

HOUSE No. 1573

The Commonwealth of Massachusetts

PRESENTED BY:

Angelo J. Puppolo, Jr.

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 passage of the accompanying bill:

An Act relative to contracts between court reporters and an attorney or party having a financial interest in an action.

PETITION OF:

NAME:

Angelo J. Puppolo, Jr.

DISTRICT/ADDRESS:

12th Hampden

HOUSE No. 1573

By Mr. Puppolo of Springfield, a petition (accompanied by bill, House, No. 1573) of Angelo J. Puppolo, Jr. relative to contracts between court reporters and attorneys or parties having a financial interest in actions. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to contracts between court reporters and an attorney or party having a financial interest in an action.

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 91D of Chapter 221 of the General Laws, as inserted by Chapter
2 146 of the Acts of 2002, is hereby amended, in subsection (b), by inserting at the end of the first
3 paragraph the following:-

4 It is further prohibited for a court reporter or any person with whom a court reporter has a
5 principal and agency relationship to enter into an agreement for court reporting services that
6 restricts the noticing attorney from using the court reporter or entity providing court reporting
7 services of the attorney’s choosing.

8 SECTION 2. Said section 91D, as so appearing, is hereby further amended by adding at
9 the end thereof the following new subsection (c):-

10 (c) Any court reporter, business, entity, or firm that provides or arranges for court
11 reporting services who willfully violate the provisions of this section shall be subject to a fine or
12 sanction. The fine for a first offense shall be no less than \$5,000. The fine for each subsequent
13 violation shall be increased by an additional \$2,500 per violation. Such fine or sanction shall be
14 administered by the Office of Consumer Affairs and Business Regulation, which shall also have
15 jurisdiction over any businesses, entitles or firms that provide or arrange for court reporting
16 services that violate these prohibitions even if such businesses, entities, or firms are not subject
17 to registration or other regulatory oversight in the state.