

**PUBLIC INFORMATION OFFICE
SUPREME JUDICIAL COURT
John Adams Courthouse
One Pemberton Square
Boston, Massachusetts 02108**

FOR IMMEDIATE RELEASE

February 26, 2014

Contact: Jennifer Donahue / Erika Gully-Santiago

Phone: (617) 557 - 1114

Email: Jennifer.Donahue@sjc.state.ma.us

**JUDICIARY SUBMITS PROPOSAL TO EXPAND HOUSING COURT
TO COVER ENTIRE STATE**

BOSTON, MA-- The Judicial Branch today submitted a proposal to the Legislature to expand the Housing Court to the entire Commonwealth by July 1, 2015.

Created in 1978 the Housing Court Department is a court of specialized jurisdiction that deals with residential housing matters, including landlord-tenant issues, and enforces the Commonwealth's building, fire, and sanitary codes. Its growth over the ensuing decades has been patchwork in nature: about 20 percent of Massachusetts in geographic terms is not covered by a Housing Court and, since the uncovered areas are quite populous, about 30 percent of the state's population does not have access to a Housing Court.

"We believe that all residents of the Commonwealth, regardless of where they live, should have the opportunity to have their housing case heard by a Housing Court, and benefit from its specialized expertise in residential housing matters," said Ralph D. Gants, Justice of the Supreme Judicial Court. The expansion proposal is based on the recommendation of the Access to Justice Commission, which Justice Gants co-chairs.

Major areas of the Commonwealth do not have the much-needed services of a Housing Court. There is no Housing Court for all of Barnstable, Dukes, and Nantucket counties, most of Norfolk County, and much of Middlesex County. Cities with some of the highest number of rental units, such as Chelsea, Framingham, Malden, Cambridge, Medford, Somerville, Watertown, Woburn, and Waltham, do not have a Housing Court. Barnstable County has a significant number of rental units. New legislation would address this shortfall, expanding access to justice in housing matters throughout the state.

"Expanding the Housing Court is in line with the Trial Court's mission of delivering justice with dignity and speed," said Paula M. Carey, Chief Justice of the Trial Court. "This expansion offers all parties involved in housing issues—landlords, tenants, property owners, and code enforcers—the benefits of the efficacy and expertise of Housing Court adjudication in a broad range of cases."

"The need for greater access to Housing Court throughout the state is very strong," said Steven D. Pierce, Chief Justice of the Housing Court. "The Housing Court has a record of cost-effective operations. Expanding this specialty court statewide can capitalize on that efficiency and expand on access to justice at the same time. Housing Courts provide swift and fair adjudication as well as access to services and programs that can help stabilize housing situations between landlords and tenants. We look forward to working with the Legislature to expand Housing Court jurisdiction to cover all of the state's residents."

In areas unserved by a Housing Court, housing cases, along with a broad range of legal matters, are heard in a District Court. Housing Court judges have in-depth knowledge to analyze the labyrinth of federal, state, and local housing laws. The judges also work closely with the Court's Housing Specialists, who mediate cases, saving time and expense of litigation, and perform on-site property reviews to resolve issues concerning housing conditions.

###

An Act relative to the geographical jurisdiction of the Housing Court Department

Section 1 of chapter 185C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the first sentence and inserting in the place thereof the following sentence:--

The housing court department, established under section 1 of chapter 211B, shall be composed of a western division, consisting of the municipalities in Berkshire, Franklin, Hampden and Hampshire counties; a central division, consisting of the municipalities in Worcester county, and the municipalities of Ashland, Framingham, Hudson, Holliston, Hopkinton, Marlborough, Natick, Sudbury, Wayland, and Sherborn in Middlesex county; a northeastern division, including the municipalities in Essex county and the municipalities of Acton, Ashby, Ayer, Bedford, Billerica, Boxborough, Burlington, Carlisle, Chelmsford, Concord, Dracut, Dunstable, Everett, Groton, Lexington, Lincoln, Littleton, Lowell, Malden, Maynard, Melrose, North Reading, Pepperell, Reading, Shirley, Stoneham, Stow, Tewksbury, Townsend, Tyngsborough, Wakefield, Waltham, Watertown, Westford, Weston, Wilmington, Winchester, and Woburn in Middlesex county , and the jurisdiction known as Devens established under chapter 498 of the acts of 1993; a southeastern division consisting of the municipalities in Barnstable, Bristol, Dukes, and Nantucket counties, and the municipalities of Carver, Duxbury, Halifax, Hanson, Hanover, Hingham, Hull, Kingston, Lakeville, Marion, Marshfield, Mattapoisett, Middleborough, Norwell, Pembroke, Plymouth, Plympton, Rochester, Rockland, Scituate, and Wareham in Plymouth county ; a metro south division consisting of the municipalities in Norfolk County, except Brookline, and the municipalities of Abington, Bridgewater, Brockton, East Bridgewater, West Bridgewater, and Whitman in Plymouth county; and an eastern division consisting of all municipalities in Suffolk county, and the municipalities of Arlington, Belmont, Cambridge, Medford, Newton, and Somerville in Middlesex county, and the municipality of Brookline in Norfolk county.

Section 4 of chapter 185C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking the second, third, fourth and fifth paragraphs and inserting in the place thereof the following:--

The eastern division of the housing court department shall hold at least one sitting per week in Suffolk county and at least one sitting per week in Middlesex county. The court, with the consent of the chief justice of the trial court, shall also sit in such other courthouse facilities as the chief justice of the housing court department may deem to be expedient or convenient.

The central division of the housing court department shall hold at least one sitting per week in the City of Worcester, at least one sitting per week in Middlesex county, at least one sitting per week in northern Worcester county, and at least one sitting per week in Southern Worcester county. The court, with the consent of the chief justice of the trial court, shall also sit in such other courthouse facilities as the chief justice of the housing court department may deem to be expedient or convenient.

The northeastern division of the housing court department shall hold at least two sittings per week in Essex County and at least two sittings per week in Middlesex county. The court, with the consent of the chief justice of the trial court, shall also sit in such other courthouse facilities as the chief justice of the housing court department may deem to be expedient or convenient.

The southeastern division of the housing court department shall hold at least three sittings per week in Bristol county, at least one sitting per week in Plymouth county, and at least one sitting per week in Barnstable county. The court, with the consent of the chief justice of the trial court, shall also sit in such other courthouse facilities as the chief justice of the housing court department may deem to be expedient or convenient.

The metro south division of the housing court department shall hold at least one sitting per week in Norfolk county and at least one sitting per week in Plymouth county. The court, with the consent of the chief justice of the trial court, shall also sit in such other courthouse facilities as the chief justice of the housing court department may deem to be expedient or convenient.

Section 8 of chapter 185C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking first sentence and inserting in the place thereof the following:-- There shall be two justices appointed for the western division, two justices appointed for the central division, two justices appointed for the northeastern division, two justices appointed for the metro south division, two judges appointed for the southeastern division, two judges appointed for the eastern division, and three circuit judges who shall sit in any of the divisions as determined by the chief justice of the housing court department.

Section 1 of chapter 211B of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking in line seven "378" and replacing it with "383."

Section 2 of chapter 211B of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking in two "10" and replacing it with "15."