MASSACHUSETTS REPORTS

MASSACHUSETTS APPEALS COURT REPORTS

STYLE MANUAL

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TABLE OF CONTENTS

TABLE OF CONTENTS 2
1.00 GENERAL RULES 5
1.01 Introduction 5
1.02 Footnotes 5
1.03 Numerals 5
1.04 Italics 6
1.05 Signals 6
1.06 Pages 7
1.07 Parenthetical Phrases 7
1.08 Maps and Plans 8
2.00 CITATION GUIDELINES 9
2.01 Court Decisions 9
2.02 Massachusetts Decisions 9
2.02.1 Subsequent History 10
2.02.2 Other Massachusetts Sources 11
2.03 Federal Court Decisions 11
2.04 Out-of-State Court Decisions 12
2.05 Unpublished Orders, Decisions, and Slip Opinions 12
2.06 Massachusetts Statutes 13
2.07 Federal Statutes 14
2.08 Out-of-State Statutes 15
2.09 Massachusetts Court Rules 15
2.10 Federal Court Rules 15
2.11 Massachusetts Regulations 16
2.12 Federal Regulations 16
2.13 Massachusetts Constitution 17
2.14 Federal Constitution 17
2.15 Texts 18
2.16 Periodicals and Articles 18
2.17 Electronic Sources 18
2.17.1 Direct Citations to the Internet 18
2.17.2 Parallel Citations to the Internet 19

2.17.3 Perma.cc 20
2.18 Short Forms 20
3.00 WRITING STYLE 22
3.01 Punctuation and Grammar 22
3.01.1 Apostrophe 22
3.01.2 Brackets 22
3.01.3 Colon 22
3.01.4 Comma 22
3.01.5 Dash 23
3.01.6 Hyphen 23
3.01.7 Parentheses 24
3.01.8 Virgules (slashes) 24
3.01.9 Dates and Time 24
3.01.10 Spacing 24
3.01.11 Accent Marks 25
3.02 Quotations 25
3.02.1 In General 25
3.02.2 "Quoting," "quotation omitted," and "citation omitted" 25
3.02.3 Other Alterations in Quotations 26
3.02.4 Colloquy 28
3.03 Cross-references 28
3.04 Capitalization 29
3.04.1 Governments, Officials, & Parties 29
3.04.2 State and Federal Constitutions 30
3.04.3 Statutes 30
3.04.4 Title or Designation Preceding a Name 30
3.05 Specific Word Styles 31
3.06 Gender Neutral Writing 31
4.00 GUIDELINES FOR FORMATTING OPINIONS 34
4.01 Guidelines for Word Processing 34
4.02 Case Captions and Party Designations 35
4.03 Snappers; General 44
4.03.1 Judgment Reversed or Vacated 46
4.03.2 Common Examples; Civil Cases 46

4.03.3 Common Examples; Criminal Cases 46
4.03.4 Particular Cases 47
5.00 PUBLICATION OF MASSACHUSETTS OPINIONS 51
5.01 Slip opinions; advance sheets; bound volumes 51
5.02 Electronic resources 52
APPENDIX 1 ABBREVIATIONS FOR CASE NAMES..... 54
APPENDIX 2 MISCELLANEOUS ABBREVIATIONS..... 58
APPENDIX 3 EARLY MASS. REPORTS CONVERSION TABLE..... 59
APPENDIX 4 STYLE OF CITATION FOR MISC. MASS. SOURCES..... 60
APPENDIX 5 STATUTORY HISTORY..... 62
APPENDIX 6 MASS. RULES OF CIVIL PROCEDURE..... 63
APPENDIX 7 MASS. RULES OF APPELLATE PROCEDURE..... 70
APPENDIX 8 RULES OF THE SUPREME JUDICIAL COURT..... 75
APPENDIX 9 MASS. RULES OF CRIMINAL PROCEDURE..... 82
APPENDIX 10 OTHER MASS. COURT RULES & REPORTERS' NOTES..... 84
APPENDIX 11 STYLE OF CITATION FOR POPULAR TEXTS..... 85
APPENDIX 12 STYLE OF CITATION FOR THE MASS. PRACTICE SERIES.. 90
APPENDIX 13 STYLE OF PARTICULAR WORDS..... 93

1.00 GENERAL RULES

1.01 Introduction

This style manual is used by the Justices of the Supreme Judicial Court (SJC) and the Appeals Court, their law clerks and staff attorneys, and the staff of the office of the Reporter of Decisions in the creation of slip opinions. The manual may be useful to those preparing appellate briefs, and it may offer readers of the official reports a better understanding of the process of reporting the opinions of both courts.

The manual includes general rules of writing style, tables of abbreviations, guidelines for case citation, and rules of punctuation and capitalization followed in preparing the official reports. There are sections explaining the method of forming case captions and party designations. Examples of common statements of dispositive language, referred to as "snappers," are provided. The manual also contains information with regard to the publication of the court's decisions.

Historically, both courts followed the Uniform System of Citation as their general authority for citations, with certain exceptions followed in the interest of consistency with long-standing Massachusetts custom. These exceptions are memorialized here, and the Uniform System of Citation should be consulted only when referred to by the Style Manual or when the Style Manual is silent on a given matter.

1.02 Footnotes

The SJC and the Appeals Court have not adopted the practice followed by many legal periodicals of placing most citations in footnotes, rather than in the text.

1.03 Numerals

The use of Arabic numerals is preferred. However, in referring to articles of Constitutions (Federal or State), statutes, session laws, and other materials, Roman numerals should be retained when used in the original text.

Spell out all numbers smaller than 101. Use a comma when expressing numbers of four or more digits (e.g., 1,234; 98,765).

Exceptions:

1. Numbers that begin sentences are always spelled out.

2. Substitute words for strings of zeroes (e.g., $10 million, five billion) or units of measure.

3. Use numerals where a series of numbers occur in close proximity to each other.

4. Numerals are used if the number includes a decimal point (e.g., 33.3 percent, $555.37). However, if only zeros follow the decimal, omit them (e.g., $555).

5. Fractions are spelled out with hyphens, whether they are used as nouns or adjectives (e.g., a one-half interest; one-sixth of the group).

1.04 Italics

Italicize a word or phrase by underlining with a single line.

1. Foreign words and phrases are not italicized.

2. Italicize the expressions ante, post, supra, infra, id., and [sic].

3. Italicize the parties within a case citation (but see § 2.05).

4. Introductory signals are not italicized.

5. Where a case name that is italicized in the text of an opinion also appears in a section heading of the opinion, the case name is not italicized in the section heading. For example:

b. The Batson issue.
2. The Aguilar-Spinelli test.

1.05 Signals

Signals are used to introduce citations by indicating the

purpose of the citation and the degree of support a particular citation gives. The rules governing the use of signals may be found in the Uniform System of Citation, with the following exceptions.

Within a signal, cite cases of the SJC first, the Appeals Court second, and follow the Uniform System of Citation for the rest. The exception to this rule, however, is that citations to cases decided by the Supreme Court of the United States should be placed first. In citing statutes, cite Massachusetts statutes first and follow the Uniform System of Citation for the rest.

In a string citation introduced by a signal, a semicolon should separate the individual citations. Where a string citation has not been introduced by a signal, a period should separate the individual citations. Each signal requires its own sentence. "See also" cannot be used as signal without being preceded by a "see" signal.

1.06 Pages

When citing material that spans more than one page, separate the beginning and ending page numbers with a hyphen and retain all digits:

Matthews v. Ocean Spray Cranberries, Inc., 426 Mass. 122, 128-129 (1997)

When the use of a hyphen would create confusion, use the word "to":

6 Moore's Federal Practice § 26.06[2], at 26-41 to 26-42 (3d ed. 2010)

To cite to an entire footnote that spans multiple pages, cite only the page on which the footnote begins:

Caffyn v. Caffyn, 441 Mass. 487, 494 n.16 (2004)

1.07 Parenthetical Phrases

Unless directly quoting another source, parenthetical phrases appearing after citations should not include articles (the, an, a) but should include all connectors (that, which,

etc.) and all forms of the verb "to be." Omit closing punctuation. For example,

> "See G. L. c. 233, § 20B (e) (psychotherapist-patient privilege does not apply to child custody or adoption proceedings if judge finds that it is more important for psychotherapist's evidence to be disclosed than to preserve confidential relationship)." Board of Registration in Medicine v. Doe, 457 Mass. 738, 745 (2010).

Parenthetical phrases appear after any subsequent history to a cited case, as well as after "quoting" or "citing" phrases and citations. For example,

> Commonwealth v. Delaney, 425 Mass. 587, 591 (1997), cert. denied, 522 U.S. 1058 (1998), quoting Matter of Kenney, 399 Mass. 431, 435 (1987) ("[t]he fundamental requisite of due process is an opportunity to be heard at a meaningful time and in a meaningful manner").

If a parenthetical phrase contains only a quotation, there is no need to alter the first letter of the quotation.

1.08 Maps and Plans

The engineering department in the Land Court will lend assistance in drafting a plan or map that is suitable for reproduction in the official reports.

2.00 CITATION GUIDELINES

2.01 Court Decisions

When citing a published decision, italicize (underline) case names and use roman type for the letter "v."

