



The Commonwealth of Massachusetts
Committee for Public Counsel Services
Mental Health Litigation Division
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TO: Mental Health Counsel
FROM: Stan Goldman
RE: Minimum-Assignment Policy and "Specialization" Policy
DATE: May 3, 2011

In light of the concerns raised by many of you, and given the uncertainty resulting from the ongoing budget negotiations, we have decided to repeal until further notice the minimum-assignment certification requirement that had been implemented on November 29, 2010.

Further, and effective immediately, we have revised our policy in respect to attorneys who have "specialized." Heretofore, if an attorney had limited his or her practice to, for example, guardianships but later wanted to accept commitment assignments, eligibility would be based upon his or her last commitment assignment. If he or she had handled a commitment within the previous three (3) years, he or she would be eligible without more. However, if he or she had not handled a commitment within the previous three (3) years, he or she would have to be re-certified by attending the appropriate portions of the certification training program. While the "3-year rule" will remain in effect, no longer will attendance at the certification program be required. Rather, an attorney wishing to accept such assignments (commitments in the above example) will be assigned to work under the supervision of a mentor.