

Self-Represented Litigants

Special Analysis for the Massachusetts Access to Justice Commission

This report contains the percent of self-represented litigants (SRL) for moving parties (including plaintiffs/complainants/petitioners/applicants) and responding parties (including defendants/respondents) for 22 selected case types in cases disposed in Fiscal Years 2020-2024. The selected case types make up over 60% of civil matters handled by the Trial Court.

Why Count SRLs?

- One of the challenges facing the Trial Court is providing services to self-represented litigants. This report aims to establish a consistent approach to counting cases with self-represented litigants, in order to better understand the extent of self-representation across parties, departments, and case types.

How are SRLs defined?

- A case with self-represented litigants is a case in which at least one litigant (party) was not represented by an attorney for the duration of the case. A party is considered to be represented if they were represented by an attorney at any stage of the case.
- All companies in this analysis were considered represented parties. Parties with limited assistance representation (LAR), and pro hac vice representation were considered represented parties. Attorneys appointed after the case was disposed were excluded from the analysis.

How are SRLs counted?

- The unit of counting is a single case. A case with self-represented litigants is counted as a single case, regardless of whether the case has one, two, or more self-represented litigants. The case is counted at the point of disposition.
- All parties in this analysis were categorized into a party role using their party type description. Moving parties included the party type descriptions plaintiff, complainant, petitioner, or applicant. Responding parties included the party type descriptions respondent or defendant.

Who is excluded from analysis?

- This analysis only includes parties that were categorized as moving or responding parties. Any other parties listed on each case were excluded.
- All cases with a default judgment, dismissal due to failure of one or more parties to appear in court, or dismissal due to lack of service were excluded from this analysis.

Number of Cases with SRLs by Case Type							Percent of Cases with SRLs				
		FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Abuse/Harassment Prevention	Cases with SRLs	69	58	95	89	93	95.8%	93.5%	99.0%	97.8%	96.9%
	Total Cases Disposed	72	62	96	91	96					
Business Litigation	Cases with SRLs	17	25	18	20	23					
	Total Cases Disposed	131	156	168	162	134	13.0%	16.0%	10.7%	12.3%	17.2%
Civil	Cases with SRLs	15,828	15,020	15,852	20,283	28,940	62.4%	64.0%	65.5%	65.5%	67.4%
	Total Cases Disposed	25,363	23,452	24,213	30,971	42,962					
Contract / Business Cases	Cases with SRLs	1,029	782	769	743	656					
	Total Cases Disposed	3,013	2,568	2,764	2,599	2,362	34.2%	30.5%	27.8%	28.6%	27.8%
Domestic Relations	Cases with SRLs	7,036	4,332	6,074	6,729	7,017	67.1%	61.4%	63.6%	64.9%	66.5%
	Total Cases Disposed	10,490	7,058	9,549	10,371	10,547					
Equitable Remedies	Cases with SRLs	501	365	439	428	408					
	Total Cases Disposed	1,222	937	1,127	1,193	1,035	41.0%	39.0%	39.0%	35.9%	39.4%
Equity	Cases with SRLs	38	19	33	26	29	100.0%	100.0%	100.0%	96.3%	96.7%
	Total Cases Disposed	38	19	33	27	30					
Guardianship	Cases with SRLs	876	716	891	835	845	98.5%	98.8%	97.5%	98.1%	98.5%
	Total Cases Disposed	889	725	914	851	858					
Guardianship Managed	Cases with SRLs	9,740	4,791	6,428	6,276	6,600	92.7%	92.1%	92.6%	94.2%	93.6%
	Total Cases Disposed	10,505	5,203	6,944	6,664	7,051					
Harassment	Cases with SRLs	347	171	428	456	633	98.9%	97.7%	98.8%	98.9%	99.8%
	Total Cases Disposed	351	175	433	461	634					
Joint Petition	Cases with SRLs	10,362	5,878	8,512	8,250	7,606	96.2%	93.8%	94.3%	94.5%	94.6%
	Total Cases Disposed	10,769	6,269	9,026	8,734	8,039					

Number of Cases with SRLs by Case Type							Percent of Cases with SRLs				
		FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Miscellaneous *FY20 not available	Cases with SRLs		152	146	147	207					
	Total Cases Disposed		493	508	529	546		30.8%	28.7%	27.8%	37.9%
Paternity Managed	Cases with SRLs	16,050	9,395	12,956	13,408	14,541	99.8%	99.7%	99.8%	99.7%	99.8%
	Total Cases Disposed	16,084	9,425	12,979	13,442	14,569					
Paternity/ Support	Cases with SRLs	250	203	276	243	249	86.8%	90.2%	86.5%	80.7%	82.5%
	Total Cases Disposed	288	225	319	301	302					
Protection from Abuse Managed	Cases with SRLs	6,246	1,221	1,657	1,788	1,884	95.4%	92.1%	91.4%	92.2%	93.7%
	Total Cases Disposed	6,547	1,326	1,812	1,939	2,010					
Real Property	Cases with SRLs	525	419	436	452	415	61.8%	56.9%	53.8%	52.5%	52.6%
	Total Cases Disposed	850	736	810	861	789					
Small Claims	Cases with SRLs	35,681	29,855	38,393	38,936	49,023	91.9%	93.5%	93.9%	92.4%	92.6%
	Total Cases Disposed	38,820	31,927	40,902	42,116	52,919					
Subsequent	Cases with SRLs	355	212	369	330	405					
	Total Cases Disposed	969	514	771	796	913	36.6%	41.2%	47.9%	41.5%	44.4%
Summary Process	Cases with SRLs	19,838	9,473	16,042	24,054	29,051	89.8%	87.0%	86.8%	90.4%	90.6%
	Total Cases Disposed	22,082	10,892	18,474	26,623	32,078					
Supplementary Process	Cases with SRLs	2,894	1,804	2,696	3,112	2,694	91.6%	91.1%	91.4%	92.6%	90.6%
	Total Cases Disposed	3,160	1,980	2,951	3,361	2,972					
Tax Lien	Cases with SRLs	3,129	1,060	1,077	902	1,216	84.0%	87.3%	88.3%	85.8%	84.6%
	Total Cases Disposed	3,723	1,214	1,220	1,051	1,437					
Torts	Cases with SRLs	1,058	875	1,106	1,143	992					
	Total Cases Disposed	8,557	4,724	5,792	5,945	5,492	12.4%	18.5%	19.1%	19.2%	18.1%