Commonwealth v. Latimore, 378 Mass. 761 (1979)
Commonwealth v. Delaney, 425 Mass. 587, 591 (1997), cert. denied, 522 U.S. 1058 (1998)

Do not underline a period at the end of a party's name.

Heublein, Inc. v. Capital Distrib. Co., 434 Mass. 698 (2001)

Always include denials of certiorari by the United States Supreme Court. Include pending petitions for certiorari.

Commonwealth v. Sosa, 493 Mass. 104, 114 (2023), petition for cert. filed, U.S. Supreme Ct., No. 24-5111 (July 18, 2024).

Abbreviate titles of reports according to the Uniform System of Citation. Abbreviate case names according to Appendix 1.

Abbreviations used for subsequent history and other explanatory phrases can be found in Appendix 2.

2.02 Massachusetts Decisions

From 1822 to 1867, the volumes of the official reports were named for the individuals (i.e., the reporters) who prepared the volumes for publication. When citing cases from this era, use the following reporter names, with abbreviations as indicated. A table converting early Massachusetts Reports to these names can be found in Appendix 3.

Pickering (1822-1839)	Pick. e.g., Lawrence v. Stearns, 11 Pick. 500, 501 (1831)
Metcalf (1840-1847)	Met. e.g., Washburn v. Phillips, 2

	Met. 296, 298-299 (1841)
Cushing (1848-1853)	Cush. e.g., Robinson v. Gould, 11 Cush. 55, 57 (1853)
Gray (1854-1860)	Gray e.g., Farnsworth v. Taylor, 9 Gray 162 (1858)
Allen (1861-1867)	Allen e.g., Oliver v. Washington Mills, 11 Allen 268, 270 (1865)

Where pagination differs between the original edition and the reprints of the early Massachusetts Reports, use the original pagination as indicated by asterisks appearing in the reprinted version. (Do not include asterisks in citations.)

Citation to Massachusetts Reports from 1804 to 1822 (i.e., 1 to 17 Mass.) and from 1867 to the present (i.e., 97 Mass. to the present) should be to the official reports:

Gaffney v. Contributory Retirement Appeal Bd., 423 Mass. 1 (1996)

Citation to Massachusetts Appeals Court Reports should be to the official reports:

Commonwealth v. Bartlett, 41 Mass. App. Ct. 468 (1996)

2.02.1 Subsequent History

S.C. stands for "same case." This is used with a case of either the SJC or the Appeals Court where subsequent action has taken place in the SJC. Note that the SJC reviews the action in the court of origin and does not reverse or affirm Appeals Court decisions.

Examples:

Reversal by the SJC followed by an appeal from convictions at new trial:

Commonwealth v. Lanoue, 392 Mass. 583, 589 (1984), S.C., 400 Mass. 1007 (1987), and 409 Mass. 1 (1990).
Commonwealth v. Schnopps, 383 Mass. 178, 180 (1981), S.C., 390

Mass. 722 (1984).
Commonwealth v. Haas, 373 Mass. 545, 550 (1977), S.C., 398 Mass. 806 (1986).

Remands for further proceedings:

Onofrio v. Department of Mental Health, 408 Mass. 605 (1990), S.C., 411 Mass. 657 (1992).
Dynan v. Fritz, 400 Mass. 230 (1987), S.C., Martin v. F.S. Payne Co., 409 Mass. 753 (1991).

Cases considered by the SJC on further appellate review:

Wilcox v. Riverside Park Enters., 21 Mass. App. Ct. 419, 421 (1986), S.C., 399 Mass. 533 (1987).
White Constr. Co. v. Commonwealth, 11 Mass. App. Ct. 640, 647 (1981), S.C., 385 Mass. 1005 (1982).
Ferrari v. Toto, 9 Mass. App. Ct. 483 (1980), S.C., 383 Mass. 36 (1981).

Note: Generally, denials of further appellate review by the Supreme Judicial Court are not included in citations. If necessary, provide such information in a separate sentence, e.g.:

> "The Supreme Judicial Court denied further appellate review. See 461 Mass. 1103 (2011)."

2.02.2 Other Massachusetts Sources

See Appendix 4 for the style of citations for sources reporting decisions of Massachusetts lower courts or agencies.

2.03 Federal Court Decisions

Abbreviate the titles of reports according to the Uniform System of Citation. Use the abbreviation "Fed. Appx." for citations to the Federal Appendix.

A citation to a United States Supreme Court decision should be to the United States Reports (U.S.). If that citation is not available, citation should be to S. Ct. or U.S.L.W., in that order.

2.04 Out-of-State Court Decisions

(a) Where a court's decisions are officially reported, as in the Commonwealth of Massachusetts, use only the official citation. No parallel citation is required.

(b) Where an out-of-State case is found only in the National Reporter System, such as those jurisdictions that have adopted that system as their sole law reporter (e.g., Alaska), specify the court in parentheses before the year of decision: e.g., (Mo. 1992); (Minn. Ct. App. 1989).

(c) Use a public domain citation format for those jurisdictions that have adopted it as their official format: e.g., State v. Pickens, 2014-Ohio-5445, ¶ 63. No parallel citation is required.

(d) Abbreviate the titles of reports according to the Uniform System of Citation.

2.05 Unpublished Orders, Decisions, and Slip Opinions

Use the following basic citation form:

name vs. name, court, No. --, slip op. at --- (full date)

Do not cite to online legal research services such as Lexis and Westlaw.

Examples:

1. Raines vs. Byrd, U.S. Supreme Ct., No. 96-1671, slip op. at 8 (June 26, 1997)

2. United States vs. Labovitz, U.S. Ct. App., No. 94-1725, slip op. at 2 (1st Cir. Mar. 28, 1997)

3. Olin Corp. vs. Fisons PLC, U.S. Dist. Ct., No. 93-11166 (D. Mass. Apr. 24, 1995)

4. Parks vs. Petraglia, Boston Hous. Ct., No. 93-CV-00155 (Jan. 20, 1995)

5. Liberty Mut. Ins. Co. vs. Gonzalez, Mass. Super. Ct., No. ESCV20151794B (Essex County June 8, 2017)

Note: When it is necessary to cite unpublished Appeals Court decisions issued pursuant to its rule 23.0 (formerly rule 1:28), use the format described in § 2.01, supra. However, citation to such decisions is not encouraged. See § 5.02(3), infra.

2.06 Massachusetts Statutes

Citations to the General Laws should refer to the official compilation, including the supplement, if any, in which the cited material appears. Insert hard spaces between G. and L., between the section symbol and the section number, and between subsections. Underline lowercase lettered subsections. Do not use symbols to express fractions (e.g., use 1/2, not ½). Apply a similar style when citing to the Acts and Resolves.

When reference to a statute in effect at a particular time has significance, the author may indicate this in any precise language. Use of the phrases "inserted by," "as appearing in," "as amended by," or "as amended through," with reference to the General Laws, is no longer required, although these phrases may be inserted, at the author's discretion, in accordance with Appendix 5.

Examples of forms of citation to Massachusetts statutory material (including examples of the unusual forms for G. L. c. 4, § 6, and G. L. c. 272):

General Laws	G. L. c. 156, § 10 G. L. c. 93A, § 2 (a) (1) G L. c. 231, § 2, first par. G. L. c. 272, § 99 C 1 G. L. c. 4, § 6, Third G. L. c. 30A, § 14 (7) (a)-(d), (f), (g) G. L. cc. 108, 109 G. L. c. 209A, § 1 (subsection [b] of definition of "coercive control")
legislative history	G. L. c. 6, § 168, inserted by St. 1972, c. 805, § 1 G. L. c. 156, § 10, as amended through St. 1943, c. 549, § 4 St. 2008, c. 521, § 9 (effective July 1, 2009)

legislative documents	1989 House Doc. No. 482 1992 Senate Doc. No. 301 2014 House J. 1396-1400 2017 Senate J. for Oct. 26, at 40-41 (uncorrected proof) Senate Bill No. 1384 (Feb. 8, 2021)
ordinances	Ordinances, c. 34 (1984), of the city of Boston

If the citation begins a sentence in running text, spell out the abbreviation appearing at the beginning of the citation:

General Laws c. 93A, § 2 (a), makes unlawful . . . .

Statute 1997, c. 164, which amended the siting board statute . . . .

2.07 Federal Statutes

Cite only to official compilations. There are no spaces between subsections. Do not underline lettered subsections.

Inclusion of the year is no longer required, although an author may elect to do so when reference to the statute as in effect at a particular time is important.

United States Code (U.S.C.)	42 U.S.C. § 1395 42 U.S.C. § 1396p(c)(1)
amendments	Pub. L. No. 101-239, 101st Cong., 1st Sess., reprinted in 1989 U.S.C.C.A.N. 1906 Pub. L. No. 101-239, Title VI, Subtitle B, Part 2, § 6411(e)(1), 103 Stat. 2271 (1989)
congressional	H.R. Rep. No. 265, 99th Cong., 1st Sess., pt. 1, at 71-72 (1985) (Committee on Energy and Commerce) H.R. Conf. Rep. No. 104-458, 104th Cong., 2d Sess. [page] (1996)

If the citation begins a sentence in running text, spell

out the abbreviation appearing at the beginning of the citation:

Title 42 U.S.C. § 1988 makes unlawful . . . .

