

Support \$5M in FY26 Budget for Access to Counsel (*Line Item 0321-1800*) and Passage of S.968/H.1952, *An Act promoting access to counsel and housing stability in Massachusetts*

Current Status of the Statewide Access to Counsel Program in Massachusetts

Through the FY25 budget, Massachusetts established a statewide Access to Counsel (ATC) pilot program with funding of \$2.5 million. Massachusetts Legal Assistance Corporation (MLAC), which provides funding to civil legal aid organizations, is administrating the pilot. **The work is starting!**

Support Access to Counsel (Line Item 0321-1800) at \$5 Million in FY26 Budget

- In January, *for the second year in a row*, Governor Healey's FY26 proposed budget included a dedicated line-item to support Access to Counsel (Line-item 0321-1800).
- The proposed line-item level funds the ATC program at \$2.5 million and would establish a permanent program, subject to appropriation.
- The ATC Coalition and MLAC are requesting a modest increase of \$2.5 million for a total of **\$5 million in FY26** to sustain and incrementally build the program.
- Funding of \$5 million would enable the pilot program to become permanent and fund its work throughout FY26, at a time when more individuals are housing insecure and facing increased housing discrimination.

Support S.968/H.1952, *An Act promoting access to counsel and housing stability in Massachusetts*

- S.968 and H.1952, filed by Senator Sal DiDomenico and Representatives Mike Day & Dave Rogers will establish an important framework for a permanent ATC program.
- Senate Bill, [S.968](#) has been assigned to the [Housing](#) Committee. House Bill, [H.1952](#), has been assigned to the [Judiciary](#) Committee. *These are new bill numbers.*
- Over 30 Senators and Representatives have [co-sponsored the Access to Counsel bills](#) so far.
- On the reverse is more information about the bills.

Why Access to Counsel is Needed to Address the Housing Crisis

In 2024, while over 90% of landlords were represented, only 6-7% of tenants had legal representation. ATC provides full representation to level the playing field from the beginning of the case, not the end when it may be too late; to prevent tenants from entering bad agreements and giving up their rights; and to prevent people from becoming homeless.

Who Supports Access to Counsel

Over [240 organizations](#) including the legal community, housing advocates, health care providers, large property owners, municipal officials, and others, are calling for a permanent statewide Access to Counsel program with funding that will grow the program incrementally.

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[S.968/H.1952](#) provide:

- 1. Who is eligible for legal representation?** Low-income tenants facing eviction **and** low-income owner-occupants of 1 to 3-family homes seeking possession of a unit in their only home, who receive public benefits or are at or below 80% of the [Area Median Income](#) (2024), which varies by region.
- 2. What kinds of proceedings are covered?** Evictions, similar court proceedings, and administrative proceedings to terminate a mobile or project-based housing subsidy or public housing tenancy. In addition, low-income owner-occupants of 1 to 3-family homes seeking possession of a unit in their only home.
- 3. What is provided?** Full legal representation for eligible individuals facing eviction in court or through administrative proceedings.
- 4. Who implements the program?** The Access to Counsel Program is administered by the Massachusetts Legal Assistance Corporation (MLAC). MLAC designates non-profit organizations to provide full legal representation through a request for proposal process. Organizations must have substantial expertise in housing law.
- 5. Is there an Advisory Committee?**
A 15-member Advisory Committee will advise on matters and policies affecting the Access to Counsel Program. The advisory committee must include low-income tenants and owner-occupants, community-based organizations, statewide advocacy organizations, and municipal officials from diverse regions of the state.
- 6. How do people find out about the Access to Counsel program?**
A form approved by the Supreme Judicial Court would inform individuals about the Access to Counsel program. It must be attached to a notice to quit and an eviction court complaint. The trial court would notify landlords about the required form and of their potential eligibility for legal counsel.
- 7. Funding**
A statewide Access to Counsel program would continue to be funded by the general court through a specifically designated line item in the Judiciary budget. In FY25, the Legislature passed a new line item dedicated to Access to Counsel (Line Item 0321-1800). Funding for an Access to Counsel program must be in addition to funding for essential frontline civil legal aid and housing stabilization programs.

Co-Sponsor [S.968/H.1952](#) An Act promoting access to counsel and housing stability in Massachusetts