

HOUSE No. 1648

By Mr. O’Flaherty of Chelsea, petition of Eugene L. O’Flaherty relative to the appointment of a guardian ad litem to investigate proceeding involving the care, custody or maintenance of minor children and domestic relations matters. 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 INVESTIGATE THE FACTS OF ANY PROCEEDING INVOLVING THE CARE, CUSTODY OR MAINTANANCE OF MINOR CHILDREN AND DOMESTIC RELATIONS MATTERS.

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 56A and
3 inserting in place thereof the following section:—
4 Section 56A. Any judge of a probate and family court may
5 appoint a guardian ad litem to investigate the facts of any proceeding
6 pending in said court relating to or involving questions as to the
7 care, custody or maintenance of minor children and as to any matter
8 involving domestic relations except those for the investigation of
9 which provision is made by section sixteen of chapter two hundred
10 and eight. Said guardian ad litem shall, before final judgment or
11 decree in such proceeding, report in writing to the court the results
12 of the investigation, and such report shall be open to inspection to all
13 the parties in such proceeding or their attorneys. The compensation,
14 together with any expense, shall be fixed by the court and shall be
15 paid by the Commonwealth, upon certificate by the judge to the state
16 treasurer or by one or both of the parties, as the court may order. The
17 state police, local police and probation officers shall assist the
18 guardian ad litem so appointed, upon his request.