



MASSACHUSETTS TRIAL COURT

Eviction Diversion Initiative (EDI):

Updates on Process and Data

Chief Justice of the Trial Court Paula M. Carey
Housing Stakeholders Briefing
Thursday, March 25, 2021



Summary Process Updates on Process, Accessibility, and Data

Trial Court Departmental Updates

- The Boston Municipal Court, District Court, and Housing Court have amended their Summary Process Standing Orders in response to Chapter 257 (Acts of 2020) and have promulgated the Affidavit of Compliance which is to be filed with the Summons and Complaint at the beginning of the case.
- Members of the judiciary and Trial Court staff attended a presentation and Q&A session provided by DHCD on the new Federal Emergency Rental Assistance Program (ERAP) to ensure judges and court personnel are aware of the new changes to the rental assistance application process and the program's impact on any ongoing or future eviction proceedings.

Boston Municipal Court/ District Court

- The Boston Municipal Court and the District Court created a uniform Alternate Dispute Resolutions (ADR) outcome report for ADR mediation providers. Providers will complete the report and return it back to their respective court division for recording in MassCourts.
- The Boston Municipal Court and the District Court are working to maximize the benefits of the COVID Eviction Legal Help Project (CELHP) by updating each courts' resource sheet, which is provided to parties when they receive notice of the hearing date, and staff is meeting with members of the CELHP steering committee so that judges can be made aware of this new resource.



Summary Process Updates on Process, Accessibility, and Data

Housing Court

- To promote upstreaming, many divisions of the Housing Court are making available, on a weekly basis, their respective list of cases scheduled for the upcoming week.
- The Housing Court is working on a video recording of what has been known as the “Call of the List Speech,” which provides litigants with a general overview of the court process and resources (e.g., LFD, TPP) that may be available to assist them. The Court hopes to have subtitles available in Spanish.
- By the end of calendar year 2021, the Housing Court hopes to implement “Interactive Text Response” (ITR), which would send a litigant (SRL) a text message reminder of their upcoming court event. This will be an opt in resource. The Court will provide further details when the program is ready to be implemented.



Summary Process Updates on Process, Accessibility, and Data

Zoom Waiting Rooms

- Most Zoom waiting rooms in the Housing Court include language informing litigants of the availability of resources such as Lawyer for the Day, Tenancy Preservation Program, and interpreter services. This is in addition to the informational sheets that the divisions are sending.
- Expanding waiting room language informing litigants of the availability of resources of interpreter services to other Trial Court divisions.

Trial Court Zoom Rooms

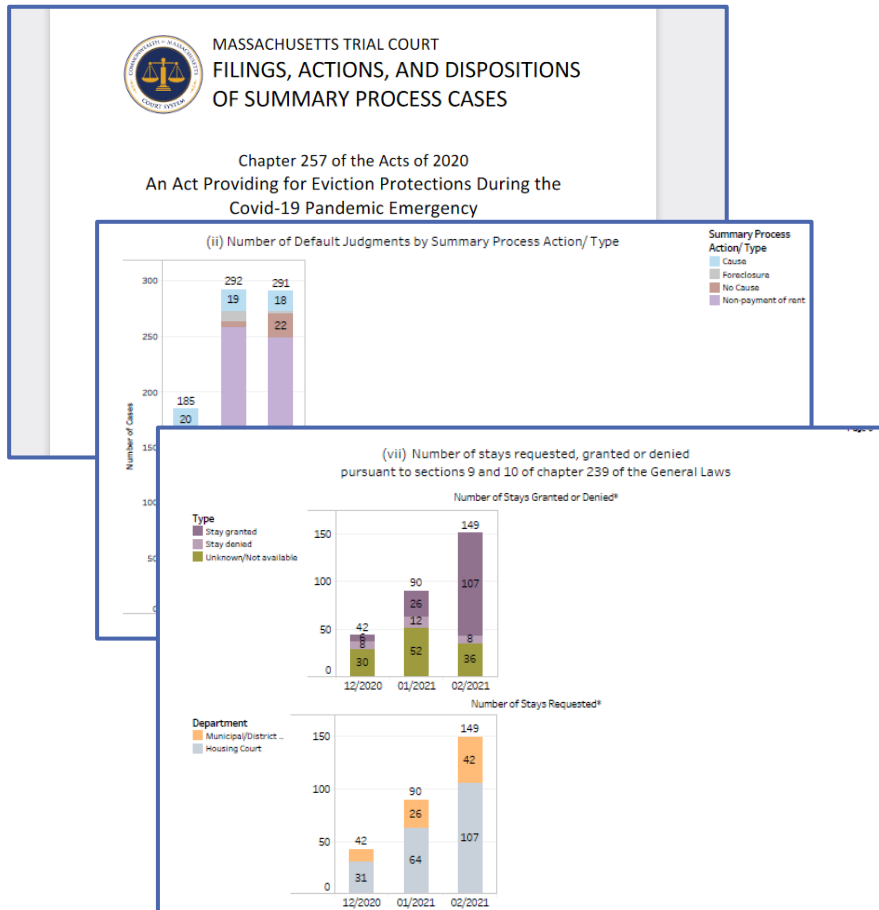
- Zoom Rooms are available in Brockton, Chelsea, Springfield, and Worcester.
- Expanding the program to Malden/Cambridge, Lawrence, and Lowell.
- Malden/Cambridge Zoom Room is scheduled to open within the next two weeks.
- We are collaborating with the Attorney General's office to identify additional spaces in the community where Zoom Rooms can be established.



