

Private Bar Counsel Rates Fact Sheet

The current hourly rates paid to private assigned counsel were established by *Chapter 54 of the Acts of 2005* and are set by statute in *G.L. c. 211D, § 11*.

At the time of the last rate adjustment, the Legislature was responding, in part, to the recommendations of the *Commission to Study the Provision of Counsel to Indigent Persons in Massachusetts*, which was convened in response to the SJC decision in *Lavallee v. Justices in the Hampden Superior Court*, 442 Mass. 228 (2004). The Commission recommended that the hourly rates paid to private attorneys be increased over three years, from FY 2006 to FY 2008. Today, **ten** years later, only the first increase has been implemented.

This amendment increases the rates for the private bar counsel who are assigned District Court, Children and Family Law and care and protection cases, and cases involving children in needs in of services/children requiring assistance. The rates for:

- District Court are increased from \$50/hour to \$55/hour
- Children in Need of Services (CHINS)/Children Requiring Assistance (CRA) from \$50/hour to \$55/hour
- Children and Family Law Cases and care and protection cases from \$50/hour to \$60/hour.