

HOUSE No. 1651

The Commonwealth of Massachusetts

PRESENTED BY:

Alice Hanlon Peisch

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 bill:

An Act improving the administration of the judicial branch.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Alice Hanlon Peisch	14th Norfolk
Kay Khan	11th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1674 OF .]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT IMPROVING THE ADMINISTRATION OF THE JUDICIAL BRANCH.

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

- 1 SECTION 1. Chapter 211B of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by
2 striking out the title and inserting in place thereof the following title: “ADMINISTRATION OF THE JUDICIAL
3 DEPARTMENT”.
- 4 SECTION 2. Said chapter 211B is hereby amended by striking out section 5 and inserting in place thereof the
5 following section:
6 Section 5. The office of the chief justice of a department of the trial court, as provided in section one, shall
7 not be deemed a judicial office as comprehended under the provisions of Article I of Chapter III of Part the Second
8 of the Constitution. Said office of chief justice shall be filled by appointment, from among the justices appointed to
9 the particular department, by the chief justice for administration and management. A chief justice shall hold said
10 office for a term of five years, and shall be eligible to be reappointed for additional five-year terms. A chief justice,
11 so appointed, may be removed from that office prior to the expiration of his term by the chief justice for
12 administration and management.
- 13 SECTION 3. Said chapter 211B is hereby amended by striking out section 6 and inserting in place thereof the
14 following section:
15 Section 6. The office of the chief justice for administration and management of the trial court, as provided
16 in section one, shall not be deemed a judicial office as comprehended under the provisions of Article I of Chapter III
17 of Part the Second of the Constitution. Said office of chief justice for administration and management shall be filled
18 by appointment, from among the justices of the trial court departments, by the chief justice of the supreme judicial
19 court, subject to the approval of at least three other justices of the supreme judicial court. The chief justice for
20 administration and management shall hold said office for a term of five years, and shall be eligible to be reappointed
21 for additional five-year terms. The chief justice for administration and management may be removed by the chief
22 justice of the supreme judicial court, subject to the approval of a majority of the justices of the supreme judicial
23 court. The chief justice for administration and management shall retain his commission as associate justice of the
24 trial court, or of a predecessor court to which he was appointed, while serving as chief justice for administration and
25 management, and may continue to perform such judicial duties as he may have exercised as associate justice, and
26 such other responsibilities as otherwise provided by law.