

**HOUSE . . . . . No. 1673**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Paul J. Donato***

*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 the efficient management and operation of the registries of probate.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>1/16/2025</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>2/3/2025</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>2/3/2025</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>2/3/2025</i>
<i>Dennis C. Gallagher</i>	<i>8th Plymouth</i>	<i>2/3/2025</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/3/2025</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>3/6/2025</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>3/6/2025</i>
<i>Joan Meschino</i>	<i>3rd Plymouth</i>	<i>3/6/2025</i>
<i>Steven George Xiarhos</i>	<i>5th Barnstable</i>	<i>3/6/2025</i>
<i>Michelle L. Badger</i>	<i>1st Plymouth</i>	<i>3/6/2025</i>
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>3/6/2025</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>3/6/2025</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>3/6/2025</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>3/6/2025</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>3/6/2025</i>
<i>Michael J. Finn</i>	<i>6th Hampden</i>	<i>3/24/2025</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>4/17/2025</i>

*Adam J. Scanlon*  
*Orlando Ramos*

*14th Bristol*  
*9th Hampden*

*4/17/2025*  
*4/28/2025*

**HOUSE . . . . . No. 1673**

By Representative Donato of Medford, a petition (accompanied by bill, House, No. 1673) of Paul J. Donato and others relative to the operation of the registries of probate. The Judiciary.

**The Commonwealth of Massachusetts**

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

An Act relative to the efficient management and operation of the registries of probate.

*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 2 of chapter 217 of the General Laws, as appearing in the 2018  
2 Official Edition, is hereby amended by inserting, in line 14, after the word “including” the  
3 following words:- the selection, appointment, and management of.

4 SECTION 2. Chapter 217 of the General Laws, as appearing in the 2018 Official  
5 Edition, is hereby amended by striking out section 23 in its entirety and inserting in place thereof  
6 the following:-

7 Section 23. The register of the respective courts of the probate and family court  
8 department may, with the approval of the chief justice of the probate and family court, appoint  
9 for a term of 3 years and may, with the approval of the chief justice, remove a first assistant  
10 register of probate. Before entering upon the performance of his duties, a first assistant register  
11 shall take the oath prescribed by the constitution. The appointments shall be as follows:

12 Barnstable, 1 first assistant register

- 13 Berkshire, 1 first assistant register
- 14 Bristol, 1 first assistant register
- 15 Essex, 1 first assistant register
- 16 Franklin, 1 first assistant register
- 17 Hampden, 1 first assistant register
- 18 Hampshire, 1 first assistant register
- 19 Middlesex, 1 first assistant register
- 20 Norfolk, 1 first assistant register
- 21 Plymouth, 1 first assistant register
- 22 Suffolk, 1 first assistant register
- 23 Worcester, 1 first assistant register.

24 SECTION 3. Chapter 217 of the General Laws, as appearing in the 2018 Official  
25 Edition, is hereby amended by striking out section 23A in its entirety and inserting in place  
26 thereof the following:-

27 Section 23A. In addition to the first assistant registers of probate provided for in section  
28 23, the registers of the respective courts of the probate and family court department for the  
29 following counties may, with the approval of the chief justice of the probate and family court,  
30 appoint for terms of 3 years and may, with the approval of the chief justice, remove assistant  
31 registers with the same powers and duties. The appointments shall be as follows:

- 32 Barnstable, 2 assistant registers
- 33 Berkshire, 1 assistant register
- 34 Bristol, 2 assistant registers
- 35 Essex, 3 assistant registers
- 36 Franklin, 1 assistant register
- 37 Hampden, 2 assistant registers
- 38 Hampshire, 1 assistant register
- 39 Middlesex, 4 assistant registers
- 40 Norfolk, 2 assistant registers
- 41 Plymouth, 2 assistant registers
- 42 Suffolk, 2 assistant registers
- 43 Worcester, 2 assistant registers.

