

**PROPOSED AMENDMENT TO
MASSACHUSETTS SUPERIOR COURT
RULE 22- MONEY PAID INTO COURT**

Propose to delete “five hundred dollars (\$500)” and replace with “five thousand dollars (\$5,000) and add a second paragraph (in bold):

Money paid into court shall be in the custody of the clerk, whose duty it shall be to receive it when paid under the authority of law or rule or order of the court. Any deposit of money in excess of ~~five hundred dollars (\$500.)~~ **five thousand dollars (\$5,000)** paid into court shall be deposited in an interest bearing bank account. He shall pay it as directed by the court; but money paid into court upon tender or otherwise for the present and unconditional use of a party, shall be paid, on request, without special order, with any interest which has accrued thereon, to such party, at whose risk it shall be from the time when it is paid into court. Money payable to a party may be paid to his attorney of record, if authorized by the court.

If money paid into court, through interpleader or otherwise, goes unclaimed for 30 days after the claim(s) of every party to the funds has been eliminated by default or court order, the clerk shall schedule the matter for an assessment hearing, after which the session justice may enter a final judgment escheating the funds to the Commonwealth, provided that no such judgment shall provide for escheat sooner than three years after payment of the funds into court as provided in G. L. c. 201A, § 6.