

**JOINT COMMITTEE ON THE JUDICIARY  
BILL SUMMARY**

**BILL NO.** H1594

**TITLE:** An Act relative to controlling and abusive litigation.

**SPONSOR:** Rep. Natalie M. Blais

**COSPONSOR(S):**

Rep. Susannah M. Whipps	Sen. Joanne M. Comerford
Rep. Lindsay N. Sabadosa	Sen. Jason M. Lewis
Rep. Patrick Joseph Kearney	Rep. Homar Gómez
Rep. Natalie M. Higgins	Rep. Adrienne P. Ramos
Rep. Samantha Montano	Rep. Mindy Domb
Rep. Tricia Farley-Bouvier	Rep. Patricia A. Duffy
Rep. Mike Connolly	Rep. James J. O'Day
Rep. Bruce E. Tarr	Rep. Vanna Howard
Rep. Tram T. Nguyen	Rep. David H. LeBoeuf
Rep. Danillo A. Sena	Sen. Mark Montigny
Rep. Leigh Davis	Rep. Margaret Scarsdale

**HEARING DATE:** June 3, 2025

**PRIOR HISTORY:** H1399 (2023-2024)

**SENATE BILL:** S1205 (Moore)

**CURRENT LAW:** Section 6F of Chapter 231 of the General Laws grants courts the authority to find that the claims, defenses, setoffs or counterclaims of civil litigants are insubstantial, frivolous and not advanced in good faith and empowers the courts to award attorney's fees and reasonable costs for litigation to the other party.

**BILL SUMMARY:** Introduces a new chapter, 209E, to the General Laws.

- Newly adds and defines “controlling” and “abusive” litigation as litigation where: 1) the parties have a familial or household relationship; 2) the court finds that either a party has been found to have committed abuse under Massachusetts law or could have been charged with abuse; 3) the court finds that the offending party is initiating, continuing or advancing litigation for the purpose of abuse; and 4) at least one of the following factors applies: (i) the claims are unwarranted by law; (ii) there is no evidence to support the claims; or (iii) the issue at hand has already been litigated and disposed of unfavorably to the party filing, initiating, advancing or continuing the litigation.

- Provides that parties may request the court to issue an order restricting controlling and abusive litigation if the above circumstances are met. The request can be made in response to the filing of litigation, by motion during a case, in an answer or response to a motion, and orally in any hearing. The court may determine on its own if the litigation meets the above definition.
- Establishes circumstances in which there will be a rebuttable presumption of controlling and abusive litigation: (i) the same or substantially similar parties have litigated against each other in the last five years, (ii) the same or substantially similar issues between the same or substantially similar parties have been brought to court and dismissed on the merits, (iii) within the last ten years the alleged violator has been sanctioned for controlling and abusive litigation, been found not to be supported by good grounds, interposed for the delay or found to be frivolous or brought in bad faith involving the same opposing party or (iv) another court system found the alleged violator to have engaged in controlling and abusive litigation.
- Requires that if a court finds controlling and abusive litigation occurred then it must dismiss, deny, strike or resolve any disposition with prejudice, impose the costs of the harassed party's litigation and court fees on the harasser, and impose pre-filing restrictions on any new actions filed by the offending party.
- Establishes that a party found in violation of this statute and restricted by court order will be prevented from filing litigation against the protected party in the future.