

HOUSE No. 1607

The Commonwealth of Massachusetts

PRESENTED BY:

Eugene L. O'Flaherty

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 to authorize Appellate Division appeals on issues of law in small claims.

PETITION OF:

NAME:

Eugene L. O'Flaherty

DISTRICT/ADDRESS:

2nd Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1667 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO AUTHORIZE APPELLATE DIVISION APPEALS ON ISSUES OF LAW IN SMALL CLAIMS.

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 23 of chapter 218 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by striking out the tenth paragraph thereof and inserting in place
3 thereof the following paragraph:-

4 In the Boston municipal court and district court departments, questions of law arising in
5 the disposition before a judge or a jury of a cause under the procedure may be reported or
6 appealed to the appellate division pursuant to the District/Municipal Courts Rules for Appellate
7 Division Appeal.

8 SECTION 2. Section 108 of chapter 231 of the General Laws, as so appearing, is hereby
9 amended by striking out the first sentence thereof and inserting in place thereof the following
10 sentence:- There shall be an appellate division of each district court for the rehearing of matters
11 of law arising in civil cases, in claims of compensation of victims of violent crimes, in civil
12 motor vehicle infractions, and in the disposition before a judge or a jury of a small claim under
13 section 23 of chapter 218.