

REPORT FROM THE COMMITTEE FOR PUBLIC COUNSEL SERVICES

TO:

THE MASSACHUSETTS HOUSE AND SENATE

COMMITTEES ON WAYS & MEANS

COMMITTEE ON THE JUDICIARY

CLERK OF THE SENATE

CLERK OF THE HOUSE OF REPRESENTATIVES

Pursuant to Chapter 28 of the Acts of 2023,

FY 2022 General Appropriations Act,

Submitted November 2023

The Committee for Public Counsel Services (“CPCS”) respectfully submits this report in compliance with the reporting requirement set forth in the newly enacted section 17 of Chapter 211D as part of the outside sections of the FY 2023 General Appropriations Act, Chapter 28 of the Acts of 2023.

Section 17.

(a) There shall be established and set up on the books of the commonwealth a separate fund known as the Children and Family Legal Representation Trust Fund, which shall be administered by the chief counsel of the committee for public counsel services. The fund shall be credited with: (i) revenue from appropriations or other money authorized by the general court and specifically designated to be credited to the fund; (ii) reimbursement funds from federal sources for the legal representation of children and families by the committee for public counsel services, including, but not limited to, reimbursements pursuant to Title IV-E of the federal Social Security Act; and (iii) interest earned on such revenues and reimbursements in the fund. Amounts credited to the fund that are unexpended at the end of a fiscal year shall not revert to the General Fund.

(b) Money in the fund may be expended by the chief counsel, without further appropriation, for the purposes of: (i) providing pre-petition representation and diversion advocacy; (ii) increasing the availability and quality of representation statewide, especially in underrepresented communities; (iii) ensuring availability of education advocacy throughout the commonwealth; (iv) improving the quality of advocacy through increased training capacity and performance evaluations; (v) increasing multidisciplinary representation and the use of experts, parent partner programs and specialized advocacy and support units; and (vi) improving and modernizing agency data collection, data reporting and billing systems. The chief counsel may designate an administrator of the fund to implement approved activities consistent with this section.

(c) Annually, not later than November 1, the chief counsel shall file a report on the fund’s activities with the clerks of the house of representatives and the senate, the house and senate committees on ways and means and the joint committee on the judiciary. The report shall include, but not be limited to: (i) the source and amount of funds received; (ii) the amounts distributed and the purpose of expenditures from the fund, including any grants provided to early education and care programs, philanthropic organizations or other stakeholder organizations; and (iii) anticipated revenue and expenditure projections for the next calendar year.

Specifically, the report requests information on:

- i) the source and amount of funds received –*CPCS has been coordinating with the Office of Federal Finance and Revenue in EOHHS to secure reimbursements pursuant to Title IV-E of the federal Social Security Act. CPCS has not received any funds at the time of the filing of this report.*
- ii) the amounts distributed and the purpose of expenditures from the fund, including any grants provided to early education and care programs, philanthropic organizations or other stakeholder organizations- *CPCS has not distributed any funds at the time of filing this report.*

- iii) the anticipated revenue and expenditure projections for the next calendar year- *CPCS does not have an estimate of the next calendar year revenue or expenditures at the time of the filing of this report. CPCS anticipates being able to estimate revenues and expenditures once the Children and Family Legal Representation Trust has been funded from a disbursement through the Title IV-E of the federal Social Security Act.*

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Anthony Benedetti". The signature is fluid and cursive, with the first name "Anthony" written in a more compact, stylized manner and the last name "Benedetti" written more fully.

Anthony Benedetti
Chief Counsel