

APPELLATE DIVISIONS OF THE DISTRICT COURT AND BOSTON MUNICIPAL COURT DEPARTMENTS

Revised Guidelines Regarding COVID-19 and Internal Operating Procedures

REVISED DECEMBER 18, 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 provide information on the operation of the Appellate Divisions under the Supreme Judicial Court fourth updated order, and replace the guidelines issued by the Appellate Divisions on July 29, 2020.

I. Clerks' Offices. 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.¹

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 whether any other matter qualifies as an emergency.

For answers to general questions, please consult the Appellate Division's website at <https://www.mass.gov/district-court-appellate-division>. For any further 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.

II. Filing and Service

A. Filing. To continue to limit the number of persons entering court houses, where the Appellate Division Rules ([District/Municipal Courts Rules for Appellate Division Appeal](#)) require that you file a document in the trial court or in the Appellate Division, you may file the document in the appropriate location by:

- (1) e-mail
 - File by e-mail in PDF format 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.
 - File by e-mail in PDF format to the District Court from which you are appealing at the court's dedicated e-mail address, [cm\[court\]dc@jud.state.ma.us](mailto:cm[court]dc@jud.state.ma.us), and to the Boston Municipal Court from which you are appealing at the court's dedicated e-mail address, [bmc\[division\]@jud.state.ma.us](mailto:bmc[division]@jud.state.ma.us); or

¹ This is consistent with the SJC Fourth Order, as well as with Trial Court Emergency Administrative Order 20-11, District Court Standing Order 12-20, and BMC Standing Order 13-20. All court orders may be found at <https://www.mass.gov/guides/court-system-response-to-covid-19>.

(2) mail

- File by 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;
- File by mail to the District Court or Boston Municipal Court from which you are appealing; or

(3) hand-delivery at drop-boxes

- Hand deliver your filing to the District Court Appellate Division or Boston Municipal Court Appellate Division at drop-boxes at the front of the Edward W. Brooke Courthouse;
- Hand deliver your filing to the District Court or Boston Municipal Court from which you are appealing at courthouse drop-boxes.

Filings by e-mail must not exceed 25 MB, and PDFs must be as small as possible. Further, if the Appellate Division Rules require that you file multiple copies of a document and you choose to file the document as a PDF by e-mail, you do not need to file more than the PDF document.

B. Emergency Filing in Appellate Division. If you believe that your appeal concerns an emergency, you are encouraged to submit your filing to the Appellate Division 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 by e-mail or in a drop-box, you are also 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.

C. Contact information. To facilitate notice and scheduling, you must provide your e-mail address and telephone number in all of your appellate filings. The Appellate Division will use your e-mail address to send you all notices, orders, and decisions. If you do not provide your e-mail address, the Appellate Division will notify you by mail.

D. Service. Documents that you file in the trial court or Appellate Division for purposes of your appeal may be served on the opposing party by mail, by personal service, or by e-mail as authorized by and consistent with the Supreme Judicial Court's "Order Concerning Email Service in Cases under Rule 5(b) of Mass. Rules of Civil Procedure" and "Updated Order Authorizing Use of Electronic Signatures by Attorneys and Self-Represented Parties."

III. Deadlines.

There is no change to the deadlines for an appeal to the Appellate Division. If you need an extension of time to meet a deadline, you must file a motion for an extension of time, either in the trial court before your appeal is sent to the Appellate Division, or in the Appellate Division after your appeal is sent to 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.

V. Use of E-mail for Final Decisions.

The clerks' offices of Appellate Divisions will e-mail final decisions to the trial court. Courtesy copies will be sent to the parties by e-mail if provided or by mail.

Dated: December 18, 2020