

# Access to Counsel Coalition in Massachusetts

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November 13, 2023

The Honorable Maura Healey  
Governor of Massachusetts  
State House Room 360  
Boston, MA 02133

Secretary Matthew Gorzkowicz  
Executive Office of Administration and Finance  
State House Room 373  
Boston, MA 02133

RE: Access to Counsel Program for Evictions  
Dedicated Line Item FY25 Budget Request of \$7 million

Dear Governor Healey and Secretary Gorzkowicz,

On behalf of the Massachusetts Law Reform Institute and the Access to Counsel Coalition, we respectfully urge you to include in the FY25 budget language to establish an Access to Counsel Program and funding of \$7 million to **phase in an Access to Counsel Program for low-income tenants and low-income owner occupants in eviction proceedings.**

The need is urgent. Evictions are on the rise reaching beyond or close to pre-pandemic case filings. The inequity of legal representation in Massachusetts is stark. In 2023, the Trial Court reported that in non-payment cases in Housing Court, **only 2.5% of tenants were represented**, while 90% of landlords were represented.<sup>1</sup>

There are two Access to Counsel bills this session, both of which have been heard in committee and enjoy broad support: [S.864](#) and [H.1731](#). These bills provide tenants and owner-occupants whose incomes are below 80% of Area Median Income with full legal representation in the eviction process. The program, which would be phased in and subject to appropriation, would be administered by the Massachusetts Legal Assistance Corporation which would designate experienced non-profit organizations to provide legal representation.

Many have testified in support of Access to Counsel including:

- [Massachusetts Attorney General Andrea Campbell](#)
- [Mass Bar Association, Martin Healy](#)
- [Boston Bar Association, Mary Ryan](#)
- [Women's Bar Association, Jessica Babine](#)
- [League of Women Voters of Massachusetts](#)
- [Mass Catholic Conference, James Driscoll](#)
- [WinnCompanies, Trevor Samios](#)

In addition to stabilizing people's housing and preventing homelessness, access to full legal representation would result in significant financial savings. In the Boston Bar Association report,

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<sup>1</sup> Summary Process, Massachusetts Trial Court, November 4, 2023. Dashboard at: [public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtSummaryProcess/SummaryProcess](https://public.tableau.com/app/profile/drap4687/viz/MassachusettsTrialCourtSummaryProcess/SummaryProcess)

*Investing in Fairness, Justice, and Housing Stability*, the BBA estimates that at an annual cost of \$26 million to the state, the **minimum annual savings from full representation in eviction cases is \$63 million**. The BBA report found that for every \$1 spent on full representation, the state would save at least \$2.40 on direct costs associated with homelessness, emergency shelter, and foster care.<sup>2</sup>

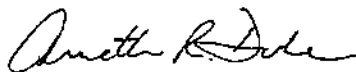
**We appreciate all that the Administration is doing to address a shelter crisis on top of a housing crisis and view Access to Counsel as a critical tool to prevent homelessness and keep people stably housed.** Tenants facing eviction are overwhelmingly individuals living in poverty, females, and people of color. Evictions have far-reaching consequences beyond housing insecurity, and negatively affect people's physical and mental health. By the age of 15, more than 1 in 4 children living below the federal poverty line experience an eviction.

The legislation as filed provides that a statewide Access to Counsel program would be funded by the general court and administered by the Massachusetts Legal Assistance Corporation through a specifically designated separate line item in the Judiciary budget. It is essential that Access to Counsel funding be provided in addition to MLAC's FY25 budget request of \$55 million to fund civil legal aid (Massachusetts Legal Assistance Corporation line item 0321-1600).

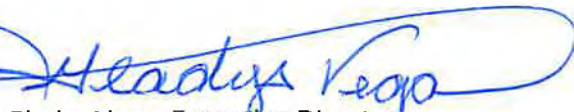
We believe it is urgent to pass a statewide Access to Counsel program as part of a comprehensive approach to providing housing for all. We firmly believe that the return on investment is vast and that Access to Counsel is a critical component of decreasing the number of families in Massachusetts seeking emergency shelter.

**As you consider your FY25 budget, we hope that you will include \$7 million to start to phase in a statewide Access to Counsel Program.**

Sincerely on Behalf of the Access to Counsel Coalition Advisory Committee



Annette Duke  
Massachusetts Law Reform Institute



Gladys Vega, Executive Director  
La Colaborativa

Cc: Lieutenant Governor Kim Driscoll  
Secretary Ed Augustus, Executive Office of Housing and Livable Communities  
Kate Cook, Chief of Staff, Office of Governor Maura Healey  
Juan Gallego, Assistant Deputy Chief of Staff, Lieutenant Governor Driscoll  
Eric Shupin, Chief of Policy at Executive Office of Housing & Livable Communities  
Christopher Marino, Assistant Secretary for Budget, Administration and Finance  
Danielle Cerny, Chief of Staff, Administration and Finance

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<sup>2</sup> Available at [bostonbar.org/docs/default-document-library/rtc-report-for-web-or-email.pdf](https://bostonbar.org/docs/default-document-library/rtc-report-for-web-or-email.pdf).

