

HOUSE No. 1245

The Commonwealth of Massachusetts

PRESENTED BY:

Claire D. Cronin

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 relative to parent-child privilege.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Claire D. Cronin</i>	<i>11th Plymouth</i>	<i>1/15/2015</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>9/13/2019</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>9/13/2019</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>9/13/2019</i>
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>9/13/2019</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>9/13/2019</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>9/13/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>9/13/2019</i>

HOUSE No. 1245

By Ms. Cronin of Easton, a petition (accompanied by bill, House, No. 1245) of Claire D. Cronin and others relative to parent-child privilege in delinquency or youthful offender proceedings. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1277 OF 2013-2014.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to parent-child privilege.

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 20 of chapter 233 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by striking out the Fourth clause, and inserting in place
3 thereof the following:-

4 Fourth, in a proceeding before an inquest, grand jury, trial of indictment or complaint, or
5 any other criminal, delinquency or youthful offender proceeding where the victim in such
6 proceeding is not a family member and does not reside in the family household, neither the
7 parent nor minor child shall testify against the other without the other's permission. For the
8 purpose of this clause the term, "parent", shall mean the biological or adoptive parent,
9 stepparent, foster parent, or legal guardian of a child. In cases where the victim is a family
10 member and resides in said household, the parent shall not testify as to any communication with

- 11 such child that was for the purpose of seeking advice regarding the child's legal rights and
- 12 decision making