2.08 Out-of-State Statutes

Cite only to official compilations, following the Uniform System of Citation. There are no spaces between subsections. Do not underline lettered subsections.

Inclusion of the year or publisher is no longer required, although an author may elect to do so when such a reference is important.

2.09 Massachusetts Court Rules

Citations to the Rules of Civil Procedure, the Rules of Appellate Procedure, the Rules of the Supreme Judicial Court, and the Rules of Criminal Procedure are followed by a reference to (1) the volume of the Massachusetts Reports in which the SJC promulgated or amended the rule, and (2) the page on which the rule (or the amendment) starts. Include spaces between subparts, but do not underline lettered subparts of rules.

Citations for the Rules of Civil Procedure can be found in Appendix 6.

Citations for the Rules of Appellate Procedure can be found in Appendix 7.

Citations for the Rules of the Supreme Judicial Court can be found in Appendix 8.

Citations for the Rules of Criminal Procedure can be found in Appendix 9.

Citation examples for other Massachusetts court rules can be found in Appendix 10.

2.10 Federal Court Rules

Use of the year is no longer required, although an author may elect to do so when reference to the rule as in effect at a particular time is important.

Fed. R. A. P. xx
Fed. R. Civ. P. xx
Fed. R. Crim. P. xxx
Fed. R. Evid. xxx

2.11 Massachusetts Regulations

Cite to the Code of Massachusetts Regulations according to the following examples. There are no spaces between subsections. Do not underline lettered subsections.

301 Code Mass. Regs. § 11.01(3) (1993)
106 Code Mass. Regs. § 303.230(A)(2)(b) (1986)

Do not use "et seq." when citing multiple provisions of the Code of Massachusetts Regulations. Use multiple section signs only.

970 Code Mass. Regs. §§ 5.00 (1999)

If the citation begins a sentence in running text, place "Title" at the beginning of the citation.

Title 301 Code Mass. Regs. § 11.01(3) (1993) provides that . . . .

Cite to the Massachusetts Register only when no citation to the Code of Massachusetts Regulations is available.

1171 Mass. Reg. 7-9 (Dec. 10, 2010)

2.12 Federal Regulations

Code of Federal Regulations

45 C.F.R. § 233.90(c)(1)(v)(B) (1994)
18 C.F.R. § 292.304(e) (1988)

Federal Register

55 Fed. Reg. 36,813, 36,816 (1990)
53 Fed. Reg. 8034, 8068 (1988)

2.13 Massachusetts Constitution

The Massachusetts Constitution will be cited in the same manner as appears in recent volumes of Massachusetts Reports. Common examples are as follows:

art. 48, The Initiative, II, § 3, of the Amendments to the Massachusetts Constitution, as amended by art. 74 of the Amendments

art. 12 of the Declaration of Rights of the Massachusetts Constitution ("Massachusetts Declaration of Rights" is also acceptable)

art. 114 of the Amendments to the Massachusetts Constitution

art. 63, § 5, of the Amendments to the Massachusetts Constitution, as amended by art. 90 of the Amendments

art. 16 of the Declaration of Rights, as amended by art. 77 of the Amendments to the Massachusetts Constitution

Part II, c. 1, § 2, art. 8, of the Constitution of the Commonwealth

art. 101, § 3, of the Amendments to the Massachusetts Constitution

If the citation begins a sentence in running text, spell out the abbreviation appearing at the beginning of the citation:

Article 12 of the Massachusetts Declaration of Rights provides that in a criminal trial . . . .

Article 46, § 1, of the Amendments to the Massachusetts Constitution further provides that . . . .

2.14 Federal Constitution

e.g., Fourteenth Amendment to the United States Constitution
art. I, § 10, of the United States Constitution

2.15 Texts

The titles of texts appear in roman type. Omit language such as "The Law of" or "A Treatise on" when it appears at the beginning of the title.

The author of a text is referred to by last name, with initials used for the author's first name and middle name, if given. Cite all authors. The use of "et al." is not encouraged.

The style of citation for popular texts appears in Appendix 11.

Citation forms for volumes in the Massachusetts Practice Series appear in Appendix 12.

2.16 Periodicals and Articles

The titles of articles and periodicals appear in roman type. Abbreviate the titles of periodicals according to the Uniform System of Citation. The author of an article is referred to by last name only. For example,

> Weigand, Employee Duty of Loyalty and the Doctrine of Forfeiture, 42 Boston B.J. 6 (Sept.-Oct. 1998)

Cite to articles in the American Law Reports by the designation "Annot.," followed by the title of the work in roman type. For example,

Annot., Taking and Use of Trial Notes by Jury, 36 A.L.R. 5th 255 (1996 & Supp. 2002)

2.17 Electronic Sources

Cite to the Internet only when the material cited is not available in a traditional printed format or when a citation to the Internet would substantially aid the reader in accessing material that is not widely available in printed format.

2.17.1 Direct Citations to the Internet

A direct citation to material on the Internet should

include the last name of the author (if any), the title (in roman type), and the uniform resource locator (URL). For example,

> Innocence Project, Eyewitness Misidentification, http://www.innocenceproject.org/understand/Eyewitness-Misidentification.php.
>
> Reeves & Cuddy, Hitting Kids: American Parenting and Physical Punishment, Brookings Inst. Long Memos No. 4 (Nov. 6, 2014), http://www.brookings.edu/blogs/social-mobility-memos/posts/2014/11/06-parenting-hitting-mobility-reeves.

Note that, as reflected in the above examples, we no longer include a "last visited" line indicating the date the source was last accessed. Instead, the Reporter's office inserts a Perma.cc link. See 2.17.3, infra.

2.17.2 Parallel Citations to the Internet

A citation to a primary source (e.g., an article or report) should be formatted pursuant to the guidelines in this style manual. Where appropriate, such a citation may also include a parallel citation to the Internet. For example,

> Massachusetts Parole Board, Guidelines for Life Sentence Decisions (updated Mar. 3, 2014), http://www.mass.gov/eopss/agencies/parole-board/guidelines-for-life-sentence-decisions.html.
>
> Supreme Judicial Court Study Group on Eyewitness Evidence: Report and Recommendations to the Justices (July 25, 2013), http://www.mass.gov/courts/docs/sjc/docs/eyewitness-evidence-report-2013.pdf
>
> The Multistate Tax Compact: Suggested Legislation and Enabling Act, art. I, at 1 (effective Aug. 4, 1967), http://www.mtc.gov/uploadedFiles/Multistate_Tax_Commission/About_MTC/MTC_Compact/COMPACT(1).pdf
>
> Report of the Special Master, State vs. Henderson, N.J. Supreme Ct., No. A-8-08, at 14 (June 18, 2010), http://www.judiciary.state.nj.us/pressrel/henderson%20final%20brief%20.pdf%20%2800621142%29.pdf.

2.17.3 Perma.cc

In 2014, the SJC and the Appeals Court began using Perma.cc, a service that helps courts, scholars, and others create Web citation links that will never expire by archiving content found at a URL and generating a Perma.cc link to the archived content. To learn more about how Perma.cc works, visit https://perma.cc/docs.

As part of the editorial process, the Reporter's office adds Perma.cc links in brackets to citations to the Internet. For example,

> Innocence Project, Eyewitness Misidentification, http://www.innocenceproject.org/understand/Eyewitness-Misidentification.php [http://perma.cc/XAQ2-4QJG].
>
> Supreme Judicial Court Study Group on Eyewitness Evidence: Report and Recommendations to the Justices (July 25, 2013), http://www.mass.gov/courts/docs/sjc/docs/eyewitness-evidence-report-2013.pdf [http://perma.cc/WY4M-YNZN].

2.18 Short Forms

Cases. In a short form case citation, use only one party's name, in accordance with the Uniform System of Citation.

For example:

"Archer v. Grubhub, Inc." becomes "Archer"

"Commonwealth v. McGhee" becomes "McGhee"

"Conservation Commission of Norton v. Pesa" becomes "Pesa"

After a full case citation is used for the first time in the text of an opinion, use id. or supra, as appropriate, for a subsequent citation to that case in the same paragraph.

For subsequent paragraphs or footnotes, cite to the case using a short form citation with the volume number (e.g., "McGhee, 470 Mass. at 639"). After such a short form citation is used, use supra or id., where appropriate, for subsequent citations to that case in the same paragraph or footnote. (Exception: where there is an uninterrupted multiparagraph discussion of one case, the first citation to that case in the

second or subsequent paragraph may use supra or id., where appropriate.)

Statutes and regulations. Do not use "id. at" or "supra at" for citations to the General Laws or the Code of Massachusetts Regulations. Id. is acceptable only where it refers to the same chapter and section of the General Laws, or the same title and section of the Code of Massachusetts Regulations.

For all authorities. Do not use ibid. Use id. only where there is no intervening authority, even if the intervening authority appears in a quotation.

3.00 WRITING STYLE

3.01 Punctuation and Grammar

3.01.1 Apostrophe

Singular possessive:
administratrix's
Congress's
Richards's
witness's

Plural possessive:
Johnsons'
Richardses'
witnesses'

Avoid double possessives.

3.01.2 Brackets

Brackets are used around the expression [sic] and to enclose citations, corrections, explanations, etc., that were not in the original text but that have been subsequently added.