44 SECTION 4. Chapter 217 of the General Laws, as appearing in the 2018 Official  
45 Edition, is hereby amended by striking out section 23B in its entirety and inserting in place  
46 thereof the following:-

47 Section 23B. The positions of administrative deputy assistant registers are hereby  
48 eliminated. Notwithstanding the elimination of these positions or any other general or special law  
49 to the contrary, a person employed as an administrative deputy assistant register of probate  
50 pursuant to this section as of the effective date of this act shall continue to be employed as an

51 administrative deputy assistant register of probate and shall continue to serve in that capacity at  
52 the pleasure of the register of probate for that county. The position of administrative deputy  
53 assistant shall continue to meet the definitions of both confidential and managerial employees as  
54 those terms appear in chapter 150E and any individuals continuing to be employed in that  
55 capacity shall perform no official judicial duties.

56 SECTION 5. Chapter 217 of the General Laws, as appearing in the 2018 Official  
57 Edition, is hereby amended by striking out section 23D in its entirety and inserting in place  
58 thereof the following:-

59 Section 23D. In addition to the judicial case managers of the probate and family court  
60 provided for in section 23C, the first justices of the respective courts of the probate and family  
61 court department for the following counties may, with the approval of the chief justice of the  
62 probate and family court, appoint and may, with the approval of the chief justice, remove  
63 assistant judicial case managers with the same powers and duties. The appointments shall be as  
64 follows:

65 Barnstable, 2 assistant judicial case managers

66 Berkshire, 1 assistant judicial case manager

67 Bristol, 5 assistant judicial case managers

68 Essex, 6 assistant judicial case managers

69 Franklin, 1 assistant judicial case manager

70 Hampden, 5 assistant judicial case managers

71 Hampshire, 1 assistant judicial case manager

72 Middlesex, 8 assistant judicial case managers

73 Norfolk, 5 assistant judicial case managers

74 Plymouth, 5 assistant judicial case managers

75 Suffolk, 5 assistant judicial case managers

76 Worcester, 6 assistant judicial case managers.

77 SECTION 6. Section 27A of chapter 217 of the General Laws, as appearing in the 2018  
78 Official Edition, is hereby amended by striking out, in line 4, the words “as such assistant”.

79 SECTION 7. Chapter 217 of the General Laws, as appearing in the 2018 Official  
80 Edition, is hereby amended by striking out section 28 in its entirety and inserting in place thereof  
81 the following:-

82 Section 28. The first justice of the Suffolk county court may, subject to the approval of  
83 the chief justice of the probate and family court, appoint a clerk who may administer the oaths  
84 required in probate proceedings that are not prescribed by law to be administered by the judge or  
85 register and shall perform such clerical and other duties as may be required by the first justice.  
86 The clerk may be removed by the first justice, with the approval of the chief justice. The Suffolk  
87 county register of probate may, with the approval of the chief justice, designate 6 employees as  
88 deputy assistant registers with the same powers as assistant registers and may revoke such  
89 designation with the approval of the chief justice. Four of the deputy assistant registers shall  
90 receive as additional compensation an amount equal to 10 per cent of the annual salary of the  
91 Suffolk county register of probate. Two of the deputy assistant registers shall receive as

92 additional compensation an amount equal to 5 per cent of the annual salary of the Suffolk county  
93 register of probate. Notwithstanding the above, any person designated as a deputy assistant  
94 register of probate pursuant to this section as of the effective date of this act shall continue to  
95 serve in that capacity, as previously provided by this section prior to its amendment and shall  
96 continue to receive 15 per cent of the annual salary of the Suffolk county register of probate until  
97 they are no longer so designated, as previously provided by this section prior to its amendment.  
98 The positions of associate deputy registers, previously provided for, are hereby eliminated.  
99 Notwithstanding the elimination of these positions or any other general or special law to the  
100 contrary, a person designated as an associate deputy register of probate pursuant to this section as  
101 of the effective date of this act shall continue to serve in that capacity and receive the additional  
102 compensation of 7.5 per cent of the annual salary of the Suffolk county register of probate, as  
103 previously provided by this section prior to its amendment, until they are no longer so  
104 designated.

