



Full Calendar

## Civil Legal Aid and the Judiciary: We Need Your Help

The budget process is in full swing. The House Ways and Means Committee released its FY2017 budget proposal last week, generously providing more funding for many of our line items of interest, despite facing a deficit, but it is still not enough.

As a result, we are seeking your help – we urge you to reach out to your Representative and request that they co-sponsor the budget amendments described below to provide the funding necessary for civil legal aid, the Trial Court, and statewide expansion of the Housing Court. While elected officials hear from individuals in their districts on other budget issues, very few call or email about the judiciary and legal aid. It is up to lawyers to lead the way on these issues.

***We urge you to contact your Representative and let them know how important these amendments are for justice in the Commonwealth.***

***Don't know who to call? Look up your Representative [here](#).***

Here is a brief breakdown of the issues (for more information and abbreviated talking points see last week's [Issue Spot blog post](#)).

### Massachusetts Legal Assistance Corporation (MLAC)

- Request: \$27,000,000
- Governor's Budget: \$17,170,000
- House Ways and Means Budget: \$18,000,000

Representative Ruth Balsler has filed [amendment #847](#) asking for an additional \$9 million. If adopted, it would bring the total MLAC line item to \$27,000,000. The amendment is currently co-sponsored by more than 70 Representatives, and the list keeps growing. If you see your Representative on that list, call them to express your thanks and ask them to continue pushing for the amendment. If you don't see their name on that list, click [here](#) to ask them to sign on.

### Trial Court

- Request: \$654,374,856 + Modules
- Governor's Budget: \$638,606,000
- House Ways and Means Budget: \$639,900,000 (including Specialty Courts module)

As you can see above, the Trial Court is being funded at far below its maintenance amount. [Amendment #474](#), filed by Representative John Fernandes, seeks an additional \$17 million. If the Trial Court does not receive this funding, it will [likely have to lay off around 300 individuals](#), resulting in decreased service at courthouses already stretched thin.

The courts have recently made great strides toward modernizing and enhancing efficiencies under the new management structure put in place by the Legislature, as evinced by their request for maintenance funding of only 6,520 staff positions, a 17% reduction in staffing levels since FY02. Furthermore, in the last eight years, while the state budget has increased 43.3% overall, funding for the Trial Court, a major piece of the third co-equal branch of government, has increased by only 7.9%. More funding is essential to maintaining the high quality of justice to which we in

Massachusetts are accustomed.

## Statewide Housing Court Expansion

- Request: \$2,400,000
- Governor's Budget: \$1,000,000
- House Ways and Means Budget: \$0

The BBA has been advocating for [statewide expansion of Housing Court](#) for the last year. Housing Court is a special court session conducted by experienced and expert judges. They operate out of already existing court houses, providing landlords and tenants with a special legal forum to resolve disputes, as well as code enforcement, mortgage fraud, and numerous complex housing matters.

Housing Court covers 80% of the state geographically – but only about two-thirds of the population. Housing Court is the only forum in the Commonwealth set up to handle code enforcement, evictions, and other housing issues on a daily basis. Its judges have the expertise to analyze the federal, state, local laws and codes on housing. Housing Court is also the only forum to use Housing Specialists, individuals who mediate cases, saving potential litigants time and money they would otherwise spend to have their case heard in court. Over half of Housing Court cases were resolved in this way last year. Specialists also perform on-site reviews of property to resolve issues concerning housing conditions. In part because of these services, Housing Court is extremely efficient, featuring the lowest cost per case of any Trial Court department.

The total cost to the state for the expansion is estimated to be roughly \$2.4 million per year. The Governor's budget included \$1 million for Specialty Court, enough to get it started and start phasing it in to the areas not currently covered. Unfortunately, the House Ways and Means Budget did not, potentially stifling this much-needed measure. As a result, Representative Chris Walsh has filed amendments [#1180](#) (to fund with \$1,200,000) and [#1176](#) (to include enacting language) creating the statewide expansion of Housing Court.

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