3.01.3 Colon

Use the colon after an independent clause to introduce a list.

3.01.4 Comma

In a list of three or more terms, insert a comma after every term except the last.

The following list provides further examples of comma usage.

Joseph Calloway vs. Richard Smith & others, trustees.
ABC Mortgage Co., Inc. vs. Drury Corp., Inc., & another.
Lydia Griffin, administratrix, vs. Lars Boman.

Commonwealth vs. Marion H. Hall, Sr.
Federal Deposit Insurance Corporation, receiver, vs. Roberts.
100,000; 10,000; 1,000

The accident occurred on January 3, 1996, before . . .
The statute, G. L. c. 123, § 6, violates . . .
See Morgan, supra at 63.
See Tucker, supra, in which . . .

3.01.5 Dash

The em-dash (--) is used to indicate a break in the structure of a sentence. It should be typed by using two hyphens.

3.01.6 Hyphen

Unless otherwise provided in Appendix 13 (Style of Particular Words), place a hyphen in an adjectival phrase when it precedes the noun it modifies.

Examples: child-support payment; common-law indemnity; felony-murder rule; long-standing arrangement; second-floor apartment; court-appointed counsel; work-related injury; well-settled law

Otherwise, avoid hyphens.

Examples: the arrangement was long standing;
the action was time barred;
an apartment on the second floor;
antitrust; biweekly; codefendant;
coconspirator; counterclaim;
extrajudicial; interstate;
intrastate; multistate; nonpayment;
postjudgment; posttrial; pretrial;
subcontractor; prearrest; two year old child

Exceptions: Proper noun: anti-Marxist
Looks bad: anti-intellectual
Confusing: re-sign

3.01.7 Parentheses

If less than a full sentence is enclosed in parentheses, the final punctuation should not remain inside the parentheses. Brackets are used within parentheses to avoid double parentheses.

3.01.8 Virgules (slashes)

Avoid using slashes: and/or, his/her, etc. Use "or" in most situations.

3.01.9 Dates and Time

Where only a month and year are given, a comma is preferred but not necessary (e.g., "July 2001"). Similarly, a comma is preferred but not required where only a specific day and year are given (e.g., "Christmas 1975").

If an author elects to use a full month-day-year as an adjective, no comma is necessary after the year (e.g., "the March 25, 2001 agreement"). However, a month-day or month-year construction, if possible, is preferred (e.g., "the March 25 agreement" or "the March 2001 agreement"). If a full month-day-year date is not being used as an adjective, a comma is required after the year (e.g., "The accident occurred on January 3, 1996, before . . . ").

Decades are expressed without an apostrophe: "The defendant had numerous brushes with the law in the late 1970s into the early 1980s."

The time of day takes a double underscore: "10:45 A.M." Omit zeros when expressing time occurring on the hour: "9 A.M."

3.01.10 Spacing

Use two spaces at the end of each sentence.

3.01.11 Accent Marks

Add appropriate accent marks where indicated by the record (e.g., acute [é], grave [à], circumflex [ô], tilde [ñ], cedilla [ç]).

3.02 Quotations

3.02.1 In General

Quotation marks are commonly used with a colloquialism, e.g., "rock concert," "double aught buckshot," "cruising," "crack" cocaine. Use quotation marks the first time the colloquialism appears; subsequent appearances do not require quotation marks.

Quotation marks also are used in an opinion when material is quoted directly from another source, whether it appears in the text or footnotes, or as blocked text. Quotation marks are used at the beginning of a quote, the beginning of any intermediate paragraphs within the quote, and at the end of the quote.

For quotations of fifty words or more, use blocked text. In blocked text, the indentation is only on the left side of the page. The material in blocked text should be single spaced.

With the exception of colons, semicolons, and dashes, all punctuation is enclosed in the quotation marks.

3.02.2 "Quoting," "quotation omitted," and "citation omitted"

When a citation supporting a quotation is not the original source, the phrase "quoting" is used, followed by the earlier source. "Quoting" references can be strung together if the quotation has been used in successive cases, but it is not necessary to go back more than one layer.

Single quotation marks are used to indicate the material quoted from the earlier source. For example:

> "The polling procedure serves a similar purpose because it provides each juror with an opportunity

> . . . 'to change his mind about a verdict to which he has agreed in the jury room.'" Commonwealth v. Nettis, 418 Mass. 715, 719 (1994), quoting United States v. Shepherd, 576 F.2d 719, 724 (7th Cir.), cert. denied, 439 U.S. 852 (1978).

If both sources quote identical material, the single quotation marks are unnecessary:

> "We consider the state of the evidence both at the close of the Commonwealth's case, and at the close of all the evidence." Commonwealth v. Zevitas, 418 Mass. 677, 680 (1994), quoting Commonwealth v. Basch, 386 Mass. 620, 622 (1982).

An author may omit the attribution to the earlier source by using the phrase "citation omitted" in parentheses before the initial citation. For example:

> "The polling procedure serves a similar purpose because it provides each juror with an opportunity . . . 'to change his mind about a verdict to which he has agreed in the jury room'" (citation omitted). Commonwealth v. Nettis, 418 Mass. 715, 719 (1994).

Similarly, an author may omit the single quotation marks by using the phrase "quotation omitted" in parentheses before the initial citation. Finally, an author may omit both the attribution and the single quotation marks by using the phrase "quotation and citation omitted" in parenthesis before the initial citation. For example:

> "The polling procedure serves a similar purpose because it provides each juror with an opportunity . . . to change his mind about a verdict to which he has agreed in the jury room" (quotation and citation omitted). Commonwealth v. Nettis, 418 Mass. 715, 719 (1994).

3.02.3 Other Alterations in Quotations

An author who wishes to bring a word in a quotation to the reader's attention may use "[sic]." The author may correct or change a word in a quotation as desired. The change should appear in brackets. Omissions should be indicated by the use of ellipses. For guidance on the use of

ellipses, consult the Uniform System of Citation.

Other parentheticals regarding alterations to quotations, such as (emphasis added), are placed immediately following the altered quotation and before the citation to the quoted source. Do not use (emphasis supplied).

When the alteration appears in the quotation before the last sentence quoted, use "(Citation omitted.)" or "(Emphasis added.)" When the alteration appears in the last sentence quoted, use "(citation omitted)." or "(emphasis added)." Do not add "(emphasis in original)."

An author may omit a citation appearing inside the body of a quotation by indicating that omission either with an ellipsis or with the phrase "citation omitted" in parenthesis.

If multiple alterations have been made (e.g., a citation has been omitted and emphasis has been added), this may be indicated in the same parenthetical, using a semicolon between the phrases. For example:

> There is thus significant justification for the position that "because Congress only expressly permitted employers to hold . . . alcoholics to the same objective standards of conduct as other employees even though their disability causes misconduct . . . Congress implicitly did not intend to extend the same employer prerogative to employees with other disabilities" (emphasis added; citation omitted). Den Hartog v. Wasatch Academy, 129 F.3d 1076, 1086 (10th Cir. 1997).

Finally, if the altered quotation is itself enclosed within parentheses, the alteration should be noted in brackets within the parentheses. For example:

> See G. L. c. 234A, § 39 ("The court shall have authority to excuse a juror . . . only upon a finding of an emergency or other compelling reason" [emphasis added]).

Do not use "(cleaned up)."

3.02.4 Colloquy

Colloquies between or among judges, counsel, witnesses, or parties may appear in the text or footnotes and may be blocked or may run on in the text. Speaker designations are placed in small capitals outside the quotation marks. When the colloquy is between two parties, the preferred speaker designations are "Q.:" and "A.:" See, e.g., Commonwealth v. Woods, 419 Mass. 366, 375 n.13 (1995) (run-on in footnote); Commonwealth v. Barnoski, 418 Mass. 523, 534 n.6 (1994) (footnote); Commonwealth v. Fordham, 417 Mass. 10, 16 (1994) (blocked in text).

3.03 Cross-references

Within the same opinion. When reference is made in an opinion to a portion of the text within the same opinion, supra and infra may be used. With supra and infra, the page number is used without the abbreviation "p."

Supra and infra may be used in an opinion to refer to a footnote appearing elsewhere in the same opinion. (E.g., "See note 6, supra.") Do not use a page number or the abbreviation "n."

In addition, supra and infra (as well as id., where permissible) may be used in referring to cases and statutory material cited within the same opinion. Ibid. is never used.

To dissenting and concurring opinions. When citation is made within a majority opinion to a dissenting or concurring opinion in that case, use "post at ." If there is only one dissenting or concurring opinion, there is no need to identify the author (i.e., "post at [xxxx, J., dissenting]"). If there is more than one dissenting or concurring opinion, use "post at (xxxx, J., dissenting)" only if the text does not identify the dissenting or concurring Justice. For citations to the majority opinion from a dissenting or concurring opinion, use "ante at ."

3.04 Capitalization

3.04.1 Governments, Officials, & Parties

Capitalize the following words when they appear in the text of an opinion. It is not necessary to alter quotations where these words appear in lower-case type.

