

SENATE No. 950

The Commonwealth of Massachusetts

PRESENTED BY:

Adam G. Hinds

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 lifting the billable hours cap for bar advocates.

PETITION OF:

NAME:

Adam G. Hinds

DISTRICT/ADDRESS:

Berkshire, Hampshire, Franklin and Hampden

SENATE No. 950

By Mr. Hinds, a petition (accompanied by bill, Senate, No. 950) of Adam G. Hinds for legislation to lift the billable hours cap for bar advocates. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act lifting the billable hours cap for bar advocates.

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, as appearing in the 2016
2 Official Edition, is hereby amended by striking out subsection (d) and inserting in place thereof
3 the following subsection:-

4 (d) Notwithstanding the billable hour limitations in subsections (b) and (c), the chief
5 counsel may waive the annual cap on billable hours for private counsel appointed or assigned to
6 indigent cases and the cap on accepting new appointments or assignments if the chief counsel
7 finds that: (i) there is limited availability of qualified counsel in that practice area; (ii) shifting
8 the service to private counsel would result in cost efficiencies and not negatively impact the
9 quality of service; or (iii) shifting the service to private counsel would improve the quality of
10 service; provided, however, that counsel appointed or assigned to such cases within the private
11 counsel division shall not be paid for any time billed in excess of 2,000 billable hours and shall
12 not accept any new appointment or assignment after having billed 1,500 billable hours during
13 any fiscal year. It shall be the responsibility of private counsel to manage their billable hours.