

Dear Members of the Committee,

David Brown and I are Staff attorneys at Northeast Legal Aid and the Northeast Justice Center respectively. We are writing to voice our organizations' support of the letter submitted to your office earlier today by Esme Caramello, of the Harvard Legal Aid Bureau, regarding Remote Online Access to Docket Information in Landlord-Tenant Cases.

Northeast Legal Aid and the Northeast Justice Center are not-for-profit legal aid programs that collaboratively provide civil legal services to low-income and elderly residents of northeastern Massachusetts. Among NLA's and NJC's clients are vulnerable groups such as disabled individuals, indigent tenants, and distressed homeowners. NLA and NJC offer a wide variety of legal services to these groups such as representation in landlord-tenant eviction cases, landlord-tenant disputes regarding property conditions, reasonable accommodations for disabled persons, and post-foreclosure eviction cases in the housing court.

Our clients have been negatively affected by MassCourts making summary process dockets so easily available to landlords. Many landlords use MassCourts to inappropriately screen out potential tenants, refusing to rent to a potential tenant simply because his or her name shows up on a MassCourts search.

Oftentimes, there is no correlation between (a) being party to a summary process case, and (b) likelihood of being a good tenant in the future. For example, in post-foreclosure eviction cases, typically the entire family will be listed as party to the case, including adult children. If those adult children move out on their own and look to rent an apartment, they may be discriminated against for their parents' foreclosure. Additionally, a tenant bringing a claim against his or her landlord for failure to make repairs to a unit should not be discriminated against by future landlords.

Finally, the information on MassCourts is unreliable. Cases are often mislabeled as active, and the closing codes often do not reflect the final case disposition.

We support Attorney Caramello's recommendations that:

1. Party's names be displayed only as initials,
2. The court devote resources to ensuring the accuracy of case information, and
3. The Court create and publicize a protocol for tenants to correct inaccurate data.

Thank you,

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