## Access to Counsel Supporters

A broad coalition of municipal leaders, housing advocates, community organizations, health care providers, faith-based organizations, and large property owners have joined together to support a statewide access to counsel program in Massachusetts for low-income tenants and owner occupants in eviction proceedings.

- Abundant Housing MA
- Action for Boston Community Development
- Action, Inc.
- Advocacy Network to End Family Homelessness
- AIDS Action/Fenway Health
- Alliance of Cambridge Tenants
- Allston/Brighton Community Develop Corp
- Allston Brighton Health Collaborative
- American Civil Liberties Union of Mass
- Amherst Family Health Center
- Amherst Municipal Affordable Housing Trust
- Amherst Town Council ([Resolution](#))
- Arise for Social Justice
- Asian Task Force Against Domestic Violence
- Bassuk Center
- Beacon Communities
- Beacon Residential Management
- Berkshire County Regional Hsing Authority
- BEST Hospitality Training
- Beth Israel Lahey Health
- Black Economic Justice Institute
- Black Teachers Matter
- Boston Area Rape Crisis Center
- Boston Bar Association
- Boston Health Care for the Homeless Program
- Boston Housing Authority
- Boston Medical Center
- Boston Public Health Commission
- Boston Teachers Union
- Boston Tenant Coalition
- Brockton Neighborhood Health Center
- Brockton Interfaith Community
- Cambridge Health Alliance
- Cambridge Residents Alliance
- Casa Myrna
- Cathedral Church of St. Paul
- Catholic Charities Worcester County
- Center for Human Development
- Central Massachusetts Housing Alliance
- Charter Street Tenant Association
- Chelsea Police Department
- Chelsea Public School Committee Chair, Kelly Garcia
- Children Advocacy Ctr of Suffolk County
- Children's HealthWatch
- Children's Services of Roxbury
- Chinese Progressive Association
- Citizens' Housing and Planning Assoc
- City Life/Vida Urbana
- City Mission Boston
- City of Boston
- City of Boston Veterans' Services
- City of Boston ([Council Resolution](#))
- City of Cambridge ([Council Resolution](#))
- City Northampton ([Council Resolution](#))
- City of Salem ([Council Resolution](#))
- City of Springfield ([Council Resolution](#))
- Coalition for Social Justice
- Codman Square Neighborhood Development Corporation
- Community Action Agency of Somerville
- Community Action Pioneer Valley
- Community Care Cooperative
- Community Health Network for North Central Mass
- Coalition for a Healthy Greater Worcester
- Cooley Dickinson Health Care, Northampton
- Conference of Boston Teaching Hospitals
- Craig's Doors - A Home Association
- Dana-Farber Cancer Institute
- De Novo Center for Justice and Healing
- Disability Policy Consortium
- DOVE (Domestic Violence Ended)
- East Boston Social Centers
- Easthampton Affordable and Fair Housing Partnership
- Economic Mobility Pathways (EMPath)
- Edward M. Kennedy Community Health Center

- Eliot Community Human Services
- Elizabeth Freeman Center
- Episcopal Diocese of Massachusetts
- Fall River Confronting Discrimination Committee
- Fall River Housing Joint Tenant Council
- Family Promise Metrowest
- FamilyAid Boston
- Father Bill's & MainSpring
- Fenway Community Development Corporation
- Food Bank of Western Massachusetts
- Framingham Public Health Department
- Greater Boston Labor Council
- Greater Boston Legal Services
- Greater Framingham Community Church
- Greater Lawrence Community Action Cncl
- Grow A Strong Family
- HarborCOV: Communities Overcoming Violence
- Harvard Legal Aid Bureau
- Heading Home
- Health Care For All
- Health Resources in Action
- Heisler, Feldman & McCormick
- Holland & Knight LLP
- HomeStart
- Homes for Families
- Horizons for Homeless Children
- Housing Families
- Immigrant Service Providers Group/Health
- Inquilinos Boricuas en Accion
- Institute for Community Health
- Inter-Church Council of Grt New Bedford
- Jane Doe, Inc.
- Jewish Alliance for Law and Social Action
- Jewish Community Relations Council of Greater Boston
- Jewish Family & Children's Service
- JP Progressives
- Justice Center of Southeast Massachusetts
- La Collaborativa
- La Comunidad
- Latinos Unidos En Massachusetts
- Law Office of Laura M. Unflat
- Lawyers Clearinghouse
- Lawyers for Civil Rights in Boston
- Lawrence Community Works
- League of Women Voters Massachusetts
- Legal Services Center of Harvard Law Sch
- LEO, Inc.
- Lexington Housing Partnership Board
- LivableStreets
- Local Initiatives Support Corpor - Boston
- Lynn Community Health Center
- Lynn Housing Authority & Neighborhood Development
- Lynn United for Change
- Maloney Properties, Inc.
- Mandela Residents Cooperative Association, Inc.
- Mass Alliance of HUD Tenants
- Mass Alliance of Portuguese Speakers
- Mass Appleseed Center for Law & Justice
- Mass Association for Mental Health
- Mass Association of Community Development Corporation
- Mass Association of Community Health Workers
- Mass Bar Association
- Mass Catholic Conference
- Mass Coalition for the Homeless
- Mass Communities Action Network
- Mass Fair Housing Center
- Mass General Brigham
- Mass General Hospital Center for Community Health Improvement
- Mass Housing and Shelter Alliance, Inc.
- Mass Law Reform Institute
- Mass League of Community Health Cntrs
- Mass LGBTQ Bar Association
- Mass Political Cooperative
- Mass Public Health Association
- Mass Senior Action Council

