

Massachusetts Right to Counsel Coalition

A Campaign for Justice in Evictions

Monday, June 27, 2022

Decision Not to Advance Right to Counsel Bills Deeply Disappointing

Statement of the Massachusetts Right to Counsel Coalition

Legislation to establish a right to counsel program in eviction cases (House 1436, Senate 874) attracted strong support this session, including strong support within the Housing Committee, and the decision to study and not advance these bills is deeply disappointing.

As court eviction filings start to climb close to the levels occurring before the COVID pandemic and in light of the recent end of the state's successful Emergency Rental Assistance Program, the need to increase equity in legal representation to reduce the number of eviction filings and the trauma they cause remains urgent.

It is unacceptable that nine out of ten tenants are unrepresented by counsel; that more than one in four children in families living in poverty experience eviction by the age of 15; and that evictions uproot people from their neighborhoods and force families into shelters and overcrowded and unsafe housing conditions.

Nearly 90 legislators co-sponsored bills to establish a right to counsel program that would provide both low-income tenants and low-income owner-occupants in our communities with access to legal representation. Access to legal counsel, along with rental assistance, is a critical path to housing stability for those facing eviction.

The COVID Eviction Legal Help Project (CELHP), a temporary project created as part of the Baker Administration's COVID Eviction Diversion Initiative, laid important groundwork towards the goal of equitable representation in evictions. Over a 15-month period, CELHP advocates handled 4,698 cases statewide, with positive outcomes obtained in 92 percent of them. Similar right to counsel programs across the country are demonstrating similar success, including a significant decrease in eviction filings.

The Right to Counsel Coalition, along with many other organizations across the state, will continue to call for the passage of this important legislation. The need is pressing. With billions in surplus state funds and billions of dollars in federal ARPA funds available, it is time to begin to phase in a program that can stabilize the housing of very vulnerable people in our communities.

The Massachusetts Right to Counsel Coalition is a broad-based coalition of 237 organizations that includes the legal community, housing advocates, health care providers, large property owners, municipal officials, social workers, teachers, and the faith-based community. For more: www.MassRTC.org

