

SENATE NO. 783



AN ACT RELATIVE TO EXPANDING THE VENUE FOR FILING EMERGENCY PROTECTIVE ORDERS

*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 209A of the General Laws, as appearing in the 2004 Official Edition, is
2 hereby amended by striking out section 2 and inserting in place thereof the following section:-

3 Section 2. (a) Proceedings under this chapter shall be filed, heard and determined in the
4 superior court department or the Boston municipal court department or respective divisions of the
5 probate and family or district court departments having venue over the plaintiff's residence. If the
6 plaintiff has left a residence or household to avoid abuse, such plaintiff shall have the option of
7 commencing an action in the court having venue over such prior residence or household, or in the
8 court having venue over the present residence or household.

9 (b) If a plaintiff demonstrates a substantial likelihood of immediate danger of abuse, a
10 plaintiff who requests a temporary order of any justice of the superior, probate and family, district,
11 or Boston municipal court departments pursuant to this chapter shall not be denied relief because of

12 improper venue. Thereafter, if relief was granted without the filing of a complaint pursuant to this
13 chapter, the plaintiff shall appear in the court having venue over the plaintiff's residence or over a
14 prior residence or household as provided in paragraph (a). Any hearings held on the continuance of
15 such temporary order or on granting other relief as requested by the plaintiff shall be heard in the
16 court having venue over the plaintiff's residence or over a prior residence or household as provided
17 in paragraph (a).