

HOUSE No. 4568

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, December 29, 2014.

The committee on the Judiciary to whom was referred the joint petition (accompanied by bill, House, No. 4560) of James J. O'Day, Bruce E. Tarr and others relative to the disclosure of home addresses and telephone numbers of certain employees of the Department of Children and Families, reports recommending that the accompanying bill (House, No. 4568) ought to pass.

For the committee,

CHRISTOPHER M. MARKEY.

HOUSE No. 4568

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act protecting department of children and families social workers' home addresses.

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. Subclause (o) of clause Twenty-sixth of section 7 of chapter 4 of the
2 General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the
3 word "6", in line 222, the following words:- ; provided, however, that a department of children
4 and families social worker's home address and home telephone number shall not be disclosed in
5 any court proceeding and in any proceeding preliminary thereto unless upon order of a court of
6 competent jurisdiction pursuant to section 135D of chapter 112.

7 SECTION 2. Section 10 of chapter 66 of the General Laws, as so appearing, is hereby
8 amended by inserting after the word "6", in line 73, the following words:- ; provided, however,
9 that a department of children and families social worker's home address and home telephone
10 number shall not be disclosed in any court proceeding and in any proceeding preliminary thereto
11 unless upon order of a court of competent jurisdiction pursuant to section 135D of chapter 112.

12 SECTION 3. Chapter 112 of the General Laws, as so appearing, is hereby amended by
13 inserting after section 135C the following section:-

14 Section 135D. (a) In any court proceeding and in any proceeding preliminary thereto, a
15 social worker employed by the department of children and families shall have the privilege of
16 refusing to disclose and of preventing a witness from disclosing the social worker's home
17 address and home telephone number except as otherwise ordered by the court; provided, that the
18 court enters orders and conditions to limit the disclosure so as to protect the privacy and safety of
19 the social worker.

20 (b) Service of process, summons or subpoena upon a department of children and families
21 social worker in any court proceeding and in any proceeding preliminary thereto, shall be made
22 upon the agency employing such social worker and in accordance with the Massachusetts Rules

23 of Civil or Criminal Procedure governing any service of process. For the purpose of such service
24 the employing agency, upon request, shall certify to the summoning party the name and work
25 address of any such social worker as disclosed by its records, and service upon parties at a work
26 address so certified shall be sufficient.