

**HOUSE . . . . . No. 5409**

**The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES

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REPORT  
of the  
SPECIAL JOINT  
COMMITTEE  
on  
INITIATIVE PETITIONS  
on the  
INITIATIVE PETITION  
of  
VICKI JEAN MCAULEY  
AND OTHERS  
FOR THE PASSAGE OF AN ACT  
RELATIVE TO LABOR RELATIONS  
POLICIES FOR COMMITTEE FOR  
PUBLIC COUNSEL SERVICES EMPLOYEES  
(see House, No. 5009)

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May 4, 2026.

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## MAJORITY REPORT.

### A majority of the Special Joint Committee on Initiative Petitions

Article 48 of the Amendments to the Constitution of the Commonwealth allows voters to propose laws or constitutional amendments through initiative petitions, commonly called ballot questions. After gathering the required signatures and submitting certified signatures to the Secretary of the Commonwealth, a petition is formally presented to the Legislature for consideration. It is then referred to a committee, in this case, the Special Joint Committee on Initiative Petitions.

Under Article 48, the committee must report to the Legislature on each petition before the first Wednesday in May. Unlike the standard legislative process, the Legislature may only approve or reject an initiative petition as submitted, without making changes.

The Committee held a hearing on Initiative Petition 25-22, House 5009, *Initiative Petition for a Law Relative to Labor Relations Policies for Committee for Public Counsel Services Employees*, on March 16, 2026. The Special Joint Committee on Initiative Petitions held public hearings throughout March 2026 to gather testimony and inform its review. The Committee considered input from subject matter experts and proponents of the Petition, as well as members of the public. The full hearing record and supporting documentation is available to the public at [malegislature.gov/Events/Hearings/Detail/5595](https://malegislature.gov/Events/Hearings/Detail/5595).

On May 4, 2026, a majority of the Special Joint Committee on Initiative Petitions (“the Committee”) voted to recommend that the General Court **take no action** on Initiative Petition 25-22, House 5009, *Initiative Petition for a Law Relative to Labor Relations Policies for Committee for Public Counsel Services Employees* (“the Petition”).

In reaching this determination, the Committee conducted a comprehensive review of the proposed measure, including a close examination of its language, structure, and stated intent. The Committee evaluated testimony and documentary evidence presented during the public hearing, along with written submissions received by the Committee. The testimony reflected a broad range of perspectives from stakeholders with direct experience in public defense, labor relations, and public administration.

Proponents of the Petition argued that the proposed changes would enhance employee representation within the Committee for Public Counsel Services (CPCS), promote greater consistency and fairness in workplace policies, and support improved recruitment and retention of attorneys and staff. Several supporters emphasized ongoing challenges related to workload, compensation, and workplace conditions, and contended that expanded labor protections and collective bargaining rights would strengthen the agency’s ability to attract and retain qualified personnel, ultimately benefiting the clients CPCS serves.

Experts raised concerns regarding the scope and structure of the proposal. Testimony highlighted the potential for the measure to disrupt existing management and supervisory frameworks, introduce ambiguity into lines of authority, and create operational inefficiencies. Some witnesses also cautioned that changes to labor relations policies of this scale could have unintended

consequences for the delivery of legal services, particularly if they limit the agency's ability to respond flexibly to fluctuating caseloads, staffing needs, and court demands.

The Committee notes that the Committee for Public Counsel Services was established to ensure that indigent individuals in the Commonwealth receive legal representation in criminal and certain family law matters, consistent with the Sixth Amendment to the United States Constitution and Article XII of the Declaration of Rights of the Constitution of the Commonwealth. Public defenders and assigned counsel fulfill a critical constitutional function, and their role in safeguarding due process and equal access to justice is fundamental to the integrity of the legal system.

In evaluating the Petition, the Committee carefully considered the testimony of the experts, proponents and members of the public. Based on the issues raised by the testimony, the Committee encourages continued dialogue and collaboration between the petition's proponents and the Committee for Public Counsel Services to address issues highlighted by the testimony. The Committee further encourages CPCS to continue examining and addressing workplace challenges in a manner that strengthens both employee well-being and the agency's core mission of delivering high-quality legal representation to indigent clients.

It is important to note that Article 48 of the Amendments to the Massachusetts Constitution, which governs the initiative petition process, requires the Attorney General to provide initial certification of initiative petitions that meet the specific and limited requirements listed in Article 48. In making a decision on whether to initially certify an initiative petition, the Attorney General does not evaluate a petition's broader constitutionality; her certification decision is limited only to the narrow criteria listed in Article 48. Thus, this Petition has been certified by the Attorney General under Article 48, but it has not been evaluated by her or the courts for its constitutionality at this time.

For these reasons, a majority of the Committee recommends that the General Court **take no action** on Initiative Petition 25-22, House 5009, *Initiative Petition for a Law Relative to Labor Relations Policies for Committee for Public Counsel Services Employees*.

Senators.

Cindy F. Friedman  
Brendan P. Crighton  
Barry R. Finegold

Representatives.

Alice Hanlon Peisch  
Kate Hogan  
Frank A. Moran  
Michael S. Day  
David T. Vieira