SENATE DOCKET, NO. 846 FILED ON: 1/20/2011

SENATE . . . . . No. 715

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia S. Creem

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 passage of the accompanying:

An Act relative to insubstantial, frivolous or bad faith claims in district and municipal courts .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Cynthia S. Creem	
	☐ *[District]*
	☐

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SENATE . . . . . No. 715

By Ms. Creem, a petition (accompanied by bill, Senate, No. 715) of Cynthia S. Creem for legislation relative to insubstantial, frivolous or bad faith claims in district and municipal courts. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1637* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to insubstantial, frivolous or bad faith claims in district and municipal courts .

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

SECTION 1. Section 6E of chapter 231 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

"Court," the supreme judicial court, the appeals court, the Boston municipal court, the district court, the housing court, the land court, and the superior court, and any judge or justice thereof;.

SECTION 2. The first paragraph of section 6G of chapter 231 of the General Laws, as so appearing, is hereby amended by inserting after the second sentence thereof the following sentence:- If the matter arises in the district court or in the Boston municipal court, the appeal shall be to a single justice of the appellate division thereof.

SECTION 3. The second paragraph of section 6G of chapter 231 of the General Laws, as so appearing, is hereby amended by inserting after the fourth sentence thereof the following sentence:- Any appeal to the appellate division of the district court or of the Boston Municipal court shall proceed in accordance with the District/Municipal Courts Rules for Appellate Division Appeal.