

An Act Relative to Controlling and Abusive Litigation

Lead Sponsors: Representative Natalie Blais and Senator Michael Moore

Controlling and abusive litigation happens in Massachusetts. All too often, even after a victim has left the person causing them harm, abusive former partners use the legal system to maintain power and control over the victim by continuously taking them to court. This leaves survivors physically unsafe and economically and emotionally drained.

What is controlling and abusive litigation?

Controlling and abusive litigation is when someone uses the court system to exert **power and control** over a victim. Tactics of controlling and abusive litigation include taking the survivor – even their friends and family – to court **again and again**.

Through controlling and abusive litigation, the person causing harm seeks to **control, harass, intimidate, coerce, and impoverish the survivor**.

H.1399/S.1079 will help judges stop controlling and abusive litigation

- ✓ Courts have options to recognize and respond to controlling and abusive litigation
- ✓ Survivors can request an Order Restricting Controlling and Abusive Litigation*
- ✓ Survivors can request financial compensation for costs of being repeatedly dragged into court, such as child care, transportation, and attorney fees

MLRI MASSACHUSETTS
LAW REFORM
INSTITUTE

jdi

Jane Doe Inc.
The Massachusetts Coalition
Against Sexual Assault and
Domestic Violence

Please contact

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JDI's Policy Manager

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if you have any questions.

*An Order Restricting Controlling and Abusive Litigation is a form of relief available to survivors when the court has found that the other party has committed abuse or harassment. It does not close off court access to anyone. Constitutional rights are protected for anyone seeking access to the courts.

List of Supporting Organizations

As of 4/13/23

- Massachusetts Law Reform Institute (MLRI)
- Jane Doe Inc. The Massachusetts Coalition Against Sexual Assault and Domestic Violence
- Salasin Project, a program of Western MA Training Consortium
- New Hope Inc.
- Asian Task Force Against Domestic Violence (ATASK)
- Shaquera's Story Domestic Violence Consulting and Coaching
- Alianza DV Services, Inc.
- Mimi Movement Inc.
- Mass Family Advocacy Coalition
- Stuck617, Solutions To Uplift Communities & Kids, LLC
- Independence House, Inc.
- Healing Trauma Through Spirit with Laura Bonetzky Joseph
- Jane Does Well
- Casa Myrna Vazquez Inc.
- Jewish Family and Children's Services Inc.
- DOVE, Inc.