

Right to Counsel Fact Sheet

S. 874 (Sen. Sal DiDomenico) & H. 1436 (Rep. Rogers and Rep. Day)

August 20, 2021

Why right to counsel?

Right to counsel is a part of a comprehensive approach to level the playing field, prevent displacement, and provide housing stability for very vulnerable people in our communities. Over 90% of tenants facing eviction are unrepresented while 81% of landlords have a lawyer.

“When 93 percent of tenants go to court without lawyers, a broken system demands a fix.”

The Boston Globe, August 2, 2021

Who is eligible for assistance?

When people come to court, they are scared. The stakes are high. The eviction process moves quickly. S. 874 and H. 1436 would ensure that low-income tenants and owner-occupants of 1 to 3 family homes receive legal help.

What legal help would they get?

Full legal representation in eviction cases from the moment a complaint is filed.

How would the program work?

The Massachusetts Legal Assistance Corporation (MLAC) would solicit proposals from organizations with substantial experience in landlord/tenant law to furnish free legal assistance to low-income people. MLAC would oversee the program and be assisted by an advisory committee, whose members have a demonstrated commitment to homelessness prevention and housing stability.

For more information go to:

MassRTC.org

Does legal help make a difference?

Yes. A right to counsel program was adopted in New York City four years ago, and in 2020, it reported that 86% of tenants were able to remain in their homes. San Francisco passed a right to counsel bill three years ago, and in 2020 reported that representation resulted in households in 67% of closed cases staying in their homes.

How can we start a right to counsel?

The Coalition is urging the Legislature to fund the Right to Counsel with American Rescue Plan Act (ARPA) funding and allocate \$78 million over the next three years, or \$26 million/year, to launch the Right to Counsel in Massachusetts while a permanent source of funding is identified. Funding in the amount of \$26 million/year was recommended by the Boston Bar Association in its 2020 report.

A Growing National Response to Housing Stability

In June, Connecticut’s Governor signed into law a right to counsel bill in eviction cases, and \$20 million of American Rescue Plan Act funds were allocated to fund the program for two years while a permanent source of funding is identified.

In May, Maryland passed a statewide Right to Counsel bill. In April, Washington state became the first state to pass statewide Right to Counsel and is funding it through general funds.

In April, the Louisville city council voted in favor of establishing a Right to Counsel program for low-income families with children, with services provided by the Legal Aid Society and the Coalition for the Homeless. The program will be funded with American Rescue Plan Act funds.

Supporters for Right to Counsel in Massachusetts

- Action for Boston Community Development
- Action, Inc.
- Advocacy Network to End Family Homelessness
- AIDS Action/Fenway Health
- Alliance of Cambridge Tenants
- Allston/Brighton Community Development Corporation
- Allston Brighton Health Collaborative
- Amherst Family Health Center
- Amherst Municipal Affordable Housing Trust
- Amherst Town Council (Resolution)
- Arise for Social Justice
- Asian Task Force Against Domestic Violence
- Beacon Communities
- Beacon Residential Management
- Berkshire County Regional Hsg Authority
- BEST Hospitality Training
- Beth Israel Lahey Health
- Black Economic Justice Institute
- 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 Tenant Coalition
- Brockton Neighborhood Health Center
- Brockton Interfaith Community
- Cambridge Health 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 Collaborative
- Chelsea Police Department
- Chelsea Pub. School Committee Chair, Kelly Garcia
- Children's HealthWatch
- Children's Services of Roxbury
- Chinese Progressive Association
- Citizens' Housing and Planning Association
- City Life/Vida Urbana
- City Mission Boston
- City of Boston
- City of Cambridge (City Council Resolution)
- City Northampton (City Council Resolution)
- City of Springfield (City Council Resolution)
- City Manager of Cambridge Louis A. DePasquale
- City Manager of Chelsea, Tom G. Ambrosino
- Codman Square Neighborhood Develop. Corp.
- 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
- DOVE (Domestic Violence Ended)
- East Boston Social Centers
- Easthampton Affordable & Fair Housing Partnership
- Edward M. Kennedy Community Health Center
- Eliot Community Human Services
- Elizabeth Freeman Center
- Episcopal Diocese of Massachusetts
- 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 Lawrence Community Action Council
- 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
- Housing Families
- Immigrant Service Providers Group/Health
- Inquilinos Boricuas en Accion
- Institute for Community Health
- Inter-Church Council of Greater 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 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 School
- Lexington Housing Partnership Board
- LivableStreets
- Local Initiatives Support Corp. – Boston
- Lynn Housing Authority & Neighborhood Development
- Lynn United for Change
- Maloney Properties, Inc.
- Mass Alliance of HUD Tenants
- Mass Alliance of Portuguese Speakers
- Mass Appleseed Center for Law and Justice
- Mass Association of Community Development Corporation
- Mass Assoc. of Community Health Workers
- Mass Communities Action Network
- Mass Fair Housing Center
- Mass General Brigham
- Mass Senior Action Council
- Mass Coalition for the Homeless
- Mass General Hospital Center for Community Health Improvement
- Mass Housing and Shelter Alliance, Inc.
- Mass Law Reform Institute
- Mass League of Community Health Ctr
- Mass Public Health Association
- Mass Smart Growth Alliance
- Mass Teachers Association
- Mass Union of Public Housing Tenants
- Mayor Gary Christenson, Malden
- Mayor Joseph A. Curtatone, Somerville
- Mayor Carlo DeMaria, Everett
- Mayor Kim Driscoll, Salem
- Mayor Paul Heroux, Attleboro
- Mayor Thomas McGee, Lynn
- Mayor Alex Morse, Holyoke
- Mayor David Narkewicz, Northampton
- Mayor Joseph M. Petty, Worcester
- Mayor Dan Rivera, Lawrence
- Mayor Sumbul Siddiqui, Cambridge
- Mayor Yvonne M. Spicer, Framingham
- Mayor Robert F. Sullivan, Brockton
- Mayor Linda M. Tyer, Pittsfield
- Medical-Legal Partnership|Boston
- Metro Housing|Boston
- Metropolitan Area Planning Council
- Metropolitan Mayors Coalition
- MetroWest Legal Services
- National Assoc 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 Univ. School of Law
- Nuestra Comunidad Development Corporation
- One Family
- Open Sky, Worcester
- Our Father's House
- Pioneer Valley Workers Center
- Progressive Democrats of Massachusetts
- Project Hope
- Public Health Institute of Western Massachusetts
- Regional Housing Network of Massachusetts
- Residents Council for the Senior & Disabled Tenants of Quincy Housing Authority
- Right to the City Boston
- Rosie's Place
- Senior Residents Council
- ServiceNet
- Solidarity Lowell
- Somerville Homeless Coalition
- Society of St. Vincent de Paul Boston
- Solidarity Lowell
- South Middlesex Opportunity Council, Inc.
- 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, Adam W. Chapdelaine
- 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 Mass. Bay and Merrimack Valley
- Way Finders
- Western Massachusetts Network to End Homelessness
- WATCH Community Development Corporation
- WinnCompanies
- Womanshelter/ Compañeras
- Women's Fund of Western Massachusetts
- Worcester County Food Bank
- Y2Y Network
- 123 Up And Adam, Inc.