



TRIAL COURT OF MASSACHUSETTS
LAND COURT

FEE GENERATING APPOINTMENTS APPLICATION FORM

EMAIL APPLICATION TO:

Land Court Recorder's Office
ATTN: Mary Armstrong, Assistant Clerk
LandCourt.FeeGenAppt@jud.state.ma.us

SECTION 1 – CONTACT INFORMATION

Name: _____ BBO#: _____

Firm/Organization: _____

Address: _____

Tel. (1): _____ Tel. (2): _____

E-mail: _____ Fax: _____

SECTION 2 – PRIOR APPOINTMENTS

List prior fee generating appointments you have accepted from the Land Court:

APPOINTMENT TYPE

LAND COURT CASE NO(S), CASE NAME(S) AND ASSIGNED JUDGE(S)

Partition Commissioner

List **ALL** appointments; Attach supplement if necessary.

Tax Title Examiner

List the five (5) most recent appointments in the Land Court.

Registration Title Examiner

List the five (5) most recent appointments in the Land Court.

Subsequent Title Examiner

List the five (5) most recent appointments in the Land Court.

Guardian ad Litem

List the five (5) most recent appointments in the Land Court.

Military Attorney

List the five (5) most recent appointments in the Land Court.

Other

List the five (5) most recent appointments in the Land Court.

List fee generating appointments you have accepted from any other courts: *(List the court, appointment type, date, and case no.)*

Have you ever been removed from a case in which you accepted a fee generating appointment or been removed from a Fee Generating Appointment List? If yes, please describe the circumstances of your removal: Yes No

LAND COURT APPLICATION FOR FEE GENERATING APPOINTMENT

Applicant Name: _____

SECTION 3 – PARTITION COMMISSIONER

COMMISSIONER FOR PARTITION OF REAL ESTATE, G.L. c. 241, § 12

Complete this Section if you wish to be included on the Land Court's Partition Commissioner List

To qualify for appointment as a Partition Commissioner, the applicant must be an attorney and member in good standing with the Massachusetts bar with at least ten (10) years of experience practicing in the real estate field and have sufficient skill and expertise to serve as a Partition Commissioner in real estate partition matters. The applicant's experience must include at least three (3) cases involving the partition of real estate, at least one of which has been completed either through partition by division or sale. The applicant must also be insured by professional liability insurance, which covers their activities as a court appointee, with coverage of \$100,000 or more, and be capable of obtaining a bond if ordered by the court to do so.

I certify that I meet the following qualifications:

- I remain in good standing to practice before the courts of the Commonwealth of Massachusetts, I have had no discipline imposed, and I have never been convicted of any felony.
 - I seek an exception due to past discipline that was imposed over ten (10) years ago. *(Attach explanation.)*
- I have at least ten (10) years of experience practicing in the real estate field of law and have sufficient skill and expertise to serve as a Partition Commissioner in real estate partition matters.
- I am familiar with real estate law in Massachusetts; Land Court practice and procedures, rules, and standing orders; and cases involving G.L. c. 241.
- I have worked on at least three (3) cases involving the partition of real estate, at least one of which has been completed, either through partition by division or a sale, as set forth below (may include other court departments):

Court/Division	Docket No.	Case Name	Role*

* As either a Commissioner, Attorney for Plaintiff/Petitioner or Defendant/Respondent, Guardian ad Litem, or other Appointee

- I am currently insured by professional liability insurance that would cover my activities as a Partition Commissioner with coverage of \$100,000 or more, as set forth below:

Insurance Co.	Policy No.	Liability Limits

- I will obtain a surety bond to secure the faithful performance of my duties as an appointee, including any responsibilities for handling funds during the course of the case, when required to do so by the court.

