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June 12, 2025

Senator Michael J. Rodrigues, Co-Chair
State House, Room 212
Boston, Massachusetts 02133

Representative Aaron Michlewitz, Co-Chair
State House, Room 243
Boston, Massachusetts 02133

Senator Joanne M. Comerford
State House, Room 410
Boston, Massachusetts 02133

Representative Ann-Margaret Ferrante
State House, Room 238
Boston, Massachusetts 02133

Senator Patrick M. O'Connor
State House, Room 419
Boston, Massachusetts 02133

Representative Todd M. Smola
State House, Room 124
Boston, Massachusetts 02133

Re: Fiscal Year 2026 State Budget

Dear Conference Committee,

I write as President of the Boston Bar Association (BBA), a volunteer organization of 15,000 members drawn from private practice, corporations, government agencies, legal-aid organizations, the courts, and law schools. Our mission is to advance the highest standards of excellence for the legal profession, facilitate access to justice, serve the community at large, and promote diversity, equity, and inclusion in the legal profession. I am writing to respectfully request your support for a number of items that are before you as you consider the Fiscal Year 2026 (FY26) state budget. Adequate funding in these areas will ensure that the Commonwealth continues to provide access to justice for those who are deeply in need of support amidst the current economic uncertainty, housing instability, and on-going challenges brought on by the COVID-19 pandemic.

Trial Court

As you know, the Trial Court's seven departments handle all of the cases filed in the Commonwealth's courts. In a very real sense, the Trial Court is the "face" of justice in the Commonwealth. Over the past decade-plus, the Trial Court has made great strides in finding ways to work smarter and leverage technological advancements to get more done with less. The pandemic has served to both demonstrate the value of those gains and underscore the need for increased investment in the Trial Court.

It is essential that our courts remain adequately funded. Thus, we request that you **support the funding levels for the Trial Court in S. 2525**, so that it may carry out its work as needed for the benefit of the Commonwealth.

Committee for Public Counsel Services (CPCS)

CPCS plays a vital role in our judicial system, providing representation to indigent persons in criminal and civil cases, and administrative proceedings, in keeping with the right to counsel under our laws and the Constitutions of the Commonwealth and the United States. Adequate funding helps ensure that

CPCS can keep their staff attorneys' salaries in line with corresponding minimums for executive-branch attorneys, as well as attract and maintain talent necessary for their critical work.

We urge you to support access to justice and an efficient judiciary by **providing meaningful increases in both funding for CPCS operations (line-items 0321-1500, -1510, and -1520), and hourly rates for private bar counsel.** Your support for these measures will help ensure the agency is able to efficiently and effectively carry out their necessary role within our court system at a time when they are facing great challenges in doing so.

Access to Counsel

As you are well aware, access to legal representation makes all the difference for individuals in housing proceedings. The BBA has long supported legal counsel for low-income tenants and landlords in eviction cases, and a 2020 BBA Report demonstrated that providing full representation in such cases would benefit the Commonwealth.

The benefits of housing stability for families and children in Massachusetts cannot be over-stated, which is why we are so grateful to you for approving the creation of an Access to Counsel Pilot Program, with \$2.5 million in funding, in the current FY25 budget. This pilot project ultimately produced positive outcomes: **In over 60% of cases closed, the eviction was prevented or delayed.**

As members of the Access to Counsel Coalition, we are now respectfully requesting your **support again for inclusion of language in the FY26 budget to establish a permanent Access to Counsel Program, along with \$3 million in funding** (line item 0321- 1800), as provided in H. 4001, to continue the work on this program that has already begun for both low-income tenants and low-income owner-occupants in eviction proceedings.

Given current economic conditions, and the resurgence in evictions across the state, we ask that you consider this program as a part of the solution for creating a more affordable state, promoting community stability, and improving the quality of life for residents of the Commonwealth.

The BBA asks for your help with these priorities, which are necessary to provide equal access to the courts and justice for all residents of the Commonwealth. Thank you for your past support for civil legal aid and for fighting for greater access and equity in the Commonwealth. We appreciate your careful consideration of the above items.

Sincerely,



Matthew V.P. McTygue
BBA President

cc: Senate President Karen Spilka
House Speaker Ronald Mariano

