

HOUSE No. 1796

The Commonwealth of Massachusetts

PRESENTED BY:

Liz Miranda

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to reasonable compensation for equitable representation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Liz Miranda</i>	<i>5th Suffolk</i>	<i>2/17/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/19/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>2/19/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/25/2021</i>
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>2/26/2021</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>2/26/2021</i>

HOUSE No. 1796

By Ms. Miranda of Boston, a petition (accompanied by bill, House, No. 1796) of Liz Miranda and others relative to the rates of compensation payable to counsel appointed or assigned to represent certain indigent persons. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to reasonable compensation for equitable representation.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 11 of chapter 211D of the General Laws is hereby amended by
2 striking subsection (a), and inserting the following subsection:- (a) The rates of compensation
3 payable to all counsel, who are appointed or assigned to represent indigents within the private
4 counsel division of the committee in accordance with the provisions of paragraph (b) of section
5 6, shall, subject to appropriation, be as follows: for homicide cases the rate of compensation shall
6 be \$110 per hour; for superior court non-homicide cases, including sexually dangerous person
7 cases, the rate of compensation shall be \$75 per hour; for district court cases and children in need
8 of services cases the rate of compensation shall be \$60 per hour; for children and family law
9 cases and care and protection cases the rate of compensation shall be \$75 per hour; for sex
10 offender registry cases and mental health cases the rate of compensation shall be \$60 per hour.
11 These rates of compensation shall be reviewed periodically at public hearings held by the
12 committee at appropriate locations throughout the state, and notice shall be given to all state,
13 county and local bar associations and other interested groups, of such hearings by letter and

14 publication in advance of such hearings. This periodic review shall take place not less than once
15 every 3 years.

16 SECTION 2. Section 11 of chapter 211D of the General Laws is hereby amended by
17 striking subsection (a), and inserting the following subsection:- (a) The rates of compensation
18 payable to all counsel, who are appointed or assigned to represent indigents within the private
19 counsel division of the committee in accordance with the provisions of paragraph (b) of section
20 6, shall, subject to appropriation, be as follows: for homicide cases the rate of compensation shall
21 be \$115 per hour; for superior court non-homicide cases, including sexually dangerous person
22 cases, the rate of compensation shall be \$80 per hour; for district court cases and children in need
23 of services cases the rate of compensation shall be \$62 per hour; for children and family law
24 cases and care and protection cases the rate of compensation shall be \$80 per hour; for sex
25 offender registry cases and mental health cases the rate of compensation shall be \$62 per hour.
26 These rates of compensation shall be reviewed periodically at public hearings held by the
27 committee at appropriate locations throughout the state, and notice shall be given to all state,
28 county and local bar associations and other interested groups, of such hearings by letter and
29 publication in advance of such hearings. This periodic review shall take place not less than once
30 every 3 years.

31 SECTION 3. Section 11 of chapter 211D of the General Laws is hereby amended by
32 striking subsection (a), and inserting the following subsection:- (a) The rates of compensation
33 payable to all counsel, who are appointed or assigned to represent indigents within the private
34 counsel division of the committee in accordance with the provisions of paragraph (b) of section
35 6, shall, subject to appropriation, be as follows: for homicide cases the rate of compensation shall
36 be \$120 per hour; for superior court non-homicide cases, including sexually dangerous person

37 cases, the rate of compensation shall be \$85 per hour; for district court cases and children in need
38 of services cases the rate of compensation shall be \$65 per hour; for children and family law
39 cases and care and protection cases the rate of compensation shall be \$85 per hour; for sex
40 offender registry cases and mental health cases the rate of compensation shall be \$65 per hour.
41 These rates of compensation shall be reviewed periodically at public hearings held by the
42 committee at appropriate locations throughout the state, and notice shall be given to all state,
43 county and local bar associations and other interested groups, of such hearings by letter and
44 publication in advance of such hearings. This periodic review shall take place not less than once
45 every 3 years.

46 SECTION 4. Section 1 of this act shall take effect on July 1, 2021.

47 SECTION 5. Section 2 of this act shall take effect on July 1, 2022.

48 SECTION 6. Section 3 of this act shall take effect on July 1, 2023.