Available Regions

I will accept Partition Commissioner from the Land Court in the following regions *(check all that apply)*:

- Berkshire, Franklin, Hampden, Hampshire, Worcester
- Essex, Middlesex, Norfolk, Suffolk
- Barnstable, Bristol, Dukes, Nantucket, Plymouth

LAND COURT APPLICATION FOR FEE GENERATING APPOINTMENT

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SECTION 4 – TAX TITLE EXAMINER

LAND COURT TAX TITLE EXAMINER, G.L. c. 60, § 66

Complete this Section if you wish to be included on the Land Court's Tax Title Examiner List

The Land Court appoints Tax Title Examiners pursuant to G.L. c. 60, § 66, in every Tax Lien foreclosure case. The appointed Tax Title Examiner is responsible for conducting an examination of the title sufficient to determine the persons who may be interested in the subject property (e.g. equity owners, mortgagees, lienors, attaching creditors or otherwise), and filing a report of the same with the court.

To serve as a Land Court Tax Title Examiner, the applicant must be an attorney and member in good standing with the Massachusetts bar with at least three (3) years of experience practicing in the real estate conveyancing field of law and sufficient skill and expertise to serve as a Title Examiner in Land Court Tax Lien foreclosure cases. Applicants must have familiarity with cases involving foreclosure of tax titles under G.L. c. 60 and must also submit a sample abstract of title.

I certify that I meet the following qualifications:

- I remain in good standing to practice before the courts of the Commonwealth of Massachusetts, I have had no discipline imposed, and I have never been convicted of any felony.
 - I seek an exception due to past discipline that was imposed over three (3) years ago. *(Attach explanation.)*
- I have at least three (3) years of experience practicing in the real estate conveyancing field of law and have sufficient skill and expertise to serve as a Tax Title Examiner in Land Court cases.
- I am familiar with real estate law in Massachusetts; Land Court practice and procedures, rules, and standing orders; and cases involving tax title foreclosure under G.L. c. 60.
- I have included with my application a sample abstract of title that I have completed.

Available Regions

I will accept Tax Title Examination appointments from the Land Court in the following regions *(check all that apply)*:

- Berkshire, Franklin, Hampden, Hampshire, Worcester
- Essex, Middlesex, Norfolk, Suffolk
- Barnstable, Bristol, Dukes, Nantucket, Plymouth

LAND COURT APPLICATION FOR FEE GENERATING APPOINTMENT

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SECTION 5 – REGISTERED LAND TITLE EXAMINER

LAND COURT REGISTERED LAND TITLE EXAMINER, G.L. c. 185

Complete this Section if you wish to be included on the Land Court's Registration or Subsequent Case Title Examiner Lists

The Land Court may appoint attorney title examiners in original Registration and Confirmation (REG) cases and many types of Subsequent to Registration (SBQ) cases ("S cases"), pursuant to G.L. c. 185. Registration and Subsequent case Title Examiners are responsible for determining the persons who may be interested in the subject property and entitled to notice; investigating all facts stated in the complaint; rendering an opinion on the suitability of title for registration (or the withdrawal of title from registration) or such other issues designated by the court or requested by the parties.

To serve as a Land Court Registered Land Title Examiner, the applicant must be an attorney and member in good standing with the Massachusetts bar with at least three (3) years of experience practicing in the real estate conveyancing field of law and sufficient skill and expertise to serve as a Title Examiner in Land Court registered land cases. Applicants must have familiarity with cases involving registered land under G.L. c. 185 and must also submit a sample abstract of title.

I certify that I meet the following qualifications:

- I remain in good standing to practice before the courts of the Commonwealth of Massachusetts, I have had no discipline imposed, and I have never been convicted of any felony.
 - I seek an exception due to past discipline that was imposed over three (3) years ago. *(Attach explanation.)*
- I have at least three (3) years of experience practicing in the real estate conveyancing field of law and have sufficient skill and expertise to serve as a Title Examiner in Land Court registered land cases.
- I am familiar with real estate law in Massachusetts; Land Court practice and procedures, rules, and standing orders; and cases involving registered land under G.L. c. 185.
- I have included with my application a sample abstract of title that I have completed.