105 SECTION 8. Chapter 217 of the General Laws, as appearing in the 2018 Official  
106 Edition, is hereby amended by striking out section 29 in its entirety and inserting in place thereof  
107 the following:-

108 Section 29. The first justice of the Middlesex county court may, with the approval of the  
109 chief justice of the probate and family court, appoint a clerk who may administer the oaths  
110 required in probate proceedings that are not prescribed by law to be administered by the judge or  
111 register and shall perform such clerical and other duties as may be required by the first justice.  
112 The clerk may be removed by the first justice with the approval of the chief justice. The  
113 Middlesex county register of probate may, with the approval of the chief justice, designate 9  
114 employees as deputy assistant registers with the same powers as assistant registers and with the

115 approval of the chief justice remove a deputy assistant register. Six of the deputy assistant  
116 registers shall receive additional compensation in an amount equal to 10 per cent of the annual  
117 salary of the Middlesex county register of probate. Three of the deputy assistant registers shall  
118 receive as additional compensation an amount equal to 5 per cent of the annual salary of the  
119 Middlesex county register of probate. Notwithstanding the above, any person designated as a  
120 deputy assistant register of probate pursuant to this section as of the effective date of this act  
121 shall continue to be serve in that capacity, as previously provided by this section prior to its  
122 amendment and shall continue to receive 15 per cent of the annual salary of the Middlesex  
123 county register of probate until they are no longer so designated, as previously provided by this  
124 section prior to its amendment.

125 SECTION 9. Chapter 217 of the General Laws, as appearing in the 2018 Official  
126 Edition, is hereby amended by striking out section 29A in its entirety and inserting in place  
127 thereof the following:-

128 Section 29A. The first justice of the Dukes county court may, with the approval of the  
129 chief justice of the probate and family court, appoint a clerk who may administer the oaths  
130 required in probate proceedings that are not prescribed by law to be administered by the judge or  
131 register and shall perform such clerical and other duties as may be required by the first justice,  
132 with the approval of the chief justice. The clerk may be removed by the first justice with the  
133 approval of the chief justice. The Dukes county register of probate may, with the approval of the  
134 chief justice, designate 2 employees as deputy assistant registers with the same powers as  
135 assistant registers and with the approval of the chief justice remove a deputy assistant register.  
136 One deputy assistant register shall receive additional compensation in an amount equal to 10 per  
137 cent of the annual salary of the Dukes county register of probate. One deputy assistant register

138 shall receive additional compensation in an amount equal to 5 per cent of the annual salary of the  
139 Dukes county register of probate. Notwithstanding the above, any person designated as a deputy  
140 assistant register of probate pursuant to this section as of the effective date of this act shall  
141 continue to be serve in that capacity, as previously provided by this section prior to its  
142 amendment and shall continue to receive 15 per cent of the annual salary of the Dukes county  
143 register of probate until they are no longer so designated, as previously provided by this section  
144 prior to its amendment.

145 SECTION 10. Chapter 217 of the General Laws, as appearing in the 2018 Official  
146 Edition, is hereby amended by striking out section 29B in its entirety and inserting in place  
147 thereof the following:-

148 Section 29B. The first justice for the Nantucket county court may, with the approval of  
149 the chief justice of the probate and family court, appoint a clerk who may administer the oaths  
150 required in probate proceedings that are not prescribed by law to be administered by the judge or  
151 register, and shall perform such clerical and other duties as may be required by the first justice,  
152 with the approval of the chief justice. The clerk may be removed by the first justice with the  
153 approval of the chief justice. The Nantucket county register of probate may, with the approval of  
154 the chief justice, designate 2 employees as deputy assistant registers with the same powers as  
155 assistant registers and with the approval of the chief justice remove a deputy assistant register.  
156 One deputy assistant register shall receive additional compensation in an amount equal to 10 per  
157 cent of the annual salary of the Nantucket county register of probate. One deputy assistant  
158 register shall receive additional compensation in an amount equal to 5 per cent of the annual  
159 salary of the Nantucket county register of probate.

160 SECTION 11. Chapter 217 of the General Laws, as appearing in the 2018 Official  
161 Edition, is hereby amended by striking out section 29C in its entirety and inserting in place  
162 thereof the following:-

163 Section 29C. The register of the Barnstable probate court may, with the approval of the  
164 chief justice of the probate and family court, designate 5 employees as deputy assistant registers  
165 with the same powers as assistant registers and with the approval of the chief justice remove a  
166 deputy assistant register. Three deputy assistant registers shall receive additional compensation  
167 in an amount equal to 10 per cent of the annual salary of the Barnstable county register of  
168 probate. Two deputy assistant registers shall receive additional compensation in an amount  
169 equal to 5 per cent of the annual salary of the Barnstable county register of probate.