Summary Process Updates on Process, Accessibility, and Data

Monthly Chapter 257 report features data on:

- Filings by type of action (e.g., cause, no cause).
- Default Judgments by type of action.
- Executions issued by type of action.
- Continuances granted and stays issued due to pending rental assistance applications by month.
- Stays requested, granted or denied pursuant to Chapter 239.
- Parties participating in pre-trial mediation by party type and month.
- Parties receiving legal representation by party type and month.





Summary Process Updates on Process, Accessibility, and Data

Court Key Performance Indicators (KPIs) as of March 1:

- 45% decrease in summary process filings since December's high of 3,742 cases;
- 9% default judgment rate on non-payment of rent cases since December;
- 16.6% of plaintiffs are pro se and 95.3% of defendants are pro se, post eviction moratorium;
- 20% execution issued rate in 2021 compared to 45% in 2020;
- Average of 7 weeks from file date to Tier 1 event and 4 weeks from Tier 1 event to Tier 2 event;
- Average length of time granted under a continuance is 42.5 days; and
- Average length of time granted under a stay is 40.1 days.



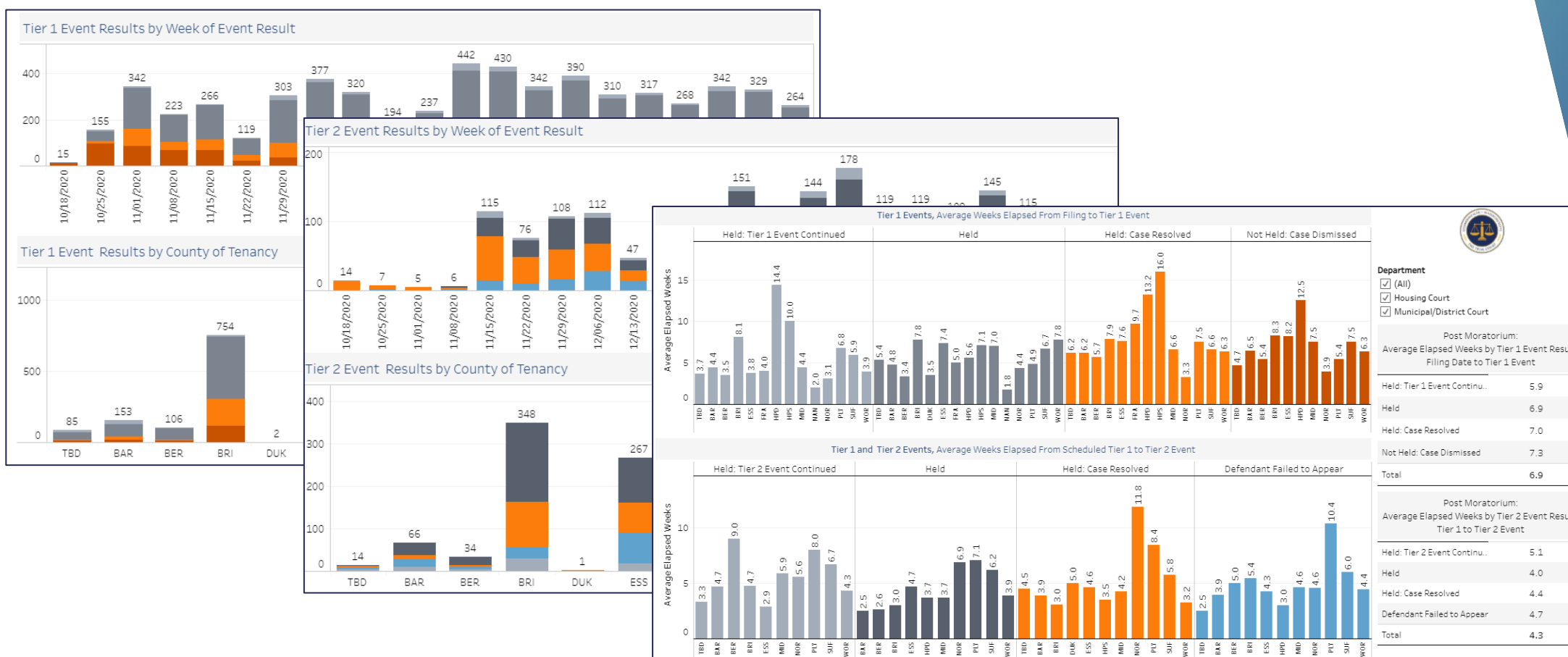
Weekly Dashboard: Summary Process Tier 1 and Tier 2 Events

Data Now Available



Dashboard features data on:

- Number of cases scheduled for a tier 1 and tier 2 event by week of event, county, and result of event (e.g., outcome).
- Time to tier 1 event and time to tier 2 event by county and result of event.



Weekly Dashboard: Summary Process Executions Issued

Data Now Available



Dashboard features data on:

- Executions issued by week of issue date, and by county and month of issue date.
- Executions issued by county, and by county and city.
- Rate of executions issued by month and year.

