

SUPREME JUDICIAL COURT

Boston, Massachusetts 02108

NOTICE OF APPROVAL

Notice is hereby given that the Supreme Judicial Court has approved and promulgated rules as further indicated below.

RODERICK L. IRELAND

Chief Justice

1. Court Submitting Rules for Approval:

Superior Court

2. Date Rules Submitted for Approval:

December 23, 2013

3. Date Approved and Promulgated by the Supreme Judicial Court:

February 20, 2014

4. Rules or Rules, or Amendments Thereto, Approved and Promulgated:

Amendment to Superior Court Rule 9A as attached.

Effective date: April 1, 2014

(The original of this notice is to be filed in the office of the Clerk of the Supreme Judicial Court for the Commonwealth, and a copy to be sent by the Clerk to the court which requested approval of the rules.)

**Changes to Superior Court Rule 9A(e)(2)-
Motions Involving Incarcerated Parties**

Changes to Superior Court Rule 9A(e)(2):
[add bolded language]

Motions Involving Incarcerated Parties. Administrative Directive No. 92-1, which governs civil actions filed by a plaintiff who is incarcerated, waives that part of subdivision (b)(2) of this rule that requires the filing of the Rule 9A package. Such waiver also shall apply to motions in civil actions where a defendant is incarcerated and appearing pro se, ~~but only where the incarcerated defendant is the moving party~~ **but all parties, incarcerated or not, must serve copies upon all other parties in the case.**

Final Amended Superior Court Rule 9A(e)(2):

Motions Involving Incarcerated Parties. Administrative Directive No. 92-1, which governs civil actions filed by a plaintiff who is incarcerated, waives that part of subdivision (b)(2) of this rule that requires the filing of the Rule 9A package. Such waiver also shall apply to motions in civil actions where a defendant is incarcerated and appearing pro se, but all parties, incarcerated or not, must serve copies upon all other parties in the case.
(Proposed effective date- April 1, 2014)