

An Initiative Petition for a Law
to Provide the Right to Counsel in Eviction and Foreclosure Proceedings

Be it enacted by the People, and by their authority:

SECTION 1: Chapter 211D of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following sections:

Section 6C: For the purpose of section 6D the following terms shall have the following meanings:

"Covered proceeding", (i) any action brought pursuant to chapter 239, chapter 139 section 19, or similar proceedings, including administrative proceedings to terminate a mobile or project-based housing subsidy or public housing tenancy; (ii) any action brought under the jurisdiction of the Land Court pursuant to chapter 185, or similar proceedings; or (iii) any eviction of foreclosure proceeding.

"Eligible individual", a party in a covered proceeding who is an indigent: (i) tenant or occupant of any premises rented or leased for dwelling purposes; or (ii) owner-occupant of a 1-to-3-family dwelling that is their sole dwelling and located in the Commonwealth.

"Full legal representation", ongoing legal representation provided by the committee to an eligible individual including all legal advice, advocacy, and assistance associated with representation. Full representation includes, but is not limited to, the filing of a notice of appearance on behalf of the eligible individual in a covered proceeding.

"Right to Counsel Program", a statewide program to provide full legal representation to eligible individuals in covered proceedings.

Section 6D: In carrying out its duties as prescribed in sections 5 and 6, the committee shall, subject to appropriation, establish a statewide Right to Counsel Program which shall, upon the court's appointment, provide full legal representation to eligible individuals in covered proceedings.

SECTION 2: The provisions of this law are severable, and if any clause, sentence, paragraph or section of this law or an application thereof shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section or application adjudged invalid and such clause, sentence, paragraph, section or application shall be reformed and construed so that it would be valid to the maximum extent permitted.

The following registered voters subscribe to the above initiative petition:

Signature <u>James E. Flinn</u>	Address <u>893 Dewey St.</u>
Signature <u>Rayven R. Wernan</u>	Address <u>893 Dewey St.</u>
Signature <u>Stephen K. Hill</u>	Address <u>91 Hillside Ave</u>
Signature <u>Christina M. Hill</u>	Address <u>91 Hillside Ave</u>
Signature <u>Ken Hill</u>	Address <u>91 Hillside Ave</u>