1. Federal, such as Federal government, Federal Reserve, Federal constitutional right, Federal law, etc.

2. State, when referring to a State of the United States.

3. Commonwealth.

4. Titles of the Commonwealth's constitutional officers:

> Governor, Lieutenant Governor, Attorney General, Secretary of the Commonwealth, Treasurer and Receiver General, Auditor, Attorney General

5. Names of Statewide Commonwealth offices (except when defined as lower case):

> Department of Revenue, Department of Environmental Protection, Civil Service Commission

6. Titles of the heads of Statewide Commonwealth offices (except when defined as lower case):

> Commissioner of Revenue, Registrar of Motor Vehicles

7. Courts:

> Supreme Judicial Court, Appeals Court, Superior Court, District Court, Probate and Family Court, Juvenile Court

8. Justice, when referring to a Justice of the Supreme Judicial Court or the Appeals Court (but not when referring to a single justice: for example, "A single justice reported the case . . . .").

9. References to the Supreme Court or intermediate appellate court of a particular State or the United States Court of Appeals for a particular circuit.

10. Names of governmental bodies:

Appellate Tax Board	Congress
Legislature	Assembly
Senate	Parliament
House	General Court

Do not capitalize the following:

bureaus or divisions of the Commonwealth offices (except Division of Insurance and Division of Special Education)
mayors and lesser municipal officials
district attorney (see also the entry for "district attorney" in Appendix 13, Style of Particular Words)
city (e.g., "city of Boston")
town (e.g., "town of Danvers")
assistant attorney general
house of correction
zoning boards
other municipal-level entities

3.04.2 State and Federal Constitutions

The word "Constitution" is capitalized in references to either the Federal or a State Constitution. References to major parts of either, such as "Declaration of Rights" or "Fifth Amendment," take capitals, but expressions such as "due process," "commerce clause," and "equal protection clause" do not.

3.04.3 Statutes

Capitalize the expressions "Statute of Frauds" and "Statute of Wills" (but not "statute of limitations").

3.04.4 Title or Designation Preceding a Name

Capitalize a title or designation preceding a name, e.g., Officer Smith, Trooper Johnson, President Obama, Governor Baker.

When referring to a specific named law enforcement officer, avoid capitalization of the word "police." Thus:

State police Trooper John Doe
Boston police Detective Jane Doe

Similarly, do not capitalize the word "department" when referring to a police department:

Scituate police department

However, an author may elect to use capitals in such situations. For example:

State Police Trooper John Doe
Boston Police Detective Jane Doe
Scituate Police Department

In either case, do not capitalize either "department" or "police" when making a general reference. For example:

"State police responded to the scene of the accident"
"A Boston police officer witnessed the incident"

3.05 Specific Word Styles

A listing of the style of particular words appears in Appendix 13. For words not appearing on the list, consult the latest available unabridged edition of Webster's Third New International Dictionary of the English Language.

3.06 Gender Neutral Writing

The following suggestions are offered as aids to the use of inclusive language in opinion writing.

1. Use plural pronouns and antecedents.

Attorneys should conscientiously represent the interests of their clients.

2. Eliminate the personal pronoun.

An attorney can give you his advice as to a possible solution.
becomes
An attorney can give you advice as to a possible solution.

3. Replace the personal pronoun with "the," "this," or "a."

A prudent testator will review his will to ensure that it continues to provide for an appropriate distribution of his estate.
becomes
A prudent testator will review the will from time to time to ensure that it continues to provide for an appropriate distribution of the estate.

4. Use the gender-neutral "who" or "whose."

A law professor often assumes that if a student cannot write clearly, he cannot analyze a complex legal problem.
becomes
A law professor often assumes that a student who cannot write clearly cannot analyze a complex legal problem.

5. Use passive voice instead of active voice.

If the judge concludes that venue is improper, he should grant a motion to transfer venue.
becomes
If the judge concludes that venue is improper, a motion to transfer venue should be granted.

6. Repeat the noun.

If the judge concludes that the court lacks jurisdiction, he should dismiss the appeal.
becomes
If the judge concludes that the court lacks jurisdiction, then the judge should dismiss the appeal.

Additional suggestions:

Use	Avoid
presiding juror	foreman

member of congress, senator, or representative	congressman
chair	chairman
anchor	anchorman
colleagues	brethren
firefighter	fireman
fisher	fisherman
homemaker	housewife
executive	businessman
representative	spokesman
reasonable person	reasonable man
artificial	man-made
staff	manpower
diplomacy	statesmanship
server	waiter
parking enforcement officer	meter maid

4.00 GUIDELINES FOR FORMATTING OPINIONS

4.01 Guidelines for Word Processing

(a) All new decisions or documents that may become part of such decisions must be composed in Microsoft Word and saved in the .docx format.

(b) When copying and pasting material into decisions from any source other than another Word document, always choose the "Keep Text Only" or "Paste Special, Unformatted Text" options. This eliminates disruptive formatting from being pasted into the decision.

(c) Margins must be one inch on all sides, with one-half inch headers and footers. Block quotations are indented only on the left side of the page.

(d) The required font is Courier New, twelve-point type. Separate sentences with two spaces between sentences.

(e) Page numbers also must be in twelve-point Courier New font, right-justified in the headers. No page number is included on the first page of an opinion.

(f) Use twelve-point double spacing except for footnotes, block quotations, rescript decisions, and text in appendices, which have twelve-point single spacing with two hard returns after each paragraph.

(g) Indent the first line of each footnote by one-half inch. Include one space between the footnote number and the text of the footnote.

(h) An author may elect to add section headings to an opinion (e.g., "Discussion," "Background"). If using introductory letters and numbers with section headings, do so in the following order: 1., a., i., A., I. See, e.g., Lyons v. Secretary of the Commonwealth, 490 Mass. 560 (2022). Underline section headings but not introductory letters or numbers. Capitalize only the first word of a section heading (e.g., "Standard of review"). For case names in section headings, see § 1.04(5).

(i) Indent "snapper" lines at the end of an opinion

through the use of a series of seven tabs; do not change the margin (e.g., to a 4" left margin) or use a series of spaces. Where a snapper sentence runs to a second or third line, insert a return at the end of each line and, using single spacing, begin each new line with the series of tabs followed by an additional two spaces to further indent the second or third line of the "snapper." Thus:

Judgment affirmed.

Order denying motion for new trial affirmed.

For further guidance on snappers, see § 4.03.

4.02 Case Captions and Party Designations

(a) Criminal Cases

1. Case caption. The name that appears in the caption is the name that appears on the complaint or indictment. Where there is an obvious error in the indictment or complaint, the defendant's correct name should be used with an explanatory footnote.

2. Party designation. The defendant can be referred to in the text either as "the defendant" or by his or her last name.

(b) Multiple Indictments and Companion Cases

1. Case caption. Each indictment (the conviction of which is appealed) is considered a case. When more than one indictment and more than one defendant exist, there must be a companion case for each.

Examples:

Commonwealth vs. David Alvarez
(and seventeen companion cases[1]).
422 Mass. 198 (1996)

[1] Two indictments against Miguel A. Ocasio, two indictments against Marc Ferrait, two indictments against John Barreto,

five indictments against Jeanatte Pizzaro, five indictments against Pedro Ramos, and one indictment against David Alvarez.

Commonwealth vs. Ventry Gordon
(and six companion cases[1]).
422 Mass. 816 (1996)

[1] Three indictments against Sean Lee, two against Ventry Gordon, and one against Ronald Settles.

Commonwealth vs. Daniel J. Curtis
(and a companion case[1]).
417 Mass. 619 (1994)

[1] Commonwealth vs. Mark J. Giglio.

DISTINGUISH: When there is more than one defendant named in the indictment itself, it is considered one case and is indicated in the case caption by "& another" or "others."

Example:

Commonwealth vs. Max J. Allen & others.[1]
379 Mass. 564 (1980)

[1] Michael R. Cappiello and Martin Koplow.

(c) Tax Cases

1. Case caption. The party appealing is named first. The title "Commissioner of Revenue" is used rather than the commissioner's name.

2. Party designation. The taxpayer, whether individual or corporate, should be referred to in the text as "taxpayer." It is also correct, for an individual, to simply use his or her last name. The party is not referred to as "plaintiff" or "petitioner."

In most cases, the appeal is from a decision of the Appellate Tax Board. In the text, it should be referred to as:

Appellate Tax Board (board)

Refer to the Commissioner of Revenue in the text as:

Commissioner of Revenue (commissioner)

(d) Administrator(trix) or Executor(trix) of an Estate

General Laws c. 195, § 19: The administrator(trix) or executor(trix) of an estate is sued in his or her fiduciary capacity. The administrator(trix) or executor(trix) does not appear in the case caption in an individual capacity, unless personal liability is alleged in the complaint.

1. Case caption. The fiduciary's capacity is indicated in the case caption but not in general citations.

2. Party designation. Refer to as executor(trix) or administrator(trix) when appropriate.

(e) Miscellaneous Probate Cases

1. Case caption. Administrator(trix) de bonis non and administrator(trix) with the will annexed may be indicated by using just administrator(trix) in the case caption and giving the full title in the text.

2. Party designation. If an individual or a group of individuals are sued in more than one capacity, that is indicated in the case caption.

Examples:
_____, individually and as administrator,
_____, executors and trustees,

(f) Trusts

Case caption. The trustee is the party as the trust itself cannot be sued. Provide the name of the trust in a footnote.

