

HOUSE No. 1671

The Commonwealth of Massachusetts

PRESENTED BY:

Joseph D. McKenna and Peter J. Durant

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act granting Indian tribes access to the Massachusetts courts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>1/20/2023</i>
<i>Peter J. Durant</i>	<i>6th Worcester</i>	<i>1/31/2023</i>

HOUSE No. 1671

By Representatives McKenna of Webster and Durant of Spencer, a petition (accompanied by bill, House, No. 1671) of Joseph D. McKenna and Peter J. Durant relative to Indian tribe access to the Massachusetts courts. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act granting Indian tribes access to the Massachusetts courts.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 221 of the General Laws as appearing in the 2020 Official Edition is hereby
2 amended by adding the following new section:

3 SECTION X:

4 Section 1. Individual or individuals serving on behalf of an Indian Tribe that has received
5 official recognition by the Commission on Indian Affairs shall be granted permission to
6 represent said Tribe on matters before the full legal system of Massachusetts and shall not be
7 deemed to be in violation of M.G.L. Chapter 221, section 41, M.G.L. Chapter 221, Section 46A,
8 or any other statute prohibiting self-representation or fraudulent practice of law.

9 Section2. Any individual or individuals representing an Indian Tribe before the courts in
10 Massachusetts must submit to the courts an affidavit attesting to their status as a non-lawyer, that
11 they have not passed the Massachusetts bar, and that they are not representing themselves to be a

12 licensed practitioner of law. Failure to provide such affidavit shall constitute a violation of
13 M.G.L. Chapter 221, sections 41 and 46A.

14 Section 3. Such rights and privileges of 'self-representation' may only extend full Tribal
15 matters and shall not extend to individual members of such Tribes.