



Commonwealth of Massachusetts
THE TRIAL COURT
PROBATE AND FAMILY COURT DEPARTMENT
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PRESS RELEASE

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**FOR IMMEDIATE RELEASE
TO: Webmaster**

**PROBATE AND FAMILY COURT ANNOUNCES ISSUANCE OF
SCHEDULING PRACTICES and PROCEDURES**

The Probate and Family Court Administrative Office announces the issuance of the Probate and Family Court Scheduling Practices and Procedures, approved by Chief Justice Carey to be effective in all Divisions of the Probate and Family Court beginning April 15, 2010.

These practices and procedures were developed by Chief Justice Carey based on a report from the Probate and Family Court Scheduling Task Force. In response to concerns expressed by the legal community about certain aspects of case scheduling, and, more particularly, about the lack of uniformity in the manner in which cases, motions, etc. are scheduled in the various divisions within the Probate and Family Court Department, Chief Justice Carey created a Task Force to review such matters and to provide her with recommendations for suggested changes to the Probate and Family Court's scheduling practices and procedures. The Task Force convened a total of five regional meetings across the state to meet with members of the bar and others to listen to their concerns and hear their ideas as to how scheduling matters in the Probate and Family Court might be improved. Meetings were held in Southeastern Massachusetts (Dartmouth), Boston, Springfield, Worcester, and Salem. In total approximately 100 attorneys participated. Judges, Registers, and Judicial Case Managers from the nearby courts also attended.

The practices and procedures include the following:

- ▶ Re-statement of the Standing Order 1-06 requirement to review Domestic Relations and Equity cases for service of process.
- ▶ Re-statement of the Standing Order 1-06 requirement of mandatory next event scheduling.
- ▶ Choosing of motion dates by the parties, not the court, unless general session limits are requested by the First Justice and approved by the Chief Justice. An individual session limitation may also be approved by the First Justice.

- ▶ Scheduling pre-trial conferences at staggered times.
- ▶ Procedure for continuances, including emphasis on a limit of one administrative allowance of a joint request to continue, unless good cause is shown..
- ▶ Scheduling hearings on agreements or uncontested matters where final judgment is sought within 30 days of filing.
- ▶ Encouragement of the use of tele-conferences.

These scheduling practices and procedures shall supersede any local rules, practices, or promulgated procedures where there is a conflict.