Americo Lopes, trustee,[1] vs. City of Peabody.
430 Mass. 305 (1999)

[1] Of the 841 Lake Realty Trust.

Exception. Where a trust is organized as a Massachusetts business trust, it can be sued as if it were a corporation. Therefore, the name of the trust can be used in the case caption:

Marco Realty Trust vs. Commissioner of Revenue.
385 Mass. 798 (1982)

(g) Corporations

A corporation is sued in its corporate capacity, and the corporate name should appear in the case heading.

To get the official names of insurance companies and banks, look for a piece of their stationery or an official stamp in the record appendix.

(h) Partnerships

General Laws cc. 108 and 109 govern the formation of general and limited partnerships.

The name of the partnership should not be used in the case caption; ideally, all partners should be named. See, e.g., Anderson v. Phoenix Inv. Counsel of Boston, Inc., 387 Mass. 444 (1982).

The name of an LLP or LLC may be used in a case caption. See, e.g., Imprimis Investors, LLC v. KPMG Peat Marwick, LLP, 69 Mass. App. Ct. 218 (2007).

(i) Unions

DiLuzio v. United Elec., Radio & Mach. Workers, Local 274, 386 Mass. 314 (1982), held that labor unions are legal entities for the purpose of suing or being sued. Therefore, the official name of the union appears in the case caption.

(j) Minors or Incompetent Persons

A minor or incompetent person cannot be sued. Parent(s), a guardian, or a conservator are named parties.

With respect to minors, the term p/p/a is not to be used. See, e.g., Bouchard v. DeGagne, 368 Mass. 45 (1975).

Where an incompetent is of age, his or her surname is used. See, e.g., Matter of Spring, 380 Mass. 629 (1980).

Where the incompetent is not of age, he or she is referred to by an assigned pseudonym. See, e.g., Matter of Moe, 385 Mass. 555 (1982).

(k) Custody and Adoption Cases

1. Case caption. In custody and adoption cases, the case captions appear according to the following examples:

Custody of Brandon.
407 Mass. 1 (1990)

Adoption of Mary.
414 Mass. 705 (1993)

2. Party designation. The child is referred to by an assigned pseudonym. The real name of the child is never used.

(l) Juveniles

1. Case caption. In a case involving a juvenile, the juvenile is referred to by an assigned pseudonym. E.g.,

Patrick P., a juvenile, vs. Commonwealth.
421 Mass. 186 (1995)

2. Party designation. The name of the juvenile is never used. Refer to the "juvenile."

(m) Youthful offenders

1. Prearraignment.

A. Case caption. In an appeal from a prearraignment order on a motion to dismiss a youthful offender

indictment, use initials for the youthful offender's name:

N.M., a juvenile vs. Commonwealth, 478 Mass. 89 (2017).

B. Party designation. The name of an individual who has been charged but not yet arraigned on a youthful offender indictment is never used. Refer to the "juvenile."

2. Postarraignment.

A. Case caption. In an appeal from a postarraignment order or judgment on a youthful offender indictment, use the full name of the youthful offender, as that name appears on the indictment:

Commonwealth vs. Carter, 481 Mass. 352 (2019).

B. Party designation. An individual who has been arraigned on a youthful offender indictment may be referred to in the text either as "the defendant" or by his or her last name.

(n) Workers' Compensation Cases

1. Case caption. Use the claimant's full name, followed by the word "Case." E.g.,

Joseph Gateley's Case.
415 Mass. 397 (1993)

2. Party designation. The person who is appealing is referred to as the claimant.

Remember to distinguish between administrative judges and administrative law judges at the Department of Industrial Accidents. The two titles are not interchangeable. An administrative judge is a hearing officer or trial judge. He or she, individually, renders a decision based on the evidence presented before him or her. The reviewing board, which is comprised of administrative law judges, is the appellate branch within the department. Administrative law judges review the decisions of administrative judges and issue opinions via multi-member panels.

(o) Inanimate Objects

Inanimate objects can be sued where they are the goods that have been forfeited pursuant to G. L. c. 94C, § 47. A description of the inanimate object appears in the case caption.

Commonwealth vs. One 1976 Cadillac DeVille Automobile.
380 Mass. 411 (1980)

Commonwealth vs. Fourteen Thousand Two Hundred Dollars.
421 Mass. 1 (1995)

(p) Petition for Writ of Habeas Corpus

1. Case caption. Use the petitioner's full name, followed by a comma and the word "petitioner."

George Upton, petitioner.
387 Mass. 359 (1982)

2. Party designation. The petitioning party may be referred to as "petitioner."

(q) Cities and Towns

General rule. Omit the term "city of" or "town of" unless the expression begins a party name.

Roda Realty Trust vs. Board of Assessors of Belmont.
385 Mass. 493 (1982)

Worcester Vocational Teachers Association vs. City of Worcester.
385 Mass. 1103 (1982)

Note. The name of a board or committee precedes the municipality's name: e.g., Rent Control Board of Belmont; School Committee of Beverly; Retirement Board of Springfield, Board of Selectmen of Wenham.

(r) Office Holders

The title of the office appears in the case caption, not

the surname of the office holder:

Attorney General vs. Travelers Insurance Co.
385 Mass. 598 (1982)

Libby vs. Commissioner of Correction.
385 Mass. 421 (1982)

Picciotto vs. Board of Bar Overseers.
495 Mass. 1030 (2025)

(s) Sexually Dangerous Persons (SDP)

In appeals from petitions for release from confinement under G. L. c. 123A, § 9, the individual's full name appears in the case caption, followed by a comma and the word "petitioner." In the text, the individual is referred to as "petitioner."

George Johnstone, petitioner.
453 Mass. 544 (2009)

In appeals from classifications under G. L. c. 6, § 178M, the case caption contains the individual's registry number, in the following format. In the text, the individual is referred to as "plaintiff" or "Doe."

John Doe, Sex Offender Registry Board No. 3974 vs. Sex Offender Registry Board.
457 Mass. 53 (2010)

In appeals from SDP adjudications under G. L. c. 123A, § 12 (b), the case caption is identical to captions used in criminal cases. In the text, the individual is referred to as "defendant."

Commonwealth vs. Joseph Blake.
454 Mass. 267 (2009)

(t) Interveners

Interveners (note spelling) are usually indicated by "& another" or "& others," with a footnote detailing the names of the interveners.

Gale Costa vs. Fall River Housing Authority & another.[1]
453 Mass. 614 (2009)

[1] The Attorney General, intervener.

(u) Double Case Captions

Double case captions appear in the rare circumstance when cases separately argued are addressed in a single opinion. This is not the same as cases being consolidated in the trial court or in an appellate court.

The New York Times Company vs. Commissioner of Revenue.
Federal Express Corporation vs. Commissioner of Revenue.
427 Mass. 399 (1998)

(v) Third-Party Cases

A third-party plaintiff or defendant is indicated in the case caption as follows.

Louise R. MacDonald vs. Joseph N. Najjar; Canada Dry Corporation, third-party defendant.
362 Mass. 119 (1972)

(w) Cases Involving Abuse Prevention or Harassment Prevention Orders

Published opinions in civil cases arising under G. L. c. 209A, involving abuse prevention orders, or under G. L. c. 258E, involving harassment prevention orders, shall use pseudonyms in lieu of the parties' names. The style of such pseudonyms shall be similar to the style of pseudonyms used in cases involving juvenile delinquents, i.e., a first name and an initial employing the first letter of the first name (e.g., Adam A. or Brenda B.). For cases arising in the Appeals Court, the Appeals Court staff attorneys will assign a pseudonym from the list that they maintain. For cases arising in the SJC, the Reporter of Decisions will obtain the pseudonym from the list that the Appeals Court staff attorneys maintain. Chambers will employ whatever nomenclature they choose for the parties (real names, initials, made-up pseudonyms, etc.), and one of the editorial groups will put the final pseudonym in place.

Both chambers and the editorial group will take all steps to avoid including in the opinion any additional information that would identify the parties (e.g., names of relatives, addresses, names of workplaces).

Published opinions in criminal cases involving a violation of a G. L. c. 209A or G. L. c. 258E order ordinarily will describe the victim or complainant but not name him or her. The defendant's name will appear in the caption of the opinion but will not be used in the opinion itself. Again, all steps will be taken to avoid including information that would identify the parties.

Memoranda and orders pursuant to Appeals Court rule 1:28 (now rule 23.0) in civil cases under G. L. c. 209A or G. L. c. 258E will employ initials in lieu of the parties' names, as there is less need to identify such decisions easily. Such memoranda and orders in criminal cases involving a violation of a G. L. c. 209A or G. L. c. 258E order will name the defendant in the caption but not in the body of the memorandum and order; the victim or complainant will be described but not named. All steps will be taken to avoid including in the body of the memorandum and order any additional information that would identify the parties.

(x) Board of Bar Examiners

For an appeal from the denial of an application for admission to the bar:

In the Matter of Guy-Serge Semionov Douzan.
495 Mass. 1008 (2024)

4.03 Snappers; General

A judgment is the final decisive act taken by a court in setting forth the rights of the parties. The judgment may include a decree and order from which an appeal lies. Traditionally, a decree was the final act taken by an equity court. Today we use judgment as the term for final disposition in either an equity or legal proceeding.

A verdict is handed down by a jury. Also, an appeal is taken from a judgment, not a verdict.