List Selection

- I wish to be included on the Land Court's **Subsequent Case Title Examiner List** and I certify that I am familiar with real estate conveyancing law involving registered land under G.L. c. 185.
- I wish to be included on the Land Court's **Registration Case Title Examiner List** and I certify that I am familiar with original land registration and confirmation cases under G.L. c. 185.

Available Regions

I will accept Registered Land Title Examination appointments from the Land Court in the following regions *(check all that apply)*:

- | | | |
|--|--|---|
| <input type="checkbox"/> Berkshire, Franklin, Hampden,
Hampshire, Worcester | <input type="checkbox"/> Essex, Middlesex, Norfolk,
Suffolk | <input type="checkbox"/> Barnstable, Bristol, Dukes,
Nantucket, Plymouth |
|--|--|---|

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SECTION 6 – GUARDIAN AD LITEM

LAND COURT GUARDIAN AD LITEM

G.L. c. 185, § 40 (Registration), G.L. c. 240, § 8 (Miscellaneous),

G.L. c. 241, § 9 (Partition), G.L. c. 60, § 80B, ¶ 4 (Tax)

Complete this Section if you wish to be included on the Land Court's Guardian ad Litem List

A Guardian ad Litem is an objective, independent appointee who represents and protects the interests of a person involved in a Land Court case who:

- has not been actually served or given notice and who has not appeared;
- is a minor or under other disability and has no guardian or other legal representative within the Commonwealth;
- is incompetent or incapacitated as defined in G.L. c. 190B; or,
- is not in being, unascertained, unknown, or outside of the Commonwealth.

A Guardian ad Litem does not act as the attorney for the interested person.

To serve as a Land Court Guardian ad Litem, the applicant must be an attorney and member in good standing with the Massachusetts bar with at least three (3) years of experience practicing in the real estate field of law and sufficient skill and expertise to serve as a Guardian ad Litem in Land Court cases. Applicants must have familiarity with Land Court cases involving G.L. c. 185, c. 240, c. 241, and c. 60.

I certify that I meet the following qualifications:

- I remain in good standing to practice before the courts of the Commonwealth of Massachusetts, I have had no discipline imposed, and I have never been convicted of any felony.
 - I seek an exception due to past discipline that was imposed over three (3) years ago. *(Attach explanation.)*
- I have at least three (3) years of experience practicing in the real estate field of law and have sufficient skill and expertise to serve as a Guardian ad Litem in Land Court cases.
- I am familiar with real estate law in Massachusetts; Land Court practice and procedures, rules, and standing orders; and cases involving G.L. c. 185, c. 240, c. 241, and c. 60.

Available Regions

I will accept Guardian ad Litem appointments from the Land Court in the following regions *(check all that apply)*:

- Berkshire, Franklin, Hampden, Hampshire, Worcester
- Essex, Middlesex, Norfolk, Suffolk
- Barnstable, Bristol, Dukes, Nantucket, Plymouth

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SECTION 7 – MILITARY ATTORNEY

LAND COURT MILITARY ATTORNEY, 50 U.S.C. §§ 3901 *et seq.*

Complete this Section if you wish to be included on the Land Court's Military Attorney List

A Military Attorney is appointed in cases to represent and protect the interests of a person who is in the military service who may be in default of any appearance in a Land Court case, including a Servicemembers case. Appointed Military Attorneys act within the framework of the federal law known as the Servicemembers Civil Relief Act (SCRA), 50 U.S.C. § 3901, *et seq.*, which provides legal and financial protections for military members and their families and temporarily suspends judicial and administrative proceedings and transactions that may impair the rights of servicemembers during their military service. The Military Attorney is responsible for attempting to find and speak to the servicemember to determine if there are any legal grounds to oppose the plaintiff's case. The Military Attorney may also appear before the court on behalf of the servicemember, and advocate for any protections under the SCRA to which the servicemember may be entitled.

To serve as a Land Court Military Attorney, the applicant must be an attorney and member in good standing with the Massachusetts bar with at least three (3) years of experience practicing in the real estate field and have sufficient skill and expertise to serve as a Military Attorney in Land Court cases. Applicants must have familiarity with the Servicemembers Civil Relief Act (SCRA) and the Massachusetts procedures established thereunder.