- Mass Smart Growth Alliance
- Mass Teachers Association
- Mass Union of Public Housing Tenants
- Mayor Gary Christenson, Malden
- Mayor Katjana Ballantyne, Somerville
- Mayor Carlo DeMaria, Everett
- Mayor Paul Heroux, Attleboro
- Mayor Jared Nicholson, Lynn
- Mayor Joseph M. Petty, Worcester
- Mayor Dan Rivera, Lawrence
- Mayor Sumbul Siddiqui, Cambridge
- Mayor Robert F. Sullivan, Brockton
- Mayor Linda M. Tyer, Pittsfield
- Medical-Legal Partnership | Boston
- Mental Health Legal Advisors Committee
- Metro Housing | Boston
- Metropolitan Area Planning Council
- Metropolitan Mayors Coalition
- MetroWest Legal Services
- Middlesex Community College
- NAACP New Bedford Branch
- National Association of Social Workers, Mass. Chapter
- National Lawyers Guild, Mass. Chapter
- Neighborhood Assistance Corporation of America
- NeighborWorks Housing Solutions
- New Bedford Community Health Center
- Northampton Human Rights Commission
- Northampton Survival Center
- Northeast Justice Center
- NuLawLabs at Northeastern University School of Law
- Nuestra Comunidad Development Corp
- One Family
- Open Sky, Worcester
- Our Father's House
- Pioneer Valley Workers Center
- Preservation of Affordable Housing, Inc.
- Progressive Democrats of Massachusetts
- Progressive Mass
- Project Hope
- Public Health Institute of Western Mass
- Public Interest Law Foundation at Boston College Law School
- Regional Housing Network of Mass
- Residents Council for the Senior & Disabled Tenants of Quincy Housing Authority
- Right to the City Boston
- Rosie's Place
- Roxbury Community College
- Samaritans Southcoast
- Senior Residents Council
- ServiceNet
- Solidarity Lowell
- Somerville Dept. of Veterans' Services Director, Ted Louis Jacques
- Somerville Homeless Coalition
- Society of St. Vincent de Paul Boston
- Solidarity Lowell
- South Middlesex Opportunity Council
- Springfield Dementia Friendly Coalition
- Springfield No One Leaves
- Springfield Partners for Community Action, Inc.
- St. Francis House
- Stop Bullying Coalition
- Temple Sinai of Sharon
- Tenant Advocacy Project at Harvard Law School
- The Neighborhood Developers
- The Second Step
- Three Pyramids
- Town Administrator of Brookline, Mel Kleckner
- Town Manager of Amherst, Paul Bockelman
- Town Manager of Arlington, Sandy Pooler
- Town Manager of Danvers, Steve Bartha
- Town Manager of Randolph, Brian Howard

- Town Manager of Winthrop, Austin Faison
- Trinity Financial
- Urban Edge
- UNITE HERE Local 26
- United Food and Commercial Union Local 1445
- United Way of Massachusetts Bay and Merrimack Valley
- University of Massachusetts School of Law - Dartmouth
- Veterans Legal Services
- Volunteers of America
- Way Finders
- Western Massachusetts Network to End Homelessness
- WATCH Community Development Corporation
- WinnCompanies
- Womanshelter/ Compañeras
- Women's Bar Association
- Women's Fund of Western Massachusetts
- Worcester County Food Bank
- Y2Y Network
- YWCA Cambridge
- 123 Up And Adam, Inc.