

# SENATE . . . . . No.

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***Brian A. Joyce***

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*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 concerning the protection of family violence victims in family relations matters.

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PETITION OF:

NAME:

*Brian A. Joyce*

DISTRICT/ADDRESS:

*Norfolk, Bristol and Plymouth*

# SENATE . . . . . No.

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By Mr. Joyce, a petition (accompanied by bill, Senate, No. 0000) (subject to Joint Rule 12) of Brian A. Joyce for legislation relative to the protection of family violence victims in family relations matters. The Judiciary.

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## The Commonwealth of Massachusetts

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

An Act concerning the protection of family violence victims in family relations matters.

*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 208 of the General Laws, as appearing in the 2014 Official Edition,  
2 is hereby amended by adding the following section:

3           Section 34E. (a) In any court proceeding in a child and family relations matter, including,  
4 but not limited to chapters 209, 209A and 209B, the court may, within available resources, upon  
5 motion, order that the testimony of a party or a child who is a subject of the proceeding be taken  
6 outside the physical presence of any other party if a protective order, restraining order or  
7 standing criminal restraining order has been issued on behalf of the party or child, and the other  
8 party is subject to the protective order or restraining order. Such order may provide for the use of  
9 alternative means to obtain the testimony of any party or child, including, but not limited to, the  
10 use of a secure video connection for the purpose of conducting hearings by videoconference.  
11 Such testimony may be taken in a room other than the courtroom or at another location outside  
12 the courthouse or outside the state. The court shall provide for the administration of an oath to

13 such party or child prior to the taking of such testimony in accordance with the rules of the  
14 superior court.

15 (b) Nothing in this section shall be construed to limit any party's right to cross-examine a  
16 witness whose testimony is taken in a room other than the courtroom pursuant to an order under  
17 this section.

18 (c) An order under this section may remain in effect during the pendency of the  
19 proceedings in the child and family relations matter.