

SUMMARY OF NO. 21-24

This proposed law would establish a statewide Right to Counsel program to provide free legal assistance to indigent tenants and certain indigent owner-occupants of residential properties in eviction proceedings.

The proposed law would provide free legal assistance to indigent tenants or occupants of a leased residential property, as well as indigent owner-occupants of a single-family, two-family, or three-family home if that home is their sole residence and is in Massachusetts.

The proposed law would also require landlords to notify tenants of their potential eligibility for free legal representation at the start of any eviction proceeding. If such notice were not given, the proposed law would provide for a reasonable delay of the eviction proceeding so that the tenant could obtain legal assistance to prepare his or her case.

Under the proposed law, the Massachusetts Legal Assistance Corporation would be responsible for administering the statewide Right to Counsel program. The proposed law would also establish a committee to advise the Massachusetts Legal Assistance Corporation on matters and policies affecting the Right to Counsel program.

The proposed law would take effect on January 1, 2023.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect.