

**HOUSE . . . . . No. 1403**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Antonio F. D. Cabral*

*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 transparency in clerk magistrate hearings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>1/20/2023</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>1/26/2023</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	<i>2/1/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/1/2023</i>

**HOUSE . . . . . No. 1403**

By Representative Cabral of New Bedford, a petition (accompanied by bill, House, No. 1403) of Antonio F. D. Cabral and others for legislation to further regulate clerk magistrate hearings. The Judiciary.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act relative to transparency in clerk magistrate hearings.

*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 35A of chapter 218 of the General Laws, as appearing in the 2020 Official  
2 Edition, is hereby amended by inserting the following paragraph:

3 Any hearing held pursuant to this section, and any record associated with such hearing  
4 shall be presumed to be open to the public unless the court, or said officer thereof, makes a  
5 written finding, for good cause shown, that the defendant’s interest in privacy outweighs the  
6 public’s right of access. Any such finding shall be made only after a hearing on the record, in  
7 which the court may permit an interested non-party, who files a notice of appearance limited to  
8 participation in the proceeding, to be heard. Any such finding shall state with specificity the  
9 reason for closing the hearing and shall be narrowly tailored to said reason. All hearings held  
10 pursuant to this section shall be taken stenographically or recorded and transcribed.

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