

H. 1876 An Act Addressing Compensation Rates for Bar Advocates

Lead Sponsor: Rep. Markey (H1876)

Bar advocates are a cornerstone of our legal system, delivering critical representation to indigent adults and children facing serious charges and life-altering consequences. This work spans a wide range of cases, including criminal defense, juvenile proceedings, mental health litigation and child welfare matters. These cases often require complex research and strategy development under stressful and emotionally taxing conditions.

Despite the high stakes and intense demands of this work, compensation rates for bar advocates have remained stagnant. There has been no increase since FY2023, even as inflation, the cost of living, and the financial burdens of maintaining a legal practice continue to rise.

Without competitive and sustainable pay, it is increasingly difficult to attract and retain the experienced, dedicated attorneys needed to uphold the constitutional rights of the indigent and vulnerable. Fewer available attorneys mean delayed representation, which can lead to prolonged pretrial detention and overburdened court calendars. These delays and deficiencies place an undue strain on the entire legal system and erode public trust in its fairness.

Raising compensation is not simply a matter of equity for legal professionals—it is a critical investment in the health of our justice system. It ensures that attorneys are able to manage growing caseloads, deliver high-quality representation, and remain committed to public service rather than being driven out of the field by unsustainable financial realities.

UPDATES PROPOSED BY BILL:

The bill proposes the following conservative, targeted updates to the compensation rates for attorneys appointed to represent indigent clients within the Private Counsel Division of the Committee for Public Counsel Services in Massachusetts. These rate adjustments would be subject to periodic reviews at statewide public hearings at least every 3 years.

Type of Case	Existing Rate (per hour)	Proposed Rate (per hour)
District Court	\$65	\$73
Children in Need of Services (CRAs)	\$65	\$73
Mental Health	\$65	\$90
Sex Offender Registry	\$65	\$90
Children and Family Law	\$85	\$90
Care and Protection	\$85	\$90
Superior Court Non-Homicide	\$85	\$105
Homicide	\$120	\$150