

HOUSE No. 1647

By Mr. O’Flaherty of Chelsea, petition of Eugene L. O’Flaherty relative to the appointment of guardians ad litem by the Probate Court in contempt proceedings involving children. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE APPOINTMENT OF A GUARDIAN AD LITEM TO INSTITUTE CONTEMPT PROCEEDINGS INVOLVING THE CARE, CUSTODY OR MAINTENANCE OF MINOR CHILDREN.

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

1 Chapter 215 of the General Laws, as appearing in the 1996 Offi-
2 cial Edition, is hereby amended by striking section 56B and inserting
3 in place thereof the following section:
4 Section 56B. Any judge of a probate and family court may
5 appoint a guardian ad litem to institute contempt proceedings under
6 the provisions of section thirty-four A against any party for failure to
7 obey judgements of the probate and family court involving care, cus-
8 tody or maintenance of minor children, and said guardian ad litem
9 may personally serve throughout the commonwealth any summons
10 or capias incidental to the enforcement of this section. The compen-
11 sation of such guardian ad litem together with any expenses shall be
12 determined by the court and paid as it may order by the defendant or
13 by the Commonwealth, upon certification by the judge to the state
14 treasurer. The state police, local police and probation officers shall
15 assist the guardian ad litem so appointed, upon his request.