

District Court Standing Order 1-24: Consumer Debt Pro Bono Lawyer Program

A volunteer pro bono lawyer program that serves unrepresented litigants in consumer debt collection cases¹ can increase access to justice and play an important role in adjudicating and resolving consumer debt collection cases. The purpose of this Standing Order is to allow such a program, often referred to as a Lawyer for the Day Program (“LDP”), to operate in any division of the District Court Department upon the approval of the Division’s First Justice and Clerk Magistrate. Pursuant to my authority under G.L. c. 211B, § 10 and G.L. c. 218 §§ 21 and 51A, it is hereby ORDERED, effective March 25, 2024:

1. An LDP is permitted to operate in a division of the District Court but only with the express approval of that court’s First Justice and Clerk Magistrate. Any LDP seeking to operate in a District Court shall be sponsored and administered by a state or local bar association, law school, or legal services organization. Each LDP operating in a District Court shall designate a contact person responsible for maintaining communication with that court.

If the First Justice and Clerk Magistrate of a division determine that the requesting LDP will serve the needs of the court and its litigants, the court shall develop a plan to implement LDP services in consumer debt collection cases pending on the court’s regular civil docket. These implementation efforts may include, but are not limited to, the following:

- Notifying unrepresented litigants of the LDP’s schedule and services;
 - Scheduling consumer debt collection cases to be heard on specific days of the week or month if consistent with the operational needs of the court;
 - Providing copies of publicly available court lists involving consumer debt cases to the LDP upon request in advance of court sessions;
 - Communicating with the LDP regarding procedural issues relevant to consumer debt cases generally; and
 - Where practicable, provide space within the courthouse, or virtual equivalent, for the LDP to operate.
2. LDP attorneys providing limited assistance representation shall comply with all applicable guidelines and provisions of the Massachusetts Rules of Professional Conduct and Trial Court Rule XVI: Uniform Rule on Limited Assistance Representation.
 3. The LDP providers shall provide the Chief Justice of the District Court an annual report containing data for each District Court division in which they operate to include: the number of days per week the LDP operated in that division, the number of cases for which consultation was provided, the number of cases for which assignment was undertaken and, of those, the number of cases resolved, and the number of cases unresolved. The reports shall be submitted yearly by January 15.

¹ A consumer debt collection case is an “Action” as defined in Massachusetts Rule of Civil Procedure 8.1 and is administered on the court’s regular civil docket.

4. The Chief Justice of the District Court shall be notified in writing by the First Justice and Clerk Magistrate of each court that establishes an LDP program in their court.

This Order is effective March 25, 2024, and shall remain in effect until further order of the Chief Justice of the District Court.

A handwritten signature in black ink that reads "Stacey J. Fortes". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Stacey J. Fortes
Chief Justice of the District Court

Promulgated: March 1, 2024