual Review of Sociology* 23:263–87.
- Emerson, Robert M. 1981. "On Last Resorts." *American Journal of Sociology* 87(1):1–22.
- Emerson, Robert M. 1992. "Disputes in Public Bureaucracy." Pp. 3–29 in *Studies in Law Politics and Society*, Vol. 12, Pt. A, edited by Susan Silbey and Austin Sarat. Greenwich, CA: JAI Press.
- Emerson, Robert M. 2015. *Everyday Troubles: The Micro-Politics of Interpersonal Conflict*. Chicago, IL: The University of Chicago Press.
- Emerson, Robert M., and Sheldon L. Messinger. 1977. "The Micro-Politics of Trouble." *Social Problems* 25(2):121–134.
- Engler, Russell. 2010. "Connecting Self-Representation to Civil Gideon: What Existing Data Reveal about When Counsel Is Most Needed." *Fordham Urban Law Journal* 37(1):38–92.
- Ewick, Patricia, and Susan S. Silbey. 1998. *The Common Place of Law: Stories from Everyday Life*. Chicago, IL: The University of Chicago Press.
- Ewick, Patricia, and Susan S. Silbey. 2003. "Narrating Social Structure: Stories of Resistance to Legal Authority." *American Journal of Sociology*. 108(6):1328–1372.
- Felstiner, William L. F., Richard L. Abel, and Austin Sarat. 1980. "The Emergence and Transformation of Disputes: Naming, Blaming, Claiming. . ." *Law & Society Review* 15(3/4):631–654.
- Galanter, Marc. 1974. "Why the 'Haves' Come Out Ahead: Speculations on the Limits of Legal Change." *Law & Society Review* 9(1):95–160.

- Gerchick, Randy G. 1994. "No Easy Way Out: Making the Summary Eviction Process a Fairer and More Efficient Alternative to Landlord Self-Help." *UCLA Law Review* 41:759–859.
- Goffman, Erving. 1959. *The Presentation of Self in Everyday Life*. Garden City, NY: Doubleday Anchor Books.
- Goffman, Erving. 1961. *Encounters: Two Studies in the Sociology of Interaction*. New York: The Bobbs-Merrill Company, Inc.
- Goffman, Erving. 1974. *Frame Analysis: An Essay on the Organization of Experience*. New York: Harper Colophon Books.
- Gross, Neil. 2009. "A Pragmatist Theory of Social Mechanisms." *American Sociological Review* 74(3):358–79.
- Gutierrez, Melody. 2018. "Brown Signs Bill Giving California Tenants More Time to Fight Evictions." *San Francisco Chronicle*. <https://www.sfchronicle.com/politics/article/Brown-signs-California-bill-giving-tenants-more-13207672.php>.
- Habermas, Jürgen. 2015. *The Theory of Communicative Action: Reason and the Rationalization of Society*, Volume 1. Trans. Thomas McCarthy. New York: Polity Press.
- Hallett, Tim. 2010. "The Myth Incarnate: Recoupling Processes, Turmoil, and Inhabited Institutions in an Urban Elementary School." *American Sociological Review* 75(1):52–74.
- Jarvis, Kelly L., Charlene E. Zil, Timothy Ho, Theresa Herrera Allen, and Lisa M. Lucas. 2017. *Evaluation of the Sargent Shriver Civil Counsel Act (AB590)*. Portland, OR: NPC Research.
- Jerolmack, Colin, and Shamus Khan. 2014. "Talk Is Cheap: Ethnography and the Attitudinal Fallacy." *Sociological Methods & Research* 43(2):178–209.
- Katz, Jack. 1982. *Poor People's Lawyers in Transition*. New Brunswick, NJ: Rutgers University Press.
- Khan, Shamus R., Jennifer S. Hirsch, Alexander Wamboldt, and Claude A. Mellins. 2018. "I Didn't Want to Be 'That Girl': The Social Risks of Labeling, Telling, and Reporting Sexual Assault." *Sociological Science* 5:432–60.
- Lamont, Michèle, and Ann Swidler. 2014. "Methodological Pluralism and the Possibilities and Limits of Interviewing." *Qualitative Sociology* 37(2):153–171.
- Lareau, Annette. 2015. "Cultural Knowledge and Social Inequality." *American Sociological Review* 80(1):1–27.
- Larson, Eric. 2006. "Case Characteristics and Defendant Tenant Default in a Housing Court." *Journal of Empirical Legal Studies* 3(1):121–144.
- Lempert, Richard, and Karl Monsma. 1994. "Cultural Differences and Discrimination: Samoans before a Public Housing Eviction Board." *American Sociological Review* 59(6):890–910.
- Lipsky, Michael. 2010. *Street-Level Bureaucracy: Dilemmas of the Individual in Public Services*. New York: Russell Sage Foundation.
- Massey, Douglas, and Nancy A. Denton. 1993. *American Apartheid: Segregation and the Making of the Underclass*. Cambridge, MA: Harvard University Press.
- Maynard, Douglas W. 2014. "News from Somewhere, News from Nowhere: On the Study of Interaction in Ethnographic Inquiry." *Sociological Methods and Research*. 43:210–18.
- Merry, Sally Engle. 1990. *Getting Justice and Getting Even: Legal Consciousness among Working-Class Americans*. Chicago, IL: The University of Chicago Press.
- Mol, Annemarie. 2002. *The Body Multiple: Ontology in Medical Practice*. Durham, NC: Duke University Press.
- Monsma, Karl and Richard Lempert. 1992. "The Value of Counsel: 20 Years of Representation before a Public Housing Eviction Board." *Law & Society Review* 26(3):627–668.
