

Massachusetts General Laws cited in the Massachusetts Guide to Evidence (*inexhaustive list*)

March 13, 2023

Article I General Provisions

[MGL c. 231, § 119](#) Preserving claim of error;
[MGL c. 231, § 132](#) Error affecting substantial rights;
[MGL c. 278, § 33E](#) Review of capital cases, law and evidence

Article II Judicial Notice

[MGL c. 30A, § 6](#) Mass. Register

Article III Inferences, Prima Facie Evidence and Presumptions

[MGL c. 22C, § 39](#) Certificate of chemical analysis of narcotics;
[MGL c. 46, § 19](#) Birth, marriage, or death certificate;
[MGL c. 90, § 24\(4\)](#) Court record of a prior conviction if accompanied by other documentation;
[MGL c. 185C, § 21](#) Report of inspector in housing court;
[MGL c. 233, § 79F](#) Certificate of public way;
[MGL c. 269, § 11C](#) Firearm with obliterated serial number.

Article IV Relevancy and its limits

[MGL c. 231, § 60G](#) Reduction of award, collateral sources of benefits;
[MGL c. 231, § 140B](#) Evidence of payments by insurer not admissible;
[MGL c. 233, § 21](#) Evidence of prior convictions to affect credibility;
[MGL c. 233, § 21A](#) Evidence of reputation;
[MGL c. 233, § 21B](#) Evidence of sex crime victim's sexual conduct;
[MGL c. 233, § 23D](#) Admissibility of benevolent statements... relating to accident victim;
[MGL c. 233, § 23C](#) Statements during mediation;
[MGL c. 233, § 23F](#) Past abuse of defendant;
[MGL c. 233, § 79L](#) Statements by health care provider;
[MGL c. 233, § 79G](#) Medical services billing;
[MGL c. 265, § 13B, § 13F, § 13H, § 22, § 22A, § 23, § 24, § 24B](#), and
[MGL c. 272, § 29A](#) (Evidence of a victim's sexual conduct cannot be introduced for any of the listed crimes)
[MGL c. 277, § 63](#) Corroborating evidence after 27 years for indictment;

Article V Privileges and Disqualifications

[MGL c. 4, § 6](#), Twenty-sixth (documents and records);
[MGL c. 6, § 167 et seq.](#) (Criminal Offender Record Information [C.O.R.I.]);
[MGL c. 41, § 97D](#) (Reports of rape and sexual assault);
[MGL c. 62C, § 21, § 22](#) Tax returns;
[MGL c. 62C, § 74](#) Tax return preparer;
[MGL c. 66, § 10](#) Public records;
[MGL c. 66A, § 1, § 2](#) (Personal data held by Commonwealth agencies);

[MGL c. 71, § 34D](#) Student records;
[MGL c. 71B, § 3](#) Special needs student records;
[MGL c. 111, § 1, § 204, § 205](#) Medical peer review committee;
[MGL c. 111, § 70, § 70E](#) (Hospital records);
[MGL c. 111, § 70F](#) (HIV test results);
[MGL c. 111, § 70G](#) (Genetic testing);
[MGL c. 111B, § 11](#) (Alcohol treatment);
[MGL c. 111E, § 18](#) (Drug treatment);
[MGL c. 112, § 129A](#) (Psychologist-patient communications);
[MGL c. 112, § 135, § 135A, § 135B](#) (Social workers);
[MGL c. 112, § 172, § 172A](#) Allied mental health and human service professionals;
confidential communications; waiver;
[MGL c. 119, § 51A](#) Child abuse reporting by clergy;
[MGL c. 119, § 51E](#) (Department of Children and Families records);
[MGL c. 119, § 60, § 60A](#) (Juvenile records);
[MGL c. 123, § 36, § 36A](#) (Department of Mental Health records);
[MGL c. 123B, § 17](#) (Department of Developmental Services records);
[MGL c. 127, § 130](#) (Parole board);
[MGL c. 127, § 29](#) (Department of Correction records);
[MGL c. 148, § 32](#) (Sire insurance);
[MGL c. 151A, § 46](#) Unemployment hearing privilege.
[MGL c. 221, § 92A](#) Sign language interpreters, confidentiality;
[MGL c. 221C, § 1, § 4](#) Interpreter client privilege;
[MGL c. 233, § 20A](#) Communication with clergy;
[MGL c. 233, § 20](#) Competency of witnesses; husband and wife; criminal defendant;
parent and child;
[MGL c. 233, § 20B](#) (Psychologists and psychotherapists);
[MGL c. 233, § 20J](#) Sexual assault counselor privilege;
[MGL c. 233, § 20K](#) Domestic violence counselors;
[MGL c. 233, § 20M](#) Communication between human trafficking victim & case worker;
[MGL c. 233, § 21](#) Proof of conviction of crime to affect credibility of witness;
[MGL c. 233, § 23B](#) Statements made while undergoing psychiatric examination;
[MGL c. 233, § 23C, MGL c.150, § 10A](#) Mediators;
[MGL c. 233, §§ 20D–20I](#) (Statutes governing the granting of immunity);
[MGL c. 273, § 7](#) Spousal privileges exceptions;
[MGL c. 278, § 23](#) Adverse inference from claim of privilege;

