

HOUSE No. 02254

The Commonwealth of Massachusetts

PRESENTED BY:

Alice Hanlon Peisch

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 improving the administration of the judicial branch.

PETITION OF:

NAME:

Alice Hanlon Peisch

DISTRICT/ADDRESS:

14th Norfolk

HOUSE No. 02254

By Ms. Peisch of Wellesley, a petition (accompanied by bill, House, No. 2254) of Peisch relative to the administration of the judicial branch Joint Committee on the Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 1651 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act improving the administration of the judicial branch.

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. Chapter 211B of the General Laws, as appearing in the 2008 Official Edition, is
2 hereby amended by striking out the title and inserting in place thereof the following title:
3 “ADMINISTRATION OF THE JUDICIAL DEPARTMENT”.

4 SECTION 2. Said chapter 211B is hereby amended by striking out section 5 and inserting in
5 place thereof the following section:

6 Section 5. The office of the chief justice of a department of the trial court, as provided
7 in section one, shall not be deemed a judicial office as comprehended under the provisions of
8 Article I of Chapter III of Part the Second of the Constitution. Said office of chief justice shall be
9 filled by appointment, from among the justices appointed to the particular department, by the

10 chief justice for administration and management. A chief justice shall hold said office for a term
11 of five years, and shall be eligible to be reappointed for additional five-year terms. A chief
12 justice, so appointed, may be removed from that office prior to the expiration of his term by the
13 chief justice for administration and management.

14 SECTION 3. Said chapter 211B is hereby amended by striking out section 6 and inserting in
15 place thereof the following section:

16 Section 6. The office of the chief justice for administration and management of the trial
17 court, as provided in section one, shall not be deemed a judicial office as comprehended under
18 the provisions of Article I of Chapter III of Part the Second of the Constitution. Said office of
19 chief justice for administration and management shall be filled by appointment, from among the
20 justices of the trial court departments, by the chief justice of the supreme judicial court, subject
21 to the approval of at least three other justices of the supreme judicial court. The chief justice for
22 administration and management shall hold said office for a term of five years, and shall be
23 eligible to be reappointed for additional five-year terms. The chief justice for administration and
24 management may be removed by the chief justice of the supreme judicial court, subject to the
25 approval of a majority of the justices of the supreme judicial court. The chief justice for
26 administration and management shall retain his commission as associate justice of the trial court,
27 or of a predecessor court to which he was appointed, while serving as chief justice for
28 administration and management, and may continue to perform such judicial duties as he may
29 have exercised as associate justice, and such other responsibilities as otherwise provided by law.