In drafting a judgment or snapper the lower court must be given clear instruction. If the words "So ordered" are used, they should be preceded by a statement making the disposition clear.

Avoid long snappers, which can create problems with formatting and pagination when published in the advance sheets. Instead, use complete sentences in the text that make the disposition clear, and use as a snapper the words "So ordered."

The following distinctions should be kept in mind: The SJC affirms, reverses, or modifies judgments and remands cases.

The court will sometimes issue an order in a case "with opinion or opinions to follow"; no snapper is needed when opinion is subsequently released. See, e.g., Commonwealth v. Bernardo B., 453 Mass. 158 (2009).

No snapper is necessary on opinions answering questions certified to this court by the Federal District Court or the Court of Appeals for the First Circuit. See, e.g., Foxworth v. St. Amand, 457 Mass. 200 (2010).

A number of common errors committed in drafting an order or snapper are illustrated in a law review article written by former Chief Justice Robert W. Calvert of the Supreme Court of Texas (6 Tex. Tech. L. Rev. 915 [1975]).

1. Do not mistake the lower court for its judgment.
Ex. "We deny the petitions and affirm [the order of the] Interstate Commerce Commission."

2. Do not mistake the case for the judgment below.
Ex. "The case [judgment] is affirmed."

3. Do not mistake the lower court's opinion for its judgment.
Ex. "The opinion [judgment] of the District Court is reversed."

4. Do not mistake the judgment for the case.
Ex. "The judgment of the trial court is reversed and [the case] remanded."

5. Do not omit a remand.
Ex. "The judgment that the plaintiff take nothing is reversed" should read, "We reverse the judgment and remand for a determination of damages."

4.03.1 Judgment Reversed or Vacated

The snapper "Judgment reversed" should be used when the judge in the trial court should have disposed of a case in a different manner. If the trial judge may not have been incorrect in deciding a case but the SJC is remanding the case for further proceedings, the snapper "Judgment vacated" should be used.

4.03.2 Common Examples; Civil Cases

(a) Judgment affirmed.

(b) Judgment reversed.

(c) The judgment is vacated, and the case is remanded to the Superior Court for entry of an order declaring that . . . .

So ordered.

(d) The judgment is affirmed, and the order denying the motion for a new trial is affirmed.

So ordered.

4.03.3 Common Examples; Criminal Cases

(a) Judgment affirmed.

(b) Judgment vacated.

Verdict set aside.

(c) If the evidence remaining after a suppression motion is allowed seems insufficient to warrant conviction on the charges, use phrasing similar to that in Commonwealth v. Torres, 424 Mass. 153, 164 (1997), where the court indicated that it was "doubtful" that the Commonwealth had enough evidence to reprosecute, but that the court would leave that decision to the district attorney.

If, however, it is impossible to retry the defendant (e.g., because of double jeopardy):

Judgment reversed.

Verdict set aside.

Judgment for the defendant.

(d) The judgment is affirmed, and the order denying the motion for a new trial is affirmed.

So ordered.

(e) If the case was tried to a judge rather than a jury:

Judgment vacated.

Finding set aside.

4.03.4 Particular Cases

(a) Appellate Division

When the Appellate Division agrees with the trial court, it dismisses the report.

Examples:

The order of Appellate Division dismissing the report is affirmed.

So ordered.

The decision and order of the Appellate Division is affirmed (reversed).

So ordered.

(b) Appellate Tax Board

The decision of the Appellate Tax Board is reversed (affirmed).

So ordered.

(c) Arbitration

A judgment of a lower court is either to "confirm" or "vacate" an arbitration award.

Judgment affirmed.

(d) Care and Protection

The judge's order granting the petition to dispense with parental consent to adoption of the two children is affirmed.

So ordered.

The judge's order committing the children to the care and protection of the department and the orders allowing the petitions to dispense with the need for consent to adoption are affirmed.

So ordered.

(e) Companion and Consolidated Cases

The snapper should recognize multiple judgments.

Judgments affirmed (reversed).

(f) Contributory Retirement Appeal Board

The judgment of the Superior Court affirming the Contributory Retirement Appeal Board's decision to deny benefits is affirmed.

So ordered.

The judgment of the Superior Court is vacated. An order is to enter remanding the case to the Contributory Retirement Appeal Board for further proceedings consistent with this opinion.

So ordered.

(g) Multiple Convictions

An order and snapper should clearly identify which convictions are being reviewed (convictions that are filed or not appealed do not count; count only those convictions from which an appeal is taken).

(h) Dismissal

Appeal dismissed.

(i) Habeas Corpus

The order denying the petition for a writ of habeas corpus is affirmed.

So ordered.

(j) Commonwealth Employment Relations Board

The decision (or order) of the board dismissing the . . . is affirmed.

So ordered.

(k) Medical Malpractice Tribunal

Judgment of dismissal affirmed.

The findings of the tribunal are to be replaced by the decision of this court that the offer of proof of the original plaintiffs, if properly substantiated, is sufficient to raise a legitimate question of liability appropriate for judicial inquiry. The judgment of dismissal is vacated, and the present plaintiffs may proceed with their claims.

So ordered.

(l) Mootness

The judgment is vacated, not on the merits but because the

case became moot, and a new judgment is to be entered dismissing the action.

So ordered.

The issues raised on appeal are moot and the appeal is dismissed. The judgment is to stand.

So ordered.

(m) Rate Setting Commission

The judgment of the Superior Court reversing the decision of the commission is affirmed.

So ordered.

5.00 PUBLICATION OF MASSACHUSETTS OPINIONS

5.01 Slip opinions; advance sheets; bound volumes

Opinions of the SJC and the Appeals Court are originally released in slip opinion form and contain the opinion and certain preliminary material added by the Reporter's office (county of origin, date of argument, date of decision, panel, catchwords indicating various issues, statement of procedural history, and listing of counsel).

Each week's decisions are then published in weekly advance sheet form. The advance sheets include headnotes written by the Reporter's office and permanent pagination provided by the official printer, thus making official citations available upon publication of the advance sheets. Decisions issued by Wednesday of a given week will appear in the issue of advance sheets dated Friday of the same week. Any corrections or amendments to the advance sheets should be forwarded to the Reporter by 2 P.M. on Wednesday so that they may appear in the next issue of the advance sheets.

Slip opinions are superseded by the publication of the advance sheets. If discrepancies exist between the slip opinion and the advance sheet versions, the advance sheet version controls.

After a sufficient number of advance sheet pages have been published, the volume is closed and these pages form the bound volume. Any corrections to the advance sheets should be forwarded to the Reporter by mail or e-mail so that they may appear in the bound volume. The bulk of such corrections do not require immediate inclusion in the advance sheets (e.g., typographical errors that do not blur the author's meaning). If a Justice wishes to amend an opinion, an amendment is prepared. If a significant error is found that affects the meaning of the opinion or in some way makes the opinion unclear, a correction is prepared.

Advance sheets are superseded by the publication of the bound volume. If discrepancies exist between the advance sheet and bound volume versions, the bound volume version controls.

The bound volumes of the Massachusetts Reports and

Massachusetts Appeals Court Reports contain the only official text of the opinions of the SJC and Appeals Court. If discrepancies exist between any other version of a case and the bound volume version of the Massachusetts Reports or Massachusetts Appeals Court Reports, the bound volume version controls.

5.02 Electronic resources

1. The official Web site of the Reporter's office is www.mass.gov/orgs/office-of-the-reporter-of-decisions, which is also found at www.massreports.com. This Web site includes the following:

   (a) Daily slip opinions. An announcement is made on the Web site (under "New opinions") at 8 A.M. indicating whether the Supreme Judicial Court or Appeals Court intends to issue opinions at 10 A.M. and listing the case captions and docket numbers of those opinions each court intends to release. (A similar announcement is made under the username @MassReports.) Slip opinions are posted to the Web site daily after 10 A.M. They are removed at the end of two weeks and, thereafter, may be found in the archive of published opinions (see § 5.02[2]).

   (b) Registration to receive notification of the release of slip opinions by e-mail on a daily basis.

   (c) Links to free unofficial collections of past published opinions of the Supreme Judicial Court and Appeals Court (including the archive detailed in § 5.02[2]);

   (d) A link to a free archive of past Appeals Court unpublished summary decisions (see § 5.02[3]);

   (e) Historical information regarding the Reporter's office, from 1804 to the present.

   (f) A downloadable copy of the SJC Style Manual in PDF format.

   (g) A list (under "Opinion revisions") of corrections, amendments, and supplements made to SJC and Appeals Court opinions prior to publication in final form.

2. As part of its contract with the Reporter's office,

LexisNexis has created a free Web site at www.lexisnexis.com/clients/macourts. This Web site includes searchable, free access to an archive of published opinions of the Supreme Judicial Court and the Appeals Court, from 2001 to the present, and searchable, free access to unpublished decisions of the Appeals Court.

3. The Reporter's office maintains a separate Web site, www.128archive.com, for the posting and archiving of unpublished Appeals Court decisions issued pursuant to its rule 23.0 (formerly rule 1:28) that have been released since the decision in Chace v. Curran, 71 Mass. App. Ct. 258, 260 n.4 (2008). This Web site is updated with new releases daily at 10 A.M.

