Sen. Sal DiDomenico recently served as a speaker at the Massachusetts Coalition for the Homeless Legislative Action Day at the State House. Every year, the MA Coalition for the Homeless hosts a Legislative Action Day, during which advocates hear from elected officials about legislation, share
their stories, and lobby for bills that would improve the lives of those experiencing homelessness in the Commonwealth. During this year’s address, Senator DiDomenico highlighted the many challenges that people experiencing homelessness face and spoke to the urgent need to adopt “right to counsel” legislation in the Commonwealth.

“Approximately 43 people are evicted from their homes in Massachusetts every day,” Senator DiDomenico said, speaking about his right to counsel bill, which would ensure qualified low-income individuals have representation during eviction proceedings. “As a Commonwealth, we must do better to protect those who are economically at risk.”

In 2018 alone, over 40,000 households in Massachusetts were served with eviction papers. Of these households, 92% of low-income tenants fought their eviction without help from an attorney, while 70% of landlords were represented by counsel. DiDomenico’s legislation seeks to level the playing field by ensuring tenants have an equal advantage in eviction proceedings.

In the short term, right to counsel policies provide
families facing eviction—and, in many cases, homelessness—with housing stability through a greater likelihood of success in eviction proceedings by ensuring legal representation. In the long term, these policies assist with housing and economic stability, avoiding recurring evictions and preventing shelter entry.

Research performed at Harvard University, and being confirmed through similar right to counsel programs around the country, shows that case outcomes materially improve when tenants have access to full legal representation. Even when a tenant’s case is ultimately unsuccessful, the presence of counsel can assist with negotiating issues like payment, an extension of time to vacate and find alternative housing, or different lease terms that satisfy both landlords and tenants.

“My goal with this legislation has always been to simply level the playing field and provide tenants with greater equity in eviction proceedings,” said DiDomenico. “I have no doubt this policy would have major benefits for vulnerable families throughout our Commonwealth.

This is the second legislative session Senator DiDomenico has filed his right to counsel legislation. This session, the Massachusetts Right to Counsel Coalition has formed to support right to counsel policy and is working closely with DiDomenico’s office on a comprehensive to protect low-income individuals.
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