I certify that I meet the following qualifications:

- I remain in good standing to practice before the courts of the Commonwealth of Massachusetts, I have had no discipline imposed, and I have never been convicted of any felony.
 - I seek an exception due to past discipline that was imposed over three (3) years ago. (*Attach explanation.*)
- I have at least three (3) years of experience practicing in the real estate field of law and have sufficient skill and expertise to serve as a Military Attorney in Land Court cases.
- I am familiar with real estate law in Massachusetts; Land Court practice and procedures, rules, and standing orders; and the requirements of the Servicemembers Civil Relief Act 50 U.S.C. §§ 3901 *et seq.* and the Massachusetts procedures established thereunder (see Chapter 57 of the Acts of 1943, as amended).

Available Regions:

I will accept Military Attorney appointments from the Land Court in the following regions (*check all that apply*):

- | | | |
|--|--|---|
| <input type="checkbox"/> Berkshire, Franklin, Hampden,
Hampshire, Worcester | <input type="checkbox"/> Essex, Middlesex, Norfolk,
Suffolk | <input type="checkbox"/> Barnstable, Bristol, Dukes,
Nantucket, Plymouth |
|--|--|---|

LAND COURT APPLICATION FOR FEE GENERATING APPOINTMENT

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SECTION 8 – CERTIFICATIONS & SIGNATURE

CERTIFICATIONS

If I am approved by the Land Court to accept appointments, I understand and certify:

- No payment shall be made or received on account of any appointment until I file with the Recorder's Office a statement under the penalties of perjury, certifying the services provided, amount of payment, and itemization of expenses. I shall not make any payment to myself until such payment is approved by the court ([SJC Rule 1:07\(7\)](#)).
- I shall not accept reappointment in any case unless I have filed a certification that all fee reports for payments received in the previous fiscal year have been filed ([SJC Rule 1:07\(8\)](#)).
- Except in cases where the applicable fee is set by the court, I shall not charge more than my usual and customary fees for comparable legal services when serving as a Land Court appointee. The court may review my fees or fee estimates in any given case for reasonableness. My current usual and customary rate for legal services is:

- Any failure by me to abide by the orders and deadlines set forth by the Land Court in any case in which I have been appointed, or to perform my duties as an appointee in accordance with the skills, expertise, and experience expected of the role, may be grounds for my temporary suspension and/or involuntary removal from the Land Court's Fee Generating Appointment List(s) (see [SJC Rule 1:07](#), Uniform Practice I).
- I must maintain my good standing with the Massachusetts bar to accept fee generating appointments from the Land Court and I shall immediately notify the Recorder's Office if any disciplinary proceedings are instituted against me. The institution of any disciplinary proceeding by the Massachusetts Board of Bar Overseers may be grounds for my temporary suspension and/or involuntary removal from the Land Court's Fee Generating Appointment List(s) (see [SJC Rule 1:07](#), Uniform Practice I).
- I shall email or mail to the Land Court Recorder's Office, a certificate of my good standing as a member of the Massachusetts bar (issued within the last thirty (30) days) every three (3) years by **January 1** starting in 2025, as a condition of my continued eligibility to accept fee generating appointments from the Land Court.

I have included the following required documents along with this application:

- A copy of my current resume setting forth my educational background, year of admission to the bar, and experience in the required field(s).
- A certificate of my good standing as a member of the Massachusetts bar, issued within the last thirty (30) days.
- Two (2) letters of recommendation from members of the Massachusetts bar familiar with my work.
- A sample abstract of title that I have completed (*required only if you are requesting to be added to the **Tax Title Examiner List** and/or the **Registered Land Title Examiner Lists***).

SIGNED UNDER PENALTY OF PERJURY

I certify under penalty of perjury that all the information included in this application and the required documentation submitted with the application is true and complete.

Signature: _____ Date: _____