170 SECTION 12. Chapter 217 of the General Laws, as appearing in the 2018 Official  
171 Edition, is hereby amended by striking out section 29D in its entirety and inserting in place  
172 thereof the following:-

173 Section 29D. The register of the Berkshire probate court may, with the approval of the  
174 chief justice of the probate and family court, designate 3 employees as deputy assistant registers  
175 with the same powers as assistant register and with the approval of the chief justice remove a  
176 deputy assistant register. Two deputy assistant registers shall receive additional compensation in  
177 an amount equal to 10 per cent of the annual salary of the Berkshire county register of probate.  
178 One deputy assistant register shall receive additional compensation in an amount equal to 5 per  
179 cent of the annual salary of the Berkshire county register of probate.

180 SECTION 13. Chapter 217 of the General Laws, as appearing in the 2018 Official  
181 Edition, is hereby amended by striking out section 29E in its entirety and inserting in place  
182 thereof the following:-

183 Section 29E. The register of the Hampden probate court may, with the approval of the  
184 chief justice of the probate and family court, designate 6 employees as deputy assistant registers  
185 with the same powers as assistant registers and with the approval of the chief justice remove a  
186 deputy assistant register. Four deputy assistant registers shall receive additional compensation in  
187 an amount equal to 10 per cent of the annual salary of the Hampden county register of probate.  
188 Two deputy assistant registers shall receive additional compensation in an amount equal to 5 per  
189 cent of the annual salary of the Hampden county register of probate. Notwithstanding the above,  
190 any person designated as a deputy assistant register of probate pursuant to this section as of the  
191 effective date of this act shall continue to serve in that capacity and shall receive additional  
192 compensation in an amount equal to 10 per cent of the annual salary of the Hampden county  
193 register of probate.

194 SECTION 14. Chapter 217 of the General Laws, as appearing in the 2018 Official  
195 Edition, is hereby amended by striking out section 29F in its entirety and inserting in place  
196 thereof the following:-

197 Section 29F. The register of the Worcester probate and family court may, with the  
198 approval of the chief justice of the probate and family court, designate 6 employees as deputy  
199 assistant registers with the same powers as assistant registers and with the approval of the chief  
200 justice remove a deputy assistant register. Four deputy assistant registers shall receive additional  
201 compensation in an amount equal to 10 per cent of the annual salary of the Worcester county

202 register of probate. Two deputy assistant registers shall receive additional compensation in an  
203 amount equal to 5 per cent of the annual salary of the Worcester county register of probate.  
204 Notwithstanding the above, any person designated as a deputy assistant register of probate  
205 pursuant to this section as of the effective date of this act shall continue to serve in that capacity,  
206 as previously provided by this section prior to its amendment and shall continue to receive 15 per  
207 cent of the annual salary of the Worcester county register of probate.

208 SECTION 15. Chapter 217 of the General Laws, as appearing in the 2018 Official  
209 Edition, is hereby amended by striking out section 29G in its entirety and inserting in place  
210 thereof the following:-

211 Section 29G. The register of the Bristol probate and family court may, with the approval  
212 of the chief justice of the probate and family court, designate 6 employees as deputy assistant  
213 registers with the same powers as assistant registers and with the approval of the chief justice  
214 remove a deputy assistant register. Four deputy assistant registers shall receive in addition to  
215 their salaries as employees, additional compensation in an amount equal to 10 per cent of the  
216 annual salary of the Bristol county register of probate. Two deputy assistant registers shall  
217 receive additional compensation in an amount equal to 5 per cent of the annual salary of the  
218 Bristol county register of probate.