These unpublished decisions are primarily addressed to the parties and, therefore, may not fully address the facts of the case or the panel's decisional rationale. Moreover, these decisions are not circulated to the entire court and, therefore, represent only the views of the panel that decided the case. These decisions may be cited for their persuasive value but, because of the limitations noted above, not as binding precedent. When citation is necessary, use the format described in § 2.02, supra.

APPENDICES

APPENDIX 1

ABBREVIATIONS FOR CASE NAMES

1. Do not abbreviate the first word of a party's name.

2. Do not use "Inc." if the name of the firm also contains words that clearly indicate that the entity is a business (e.g., Co., Bros., Corp., Ass'n).

3. Do not include the words "City of," "Town of," or "Inhabitants of" in citations. However, these words are included in the "running heads" (i.e., the page headers that appear at the top of each page of the opinions in the advance sheets and the bound volume).

4. The words "Board of" are dropped when the expression refers to constituent members (e.g., "Board of Overseers" or "Board of Selectmen"). The words are retained in such expressions as "Board of Appeals" or "Board of Health." Where a municipal official or board is a party, the name of the city (or town) should be retained. The name of the city (or town) appears at the end of the party's name (e.g., Smith v. Board of Appeals of Salem; Jones v. Mayor of Peabody) and not the beginning (e.g., Smith v. Salem Board of Appeals).

5. Shorten the phrase "In the Matter of" to "Matter of" (e.g., Matter of the Estate of King).

6. Do not substitute acronyms, even if well known, in place of a longer name or phrase (e.g., "American Civil Liberties Union" not "ACLU").

7. The following words and the names of States (as well as "United States") are to be abbreviated for purposes of citation. Abbreviations for the names of States appear in the Uniform System of Citation. Unless otherwise indicated, add an "s" inside the period to make an abbreviation plural.

Accident	Acc.	Administrat[ion, ive]	Admin.

Administrat[or, rix]	Adm'[r, x]
Agricultur[al, e]	Agric.
America[n]	Am.
And	&
Associate	Assoc.
Association	Ass'n
Assurance	Assur.
Atlantic	Atl.
Authority	Auth.
Automobile	Auto.
Avenue	Ave.
Board	Bd.
Boulevard	Blvd.
Brotherhood	Bhd.
Brothers	Bros.
Builder	Bldr.
Building	Bldg.
Bureau	Bur.
Casualty	Cas.
Cent[er, re]	Ctr.
Central	Cent.
Chemical	Chem.
Civil	Civ.
Commission	Comm'n
Commissioner	Comm'r
Committee	Comm.
Company	Co.
Consolidated	Consol.
Construction	Constr.
Continental	Cont.
Contract[ing, or]	Contr.
Cooperative	Coop.
Co-operative	Co-op.
Co-Operative	Co-Op.
Corporation	Corp.
Department	Dep't
Development	Dev.
Distribut[ing, or]	Distrib.
District	Dist.
Division	Div.
Domestic	Dom.
East[ern]	E.
Education[al]	Educ.
Electric[al, ity]	Elec.
Electronic	Elec.
Engineer	Eng'r
Engineering	Eng'g
Enterprise	Enter.
Environment	Env't
Environmental	Envtl.
Equipment	Equip.
Exchange	Exch.
Execut[or, rix]	Ex'[r,x]
Federal	Fed.
Federation	Fed'n
Fidelity	Fid.
Financ[e, ial, ing]	Fin.
Foundation	Found.
General	Gen.
Government	Gov't
Guaranty	Guar.
Hospital	Hosp.
Housing	Hous.
Incorporated	Inc.
Indemnity	Indem.
Independent	Indep.
Industr[y, ies, ial]	Indus.
Information	Info.
Institut[e, ion]	Inst.

Return to TOC

Insurance	Ins.
International	Int'l
Investment	Inv.
Junior	Jr.
Laborator[y, ies]	Lab.
Liability	Liab.
Limited	Ltd.
Litigation	Litig.
Machine[ry]	Mach.
Management	Mgt.
Manufacturer	Mfr.
Manufacturing	Mfg.
Market	Mkt.
Marketing	Mktg.
Medic[ine, al]	Med.
Metropolitan	Metro.
Mortgage	Mtge.
Municipal	Mun.
Mutual	Mut.
National	Nat'l
North[ern]	N.
Number	No.
Orchestra	Orch.
Organiz[ation, ing]	Org.
Pacific	Pac.
Pharmaceutical	Pharm.
Product[ion]	Prod.
Property	Prop.
Public	Pub.
Publication[s], Publish[er, ing]	Publ.
Purchasing	Purch.
Railroad	R.R.
Railway	Ry.
Redevelopment	Redev.
Refining	Ref.
Reproduct[ion, ive]	Reprod.
Road	Rd.
Savings	Sav.
School[s]	Sch.
Securit[y, ies]	Sec.
Service	Serv.
Society	Soc'y
South[ern]	S.
Square	Sq.
Steamship[s]	S.S.
Street	St.
Superintendent	Supt.
Supermarket	Supermkt.
Surety	Sur.
System[s]	Sys.
Techn[ical, ology]	Tech.
Telecommunication[s]	Telecomm.
Tele[gram, graph, phone, vision]	Tel.
Theological	Theol.
Transport[ation]	Transp.
Treasurer	Treas.
Typographical	Typo.
University	Univ.
Utility	Util.
West[ern]	W.

Railroad Abbreviations

New York, New Haven and Hartford Railroad Company = New York, N.H. & H.R.R.

New York Central Railroad Company = New York Cent. R.R.

New York Central and Hudson River Railroad Company = New York Cent. & H.R.R.R.

New York and New England Railroad Company = New York & New England R.R.

See also Newton v. Department of Pub. Utils., 339 Mass. 535, 546-547 (1959).

APPENDIX 2

MISCELLANEOUS ABBREVIATIONS

affirmed	aff'd
amended	do not abbreviate
American Law Reports	A.L.R.
and following	et seq.
Annotation	Annot.
appeal	do not abbreviate
article(s)	art. & arts.
certiorari	cert.
certiorari denied	cert. denied
certiorari dismissed	cert. dismissed
certiorari granted	cert. granted
chapter(s)	c. & cc.
Circuit	Cir.
clause	cl.
denied	do not abbreviate
dismissed	do not abbreviate
edition	ed.
footnote(s)	n. & nn.
modified	do not abbreviate
number(s)	no. & nos.
page	do not use (use "at")
paragraph(s)	par. & pars.
rehearing	do not abbreviate
reversed	rev'd
review	do not abbreviate
revised	rev.
same case	S.C.
section(s)	§ & §§
title	tit.
volume(s)	vol. & vols.

Return to TOC

APPENDIX 3

EARLY MASSACHUSETTS REPORTS CONVERSION TABLE

1 Pick. = 18 Mass.
2 Pick. = 19 Mass.
3 Pick. = 20 Mass.
4 Pick. = 21 Mass.
5 Pick. = 22 Mass.
6 Pick. = 23 Mass.
7 Pick. = 24 Mass.
8 Pick. = 25 Mass.
9 Pick. = 26 Mass.
10 Pick. = 27 Mass.
11 Pick. = 28 Mass.
12 Pick. = 29 Mass.
13 Pick. = 30 Mass.
14 Pick. = 31 Mass.
15 Pick. = 32 Mass.
16 Pick. = 33 Mass.
17 Pick. = 34 Mass.
18 Pick. = 35 Mass.
19 Pick. = 36 Mass.
20 Pick. = 37 Mass.
21 Pick. = 38 Mass.
22 Pick. = 39 Mass.
23 Pick. = 40 Mass.
24 Pick. = 41 Mass.
1 Met. = 42 Mass.
2 Met. = 43 Mass.
3 Met. = 44 Mass.
4 Met. = 45 Mass.
5 Met. = 46 Mass.
6 Met. = 47 Mass.
7 Met. = 48 Mass.
8 Met. = 49 Mass.
9 Met. = 50 Mass.
10 Met. = 51 Mass.
11 Met. = 52 Mass.
12 Met. = 53 Mass.
13 Met. = 54 Mass.
1 Cush. = 55 Mass.
2 Cush. = 56 Mass.
3 Cush. = 57 Mass.
4 Cush. = 58 Mass.
5 Cush. = 59 Mass.
6 Cush. = 60 Mass.
7 Cush. = 61 Mass.
8 Cush. = 62 Mass.
9 Cush. = 63 Mass.
10 Cush. = 64 Mass.
11 Cush. = 65 Mass.
12 Cush. = 66 Mass.
1 Gray = 67 Mass.
2 Gray = 68 Mass.
3 Gray = 69 Mass.
4 Gray = 70 Mass.
5 Gray = 71 Mass.
6 Gray = 72 Mass.
7 Gray = 73 Mass.
8 Gray = 74 Mass.
9 Gray = 75 Mass.
10 Gray = 76 Mass.
11 Gray = 77 Mass.
12 Gray = 78 Mass.
13 Gray = 79 Mass.
14 Gray = 80 Mass.
15 Gray = 81 Mass.
16 Gray = 82 Mass.
1 Allen = 83 Mass.
2 Allen = 84 Mass.
3 Allen = 85 Mass.
4 Allen = 86 Mass.
5 Allen = 87 Mass.
6 Allