

HOUSE No. 3770

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 clarify the review of actions of the chief justice for administration and management.

PETITION OF:

NAME:

Eugene L. O'Flaherty

DISTRICT/ADDRESS:

2nd Suffolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO CLARIFY THE REVIEW OF ACTIONS OF THE CHIEF JUSTICE FOR ADMINISTRATION AND MANAGEMENT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 AN ACT TO CLARIFY THE REVIEW OF ACTIONS OF THE CHIEF JUSTICE FOR
2 ADMINISTRATION AND MANAGEMENT

3 SECTION 1. Section 17 of chapter 211B is hereby amended by adding the following phrase at the end of
4 the first sentence “subject to the superintendence power of the supreme judicial court.”

5 SECTION 2. Said Section 17 of chapter 211B is hereby further amended by inserting, after the first
6 sentence in the second paragraph, the following 3 sentences:-

7 In carrying out the duties established by this section, the chief justice for administration and management
8 shall be subject to review exclusively under section 3 of chapter 211. In accordance with section 2 of
9 chapter 213A, the actions of the chief justice for administration and management under this section shall
10 be exempt from review in an action for declaratory relief. Clause (3) of subsection (j) of section 10 of
11 chapter 258 shall not constitute or be construed as a waiver of any immunity applicable to the chief justice
12 for administration and management.