

Trial Court Emergency Administrative Order 20-13
Trial Court Order Suspending Certain Provisions of
Trial Court Rule I: Uniform Summary Process Rules
Effective October 18, 2020

Introduction

On April 20, 2020, in connection with the Governor's COVID-19 emergency declaration, the Governor signed into law *An Act providing for a moratorium on evictions and foreclosures during the COVID-19 Emergency* (the "moratorium"), which suspended most residential and small business commercial evictions, as well as residential foreclosures in Massachusetts. The moratorium also prohibits Massachusetts courts from taking certain actions in non-essential eviction cases, including (i) accepting filings of writs, summonses or complaints; (ii) entering judgments or default judgments for plaintiffs for possession of residential dwelling units or small business premises units; (iii) issuing executions for possession of residential dwelling units or small business premises units; (iv) denying stays of execution or continuances of summary process cases; and (v) scheduling court events in summary process cases, including summary process trials. On July 21, 2020, the Governor extended the moratorium until October 17, 2020.

Departmental standing orders

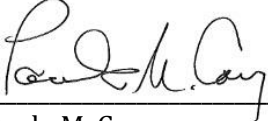
In light of the anticipated expiration of the moratorium on October 17, 2020, the Chief Justices of the Housing Court, District Court, and Boston Municipal Court departments each issued a standing order outlining procedures applicable in their respective court departments for summary process (eviction) cases. In an effort to accommodate the significant influx of summary process cases that will proceed in the Trial Court following the expiration of the moratorium, and to provide opportunities for landlords and tenants to access resources, the departmental standing orders will contain some provisions that are inconsistent with Trial Court Rule I: Uniform Summary Process Rules.

Suspension of inconsistent provisions of Trial Court Rule I: Uniform Summary Process Rules

Accordingly, it is hereby ORDERED, pursuant to my authority as set forth in G.L. c. 211B, § 9, that to the extent any provisions of Trial Court Rule I: Uniform Summary Process Rules are inconsistent with the individual standing orders issued by the Chief Justices of the Housing Court, District Court, and Boston Municipal Court departments, those provisions of Trial Court Rule I: Uniform Summary process Rules are suspended until further order.

This Emergency Administrative Order is effective as of October 18, 2020 and will remain in effect until further order. This Emergency Administrative Order is temporary and may be modified or rescinded at any time, as necessary to address the fluctuating circumstances arising from the COVID-19 pandemic.

Dated: October 5, 2020
Effective: October 18, 2020



Paula M. Carey
Chief Justice of the Trial Court