

# HOUSE . . . . . No. 2254

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## 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 adoption of the accompanying bill:

An Act improving the administration of the judicial branch.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>1/21/2011</i>

# HOUSE . . . . . No. 2254

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By Ms. Peisch of Wellesley, a petition (accompanied by bill, House, No. 2254) of Alice Hanlon Peisch relative to the administration of the judicial branch. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1651 OF 2009-2010.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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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 2008 Official  
2   Edition, is hereby amended by striking out the title and inserting in place thereof the following  
3   title: “ADMINISTRATION OF THE JUDICIAL DEPARTMENT”.

4           SECTION 2. Said chapter 211B is hereby amended by striking out section 5 and  
5   inserting in place thereof the following section:

6                   Section 5. The office of the chief justice of a department of the trial court, as  
7   provided in section one, shall not be deemed a judicial office as comprehended under the  
8   provisions of Article I of Chapter III of Part the Second of the Constitution. Said office of chief  
9   justice shall be filled by appointment, from among the justices appointed to the particular  
10   department, by the chief justice for administration and management. A chief justice shall hold

11 said office for a term of five years, and shall be eligible to be reappointed for additional five-year  
12 terms. A chief justice, so appointed, may be removed from that office prior to the expiration of  
13 his term by the chief justice for administration and management.

14 SECTION 3. Said chapter 211B is hereby amended by striking out section 6 and  
15 inserting in place thereof the following section:

16 Section 6. The office of the chief justice for administration and management of  
17 the trial court, as provided in section one, shall not be deemed a judicial office as comprehended  
18 under the provisions of Article I of Chapter III of Part the Second of the Constitution. Said office  
19 of chief justice for administration and management shall be filled by appointment, from among  
20 the justices of the trial court departments, by the chief justice of the supreme judicial court,  
21 subject to the approval of at least three other justices of the supreme judicial court. The chief  
22 justice for administration and management shall hold said office for a term of five years, and  
23 shall be eligible to be reappointed for additional five-year terms. The chief justice for  
24 administration and management may be removed by the chief justice of the supreme judicial  
25 court, subject to the approval of a majority of the justices of the supreme judicial court. The  
26 chief justice for administration and management shall retain his commission as associate justice  
27 of the trial court, or of a predecessor court to which he was appointed, while serving as chief  
28 justice for administration and management, and may continue to perform such judicial duties as  
29 he may have exercised as associate justice, and such other responsibilities as otherwise provided  
30 by law.