Article VI Witnesses

[MGL c. 119, § 60](#) Delinquent children;
[MGL c. 123, § 19](#) Mental condition;
[MGL c. 221C, § 4](#) Interpreter oath;
[MGL c. 231, § 87](#) Pleadings as evidence;
[MGL c. 231, § 89](#) Use of answers to interrogatories;

[MGL c. 233, § 19](#) Religious beliefs;
[MGL c. 233, § 20](#) Competency;
[MGL c. 233, § 21](#) Conviction of a crime to affect credibility;
[MGL c. 233, § 21A](#) Evidence of reputation;
[MGL c. 233, § 22](#) Cross examination of adverse party;
[MGL c. 233, § 23](#) Impeachment of party's own witness;
[MGL c. 233, § 23E](#) Mental condition;
[MGL c. 234A, § 39](#) Discharge of juror;

Article VII Opinion and Expert Evidence

[MGL c. 119, § 21, § 24](#) Child custody investigations, abandoned children;
[MGL c. 123, § 15](#) Competence to stand trial investigation;
[MGL c. 215, § 56A](#) Court appointed experts, investigators.

Article VIII Hearsay

[MGL c. 46, § 19](#) birth, marriage, and death records;
[MGL c. 79, § 35](#) Assessed valuation of real estate;
[MGL c. 90, § 30](#) records of the Registry of Motor Vehicles;
[MGL c. 106, § 2-724](#) Admissibility of market quotations;
[MGL c. 111, § 70](#) Hospital records
[MGL c. 111, § 195](#) Certain lead inspection reports;
[MGL c. 119, § 24](#) Court investigation reports;
[MGL c. 119, § 51A, § 51B](#) Department of Children and Families reports;
[MGL c. 123A, § 14](#) Police reports on prior sexual offenses; Facts in public records as prima facie:
[MGL c. 123A, § 14\(c\)](#) public records at trial on whether person is sexually dangerous;
[MGL c. 123A, § 6A, § 9](#) Sexually dangerous person statute;
[MGL c. 139, § 9](#) Nuisance building, general reputation;
[MGL c. 152, § 20A, § 20B](#) Medical reports;
[MGL c. 175, § 4\(7\)](#) Report of Commissioner of Insurance;
[MGL c. 183, § 5A](#) Statements relating to title;
[MGL c. 185C, § 21](#) Housing inspection report;
[MGL c. 207, § 45](#) Marriage records;
[MGL c. 231, § 89](#) Use of answers to interrogatories;
[MGL c. 233, § 65](#) Admissibility of declaration of decedent;
[MGL c. 233, § 65A](#) Answers to interrogatories of deceased party;
[MGL c. 233, § 66](#) Evidence in actions against personal representative
[MGL c. 233, § 69](#) Records of other courts;
[MGL c. 233, § 70](#) Judicial notice of foreign law
[MGL c. 233, § 78, § 79J](#) Business records;
[MGL c. 233, § 79](#) Hospital records;
[MGL c. 233, § 79B](#) Publicly issued compilations of fact;
[MGL c. 233, § 79C](#) Treatises in malpractice actions;

[MGL c. 233, § 79F](#) Certificate of public way;
[MGL c. 233, § 79G](#) Medical and hospital bills;
[MGL c. 233, § 79H](#) Medical reports of deceased physicians;
[MGL c. 233, § 80](#) Official transcripts;
[MGL c. 233, § 81](#), [§ 82](#) Admissibility of out of court statements, sexual contact, criminal, civil;
[MGL c. 233, § 83](#) Admissibility of out of court statements, sexual conduct, child custody;
[MGL c. 239, § 8A, ¶ 3](#) Board of health inspection report if certified by inspector who conducted the inspection;
[MGL c. 276, § 58](#) Considerations for release on personal recognizance;
[MGL c. 276, § 58A](#) Conditions for release, offenses physical force;
[MGL c. 278, § 16D](#) Child witness testimony;

Article IX Authentication and Identification

[MGL c. 9, § 11](#) Great seal, copies as evidence
[MGL c. 30A, § 6](#) Mass. Register
[MGL c. 66, § 5](#) Municipal records
[MGL c. 66, § 7](#) Town clerk, custody of old records
[MGL c. 66, § 16](#) Surrender of old church records,
[MGL c. 90, § 30](#) Records of RMV;
[MGL c. 111, § 195](#) Lead poisoning detection report,
[MGL c. 209C, § 16](#) Paternity, testimony, evidence
[MGL c. 209C, § 17](#) Genetic marker tests
[MGL c. 231, § 69](#) Admissions, demand and answers
[MGL c. 233, § 68](#) Proof of signature
[MGL c. 233, § 69](#) Records of courts of other states or U.S.;
[MGL c. 233, § 73](#) Foreign oaths and affidavits;
[MGL c. 233, § 74](#) Acts of incorporation;
[MGL c. 233, § 75](#) Printed copies of acts of legislative and administrative bodies;
[MGL c. 233, § 76](#) Authenticated records of government departments;
[MGL c. 233, § 76A](#) Records of SEC;
[MGL c. 233, § 77](#) Records of banks;
[MGL c. 233, § 78](#) Impeachment of certain business records
[MGL c. 233, § 79](#) Hospital records
[MGL c. 233, § 79A](#) Certified copies of public and private records
[MGL c. 233, § 79B](#) Occupational published statements of fact
[MGL c. 233, § 79C](#) Scientific publications
[MGL c. 233, § 79D](#) Photographic copy of newspaper in library
[MGL c. 233, § 79G](#) Medical and hospital services records
[MGL c. 233, § 79J](#) Business records
[MGL c. 233, § 80](#) Court transcripts from stenographic notes

