HOUSE DOCKET, NO. 475 FILED ON: 1/9/2025

HOUSE . . . . . No. 1598

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:
Antonio F. D. Cabral	*13th Bristol*	*1/9/2025*

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HOUSE . . . . . No. 1598

By Representative Cabral of New Bedford, a petition (accompanied by bill, House, No. 1598) of Antonio F. D. Cabral for legislation to further regulate clerk magistrate hearings. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1403* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

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:

Section 35A of chapter 218 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting the following paragraph:

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