

HOUSING COURT DEPARTMENT
Fiscal Year 2005
General Statistics

Divisions	Boston Division	Western Division	Northeast Division	Southeast Division	Worcester Division
Criminal Cases ¹	1,540	599	570	992	607
Summary Process	4,708	4,911	3,256	4,358	3,568
Small Claims	626	420	187	184	341
Civil Cases	853	1,258	210	574	854
Supplementary Process	31	25	*	33	*
Non-Criminal Dispositions (Tickets)	1,857	126	295	196	189
Utility Warrants	1,560	2,454			

¹ Under the jurisdictional grant referred to in the introduction, the Housing Court Department has jurisdiction concurrent with the District Court and the Superior Court, of certain crimes. Criminal proceedings are commenced under G.L. c. 185C, §19. The Housing Court, however, need not “exactly duplicate” the procedure followed in the District Court. An example of permissible deviation from District Court procedure is that a complainant in the Housing Court swears out a complaint, while the District Court requires an application for a complaint to issue. Such minor differences aside, the Housing Court must still adhere to the notice and hearing procedures set forth in G.L. c. 35A. Such a system seems particularly appropriate for cases in the Housing Court involving allegations of unsafe or unhealthy living conditions, because “[t]he primary purpose of the [sanitary] code is to prevent violations rather than to punish past violations as criminal offenses.” *Commonwealth v. Haddad* 364 Mass. 795, 799 (1974). Many criminal cases filed in the Housing Court result in dismissals following the defendant’s elimination of the violations. Because of this approach, the Chief Justice has concluded that in criminal cases, the complaint is counted when the complaint is sworn out rather than when it issues.

*** Both the Northeastern Division and the Worcester County Division address collection issues through post trial Motions to Enforce Judgments.**