

MEMORANDUM #15, 2008

Commonwealth of Massachusetts | Public Employee Retirement Administration Commission
Five Middlesex Avenue, Suite 304, Somerville, MA 02145
Ph 617 666 4446 | Fax 617 628 4002 | TTY 617 591 8917 | www.mass.gov/perac
Domenic J. F. Russo, *Chairman* | A. Joseph DeNucci, *Vice Chairman*
Mary Ann Bradley | Paul V. Doane | Kenneth J. Donnelly | James M. Machado | Donald R. Marquis
Joseph E. Connarton, *Executive Director*

MEMORANDUM

TO: All Retirement Boards

FROM: Joseph E. Connarton, Executive Director

RE: Confidentiality of Domestic Relations Orders, Standing Order 3-08

DATE: March 31, 2008

The Chief Justice of the Probate and Family Court has issued Standing Order 3-08 (copy attached) that requires Domestic Relations Orders involving public employees (*Mangiacotti* Orders) to be impounded. This means that Domestic Relations Orders will be retained separately from the case file and will be unavailable for public inspection. The Court's stated reason for doing this is that these Orders contain highly sensitive personal and financial information, and the privacy of the parties is to be protected.

I am asking for an advisory opinion from the Supervisor of Public Records as to whether, in light of the Court's action, Retirement Boards can refuse to release Domestic Relations Orders pursuant to a public records request. Until such advice is received, we would urge Retirement Boards not to release copies of Domestic Relations Orders without authorization from both parties to the Order.

If you have questions, please contact this office.

Attachment

[Return to PERAC Home Page](#)