

# HOUSE . . . . . No. 2681

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By Mr. O’Flaherty of Chelsea, petition of Eugene L. O’Flaherty relative to the death of judges in the performance of their duties and survivors benefits. Public Service.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Seven.

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AN ACT RELATIVE TO THE DEATH OF JUDGES IN THE PERFORMANCE OF THEIR DUTIES AND SURVIVORS BENEFITS.

*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 32 of the General Laws is hereby amended by the adding  
2 the following:—  
3 Section 65K. Title. Pension; Death of Judge in Performance of  
4 Duties; Survivor’s Benefits.  
5 In the event that that a Judge or Justice of any Massachusetts  
6 Court dies as a result of other than natural causes in the performance  
7 of his/her duties, the judge’s designated survivors shall receive max-  
8 imum retirement benefits, as if the Judge was fully vested, served  
9 the maximum number of years and reached the age of 70. For the  
10 purposes of this statute, “in the performance of his/her duties” shall  
11 include, but shall not be limited to:— judicial assignments in any  
12 courthouse or other venue, such as hospitals or jails, used to conduct  
13 judicial business; to Emergency Judicial Response System assign-  
14 ments; to approved voluntary or assigned education programs or  
15 other assignment within the scope of his/her employment as a judge  
16 or justice. This statute shall apply to any judge or justice who  
17 deceased after January 2002. Benefits shall be effective at the date of  
18 death.