Article X Contents of Writings and Records

[MGL c. 233, § 76](#) Attested-to records of governmental departments;
[MGL c. 233, § 76A](#) Properly authenticated copies of documents filed with the SEC;
[MGL c. 233, § 77](#) Copies of books, etc., of trust companies and banks;
[MGL c. 233, § 78](#) Court may order originals
[MGL c. 233, § 79A](#) Duly certified copies of public, bank, insurance, and hospital records;
[MGL c. 233, § 79D](#) Duly certified copies of newspapers deposited in certain public and college libraries;
[MGL c. 233, § 79E](#) Reproductions made in the regular course of business;
[MGL c. 233, § 79K](#) Duplicate of a computer data file or program file unless issue as to authenticity or unfair to admit

Article XI Miscellaneous sections

[MGL c. 6, § 178L](#) Classification of sex offenders
[MGL c. 30A, § 11](#) Agency adjudicatory proceedings
[MGL c. 71B, § 3](#) Special education records, confidential, not privileged
[MGL c. 79, § 22](#) Eminent Domain, view
[MGL c. 80, § 9](#) Trial procedure tax abatement
[MGL c. 111, § 70](#) Hospital records
[MGL c. 111B, § 11](#) Alcoholism treatment records
[MGL c. 111E, § 18](#) Drug rehab treatment records
[MGL c. 112, § 135, § 135A, § 135B](#) Social worker communications
[MGL c. 119, § 24](#) Court reports, child custody investigator reports
[MGL c. 119, § 21A](#) Care & protection, evidence, qualified experts
[MGL c. 119, § 29](#) Right to counsel
[MGL c. 119, § 29D](#) Foster and pre adoptive parents testimony
[MGL c. 119, § 60](#) Delinquent children, admissibility of adjudication
[MGL c. 123, § 1](#) Likelihood of serious harm, definitions
[MGL c. 123, § 7, § 8](#) Commitment, dangerous persons
[MGL c. 123, § 8B](#) Hearing for treatment of persons with antipsychotic medication
[MGL c. 123, § 35](#) Commitment substance abuse, alcoholism
[MGL c. 123, § 36](#) Mental health facility records
[MGL c. 123A, § 1, § 6A, § 9, § 12, § 13, § 14, § 15](#) Sexually dangerous persons
[MGL c. 152, § 2](#) Investigations, Industrial Accidents Division
[MGL c. 209A, § 1, § 3A, § 3B, § 4, § 5, § 7](#) Abuse prevention
[MGL c. 210, § 3](#) Adoption plan report, testimony
[MGL c. 218, § 21, § 22](#) Small claims
[MGL c. 218, § 35A](#) Pre-complaint hearing
[MGL c. 233, § 20](#) Witness competency
[MGL c. 233, § 20B](#) Psychotherapists, communications
[MGL c. 233, § 22](#) Cross of adverse witness, parent
[MGL c. 233, § 78](#) Business records, impeachment
[MGL c. 233, § 79](#) Observations by experts

[MGL c. 233, § 79G](#) Medical and hospital services, evidence
[MGL c. 233, § 82, § 83](#) Children's out of court statements
[MGL c. 234A, § 67A](#) Examination of jurors
[MGL c. 234A, § 69A](#) View
[MGL c. 253, § 7](#) Mill flowage, view
[MGL c. 258B, § 1](#) Restitution
[MGL c. 258B, § 3](#) Rights of victims, witnesses
[MGL c. 258E, § 1](#) Harassment prevention
[MGL c. 276, § 55](#) Discharge on acknowledgment of satisfaction
[MGL c. 276, § 57](#) Bail revocation
[MGL c. 276, § 58A](#) Pretrial dangerousness hearing
[MGL c. 276, § 85](#) Probation officer, info for sentencing
[MGL c. 276, § 85B](#) Reports of P & F probation in writing
[MGL c. 276, § 87, § 87A](#) Restitution, probation
[MGL c. 276, § 92A](#) Restitution, MV theft or fraudulent claims
[MGL c. 276, § 100](#) Reports of probation work
[MGL c. 277, § 68](#) Subpoenas by AG and district attorneys
[MGL c. 279, § 1](#) Suspension of execution; payment of fine; probation; revocation of suspension
[MGL c. 280, § 6](#) Costs as penalty