

APPELLATE DIVISIONS OF THE DISTRICT COURT AND BOSTON MUNICIPAL COURT DEPARTMENTS

Revised Guidelines Regarding COVID-19 Internal Operating Procedures

REVISED JULY 29, 2020

The Appellate Divisions provide this revised statement of guidelines and internal operating procedures to assist the public in understanding our administrative responses to the evolving COVID-19 pandemic and related orders of the Supreme Judicial Court. These guidelines are revised in response to the Supreme Judicial Court's June 24, 2020 order in No. OE-144, and replace the guidelines issued by the Appellate Divisions on June 5, 2020.

I. Clerks' Offices. Consistent with the Supreme Judicial Court's June 24, 2020 order, as well as with Trial Court Emergency Administrative Order 20-11, District Court Standing Order 7-20, and BMC Standing Order 8-20,¹ the clerk's office of the District Court Appellate Division and the clerk's office of the Boston Municipal Court Appellate Division remain open to conduct court business virtually in all emergency and non-emergency matters.

An emergency matter in the Appellate Division includes a petition to stay levy on an execution in summary process after denial by a trial court judge. The Appellate Division also has discretion to determine what qualifies as an emergency matter.

For answers to procedural questions about your case, you may contact the clerk's office of the District Court Appellate Division by e-mail at appellatedc@jud.state.ma.us or telephone at 617-788-8810, and the clerk's office of the Boston Municipal Court Appellate Division by e-mail at appellatebmc@jud.state.ma.us or telephone at 617-788-8600. For answers to general questions, please consult the Appellate Division's website at <https://www.mass.gov/district-court-appellate-division>.

II. Filings

To continue to limit the number of persons entering courthouses, you may make a filing in the Appellate Divisions by:

(1) e-mail to the District Court Appellate Division at appellatedc@jud.state.ma.us and to the Boston Municipal Court Appellate Division at appellatebmc@jud.state.ma.us;

(2) mail to the District Court Appellate Division at the Edward W. Brooke Courthouse, AODC Office - First Floor, 24 New Chardon Street, Boston, MA 02114 and to the Boston Municipal Court Appellate Division at the Edward W. Brooke Courthouse, 24 New Chardon Street, Sixth Floor, Boston, MA 02114; or

(3) hand-delivery at drop-boxes at the front of the Edward W. Brooke Courthouse.

If you believe that your appeal concerns an emergency, you are encouraged to submit your filing by e-mail and include your contact information, any relevant docket number(s), a description of the emergency, and the relief sought in the Appellate Division. If you submit an emergency filing in a drop-

¹ All court orders may be found at <https://www.mass.gov/guides/court-system-response-to-covid-19>.

box, you are advised to call the clerk's office of the District Court Appellate Division at 617-788-8810, or the clerk's office of the Boston Municipal Court Appellate Division at 617-788-8600, with the above details.

To facilitate notice and scheduling, you are encouraged to provide your e-mail address in all of your filings to the Appellate Divisions.

III. Deadlines.

There is no further change to statutory deadlines for filing in the Appellate Division. The tolling of the ten-day statutory deadline for filing a petition in the Appellate Division under G.L. c. 231, § 118A, where your deadline expired from March 17, 2020 through June 30, 2020, ended on June 30, 2020 and was not tolled further by the Supreme Judicial Court.

There is no further change to non-statutory deadlines (e.g., appellate brief, status report, opposition to motion) for filing in the Appellate Division. In guidelines issued on June 5, 2020, the Appellate Divisions extended non-statutory deadlines that expired from March 17, 2020 through June 1, 2020 to June 19, 2020. Any other deadline that expired on or after June 2, 2020 remains unchanged, unless you were granted an extension by motion from the Appellate Division.

IV. Hearings.

Until further notice, hearings scheduled by the Appellate Divisions for argument will be conducted virtually on the Zoom platform or telephonically.

Dated: July 29, 2020