

**HOUSE . . . . . No. 1438**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Kay Khan*

*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 to ensure fairness in care and protection proceedings.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kay Khan</i>	<i>11th Middlesex</i>	
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>1/28/2013</i>

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By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 1438) of Kay Khan and Marcos A. Devers for legislation to ensure fairness in care and protection proceedings. The Judiciary.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act to ensure fairness in care and protection proceedings.

*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. Section 26 (a) of chapter 119 of the General Laws, as appearing in the  
2 2010 Official Edition, is hereby amended by inserting after the first sentence the following new  
3 sentence:-

4           Any judge who presided at hearings under sections 24 or 25 shall not preside at the  
5 hearing on the merits under this section.