

HOUSE No. 1674

By Ms. Peisch of Wellesley, petition of Alice Hanlon Peisch and others relative to the administration of the judicial branch. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT IMPROVING THE ADMINISTRATION OF THE JUDICIAL BRANCH.

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

1 SECTION 1. Chapter 211B of the General Laws, as appearing in
2 the 2004 Official Edition, is hereby amended by striking out the title
3 and inserting in place thereof the following title:—
4 “ADMINISTRATION OF THE JUDICIAL DEPARTMENT”.

1 SECTION 2. Said Chapter 211B is hereby amended by striking
2 out section 5 and inserting in place thereof the following section:—
3 Section 5. The office of the chief justice of a department of the
4 trial court, as provided in section one, shall not be deemed a judicial
5 office as comprehended under the provisions of Article I of Chapter
6 III of Part the Second of the Constitution. Said office of chief justice
7 shall be filled by appointment, from among the justices appointed to
8 the particular department, by the chief justice for administration and
9 management. A chief justice shall hold said office for a term of five
10 years, and shall be eligible to be reappointed for additional five-year
11 terms. A chief justice, so appointed, may be removed from that
12 office prior to the expiration of his term by the chief justice for
13 administration and management.

1 SECTION 3. Said chapter 211B is hereby amended by striking
2 out section 6 and inserting in place thereof the following section:—
3 Section 6. The office of the chief justice for administration and
4 management of the trial court, as provided in section one, shall not
5 be deemed a judicial office as comprehended under the provisions of

6 Article I of Chapter III of Part the Second of the Constitution. Said
7 office of chief justice for administration and management shall be
8 filled by appointment, from among the justices of the trial court
9 departments, by the chief justice of the supreme judicial court, sub-
10 ject to the approval of at least three other justices of the supreme
11 judicial court. The chief justice for administration and management
12 shall hold said office for a term of five years, and shall be eligible to
13 be reappointed for additional five-year terms. The chief justice for
14 administration and management may be removed by the chief justice
15 of the supreme judicial court, subject to the approval of a majority of
16 the justices of the supreme judicial court. The chief justice for
17 administration and management shall retain his commission as asso-
18 ciate justice of the trial court, or of a predecessor court to which he
19 was appointed, while serving as chief justice for administration and
20 management, and may continue to perform such judicial duties as he
21 may have exercised as associate justice, and such other responsibili-
22 ties as otherwise provided by law.