219 SECTION 16. Chapter 217 of the General Laws, as appearing in the 2018 Official  
220 Edition, is hereby amended by striking out section 29H in its entirety and inserting in place  
221 thereof the following:-

222 Section 29H. The register of the Hampshire probate and family court may, with the  
223 approval of the chief justice of the probate and family court, designate 3 employees as deputy

224 assistant registers with the same powers as assistant registers and with the approval of the chief  
225 justice remove a deputy assistant register. Two deputy assistant registers shall receive additional  
226 compensation in an amount equal to 10 per cent of the annual salary of the Hampshire county  
227 register of probate. One deputy assistant register shall receive additional compensation in an  
228 amount equal to 5 per cent of the annual salary of the Hampshire county register of probate.  
229 Notwithstanding the above, any person designated as a deputy assistant register of probate  
230 pursuant to this section as of the effective date of this act shall continue to serve in that capacity,  
231 as previously provided by this section prior to its amendment and shall continue to receive 15 per  
232 cent of the annual salary of the Hampshire county register of probate.

233 SECTION 17. Chapter 217 of the General Laws, as appearing in the 2018 Official  
234 Edition, is hereby amended by striking out section 29I in its entirety and inserting in place  
235 thereof the following:-

236 Section 29I. The register of the Plymouth probate and family court may, with the  
237 approval of the chief justice of the probate and family court, designate 6 employees as deputy  
238 assistant registers with the same powers as assistant registers and with the approval of the chief  
239 justice remove a deputy assistant register. Four deputy assistant registers shall receive in addition  
240 to their salaries as employees, additional compensation in an amount equal to 10 per cent of the  
241 annual salary of the Plymouth county register of probate. Two deputy assistant registers shall  
242 receive additional compensation in an amount equal to 5 per cent of the annual salary of the  
243 Plymouth county register of probate.

244 SECTION 18. Chapter 217 of the General Laws, as appearing in the 2018 Official  
245 Edition, is hereby amended by striking out section 29J in its entirety and inserting in place  
246 thereof the following:-

247 Section 29J. The register of the Essex probate and family court may, with the approval of  
248 the chief justice of the probate and family court, designate 6 employees as deputy assistant  
249 registers with the same powers as an assistant register and with the approval of the chief justice  
250 remove a deputy assistant register. Four deputy assistant registers shall receive additional  
251 compensation in an amount equal to 10 per cent of the annual salary of the Essex county register  
252 of probate. Two deputy assistant register shall receive additional compensation in an amount  
253 equal to 5 per cent of the annual salary of the Essex county register of probate.

254 SECTION 19. Chapter 217 of the General Laws, as appearing in the 2018 Official  
255 Edition, is hereby amended by striking out section 29K in its entirety and inserting in place  
256 thereof the following:-

257 Section 29K. The register of the Franklin probate and family court may, with the  
258 approval of the chief justice of the probate and family court, designate 3 employees as deputy  
259 assistant registers with the same powers as an assistant register and with the approval of the chief  
260 justice remove a deputy assistant register. Two deputy assistant registers shall receive in addition  
261 to his salary as an employee, additional compensation in an amount equal to 10 per cent of the  
262 annual salary of the Franklin county register of probate. One deputy assistant register shall  
263 receive additional compensation in an amount equal to 5 per cent of the annual salary of the  
264 Franklin county register of probate.

265 SECTION 20. Chapter 217 of the General Laws, as appearing in the 2018 Official  
266 Edition, is hereby amended by striking out section 29L in its entirety and inserting in place  
267 thereof the following:-

268 Section 29L. The register of the Norfolk probate and family court may, with the approval  
269 of the chief justice of the probate and family court, designate 6 employees as deputy assistant  
270 registers with the same powers as an assistant register and with the approval of the chief justice  
271 remove a deputy assistant register. Four deputy assistant registers shall receive additional  
272 compensation in an amount equal to 10 per cent of the annual salary of the Norfolk county  
273 register of probate. Two deputy assistant register shall receive additional compensation in an  
274 amount equal to 5 per cent of the annual salary of the Norfolk county register of probate.  
275 Notwithstanding the above, any person designated as a deputy assistant register of probate  
276 pursuant to this section as of the effective date of this act shall continue to serve in that capacity,  
277 as previously provided by this section prior to its amendment and shall continue to receive 15 per  
278 cent of the annual salary of the Norfolk county register of probate until they are no longer so  
279 designated, as previously provided by this section prior to its amendment.