- Mosier, Marilyn Miller, and Richard A. Soble. 1973. "Modern Legislation, Metropolitan Court, Miniscule Results: A Study of Detroit's Landlord-Tenant Court." *University of Michigan Journal of Law Reform* 7(1):8–70.
- New York City Council. 2017. "A Local Law to Amend the Administrative Code of the City of New York, in Relation to Providing Legal Services for Tenants Who Are Subject to Eviction Proceedings." <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1687978&GUID=29A4594B-9E8A-4C5E-A797-96BDC4F64F80>.
- Purser, Gretchen. 2016. "The Circle of Dispossession: Evicting the Urban Poor in Baltimore." *Critical Sociology* 42(3):393–415.
- Ryo, Emily. 2016. "Detained: A Study of Immigration Bond Hearings." *Law & Society Review* 50(1):117–53.
- Sampson, Robert J. 2011. *Great American City: Chicago and the Enduring Neighborhood Effect*. Chicago, IL: The University of Chicago Press.
- Saguy, Abigail C. 2003. *What Is Sexual Harassment? From Capitol Hill to the Sorbonne*. Berkeley, CA: University of California Press.
- Sandefur, Rebecca L. 2008. "Access to Civil Justice and Race, Class, and Gender Inequality." *Annual Review of Sociology*. 34:339–58.
- Sandefur, Rebecca L. 2015. "Elements of Professional Expertise: Understanding Relational and Substantive Expertise through Lawyers' Impact." *American Sociological Review* 80(5): 909–933.



- Schegloff, Emmanuel A. 2006. "Interaction: The Infrastructure for Social Institutions, the Natural Ecological Niche for Language, and the Arena in which Culture is Enacted." Pp. 70–96 in *Roots of Human Sociality: Culture, Cognition, and Interaction*, edited by Nicholas J. Enfield and Stephen C. Levinson. New York: Bloomsbury.
- Schutz, Alfred. 1967. *The Phenomenology of the Social World*. Evanston, IL: Northwestern University Press.
- Schutz, Alfred, and Thomas Luckmann. 1973. *The Structures of the Life-World*, Vol. 1. Translated by Richard M. Zaner and H. Tristram Engelhardt, Jr. Evanston, IL: Northwestern University Press.
- Seron, Carroll, Gregg Van Ryzin, Martin Frankel, and Jean Kovath. 2001. "The Impact of Legal Counsel on Outcomes for Poor Tenants in New York City's Housing Court: Results of a Randomized Experiment." *Law & Society Review* 35(2):419–434.
- Small, Mario Luis. 2006. "Neighborhood Institutions as Resource Brokers: Childcare Centers, Interorganizational Ties and Resource Access among the Poor." *Social Problems* 53(2):274–92.
- Smith, Andrew R., and Jacqueline M. Martinez. 1995. "Signifying Harassment: Communication, Ambiguity, and Power." *Human Studies* 18(1):63–87.
- Star, Susan Leigh, and James R. Griesemer. 1989. "Institutional Ecology, 'Translations' and Boundary Objects: Amateurs and Professionals in Berkeley's Museum of Vertebrate Zoology, 1907–39." *Social Studies of Science* 19(3):387–420.
- Steinberg, Jessica K. 2015. "Demand Side Reform in the Poor People's Court." *Connecticut Law Review* 47(3):741–807.
- Sudnow, David. 1965. "Normal Crimes: Sociological Features of the Penal Code in a Public Defender Office." *Social Problems* 12(3):255–76.
- Sullivan, Esther. 2017. "Displaced in Place: Manufactured Housing, Mass Eviction, and the Paradox of State Intervention." *American Sociological Review* 82(2): 243–69.
- Tavory, Iddo, and Stefan Timmermans. 2014. *Abductive Analysis: Theorizing Qualitative Research*. Chicago, IL: University of Chicago Press.
- Thornton, Patricia H., William Ocasio, and Michael Lounsbury. 2012. *The Institutional Logics Perspective: A New Approach to Culture, Structure, and Process*. New York: Oxford University Press.
- Trouille, David, and Iddo Tavory. 2019. "Shadowing: Warrants for Intersituational Variation in Ethnography." *Sociological Methods and Research* 48 (3):1–27.
- Van Cleve, Nicole Gonzalez. 2017. *Crook County: Racism and Injustice in America's Largest Criminal Court*. Stanford, CA: Stanford University Press.
- Vaughan, Diane. 1990. *Uncoupling: Turning Points in Intimate Relationships*. New York: Vintage Books.
- Vaughan, Diane. 1996. *The Challenger Launch Decision: Risky Technology, Culture, and Deviance at NASA*. Chicago, IL: University of Chicago Press.
- Weber, Max. 2013. *Economy and Society: Volumes 1 and 2*. eds. Guenther Roth and Claus Wittich. Berkeley, CA: University of California Press.
- Weick, Karl E., Kathleen M. Sutcliffe, and David Obstfeld. 2005. "Organizing and the Process of Sensemaking." *Organization Science* 16(4):409–21.
- Wilson, William Julius. 1987. *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy*. Chicago, IL: University of Chicago Press.
- Wilson, William Julius. 1996. *When Work Disappears: The World of the New Urban Poor*. New York: Alfred A. Knopf.
- Zimmerman, Don H. 1969. "Record-Keeping and the Intake Process in a Public Welfare Agency." Pp. 319–354 in *On Record: Files and Dossiers in American Life*, edited by Stanton Wheeler. New York: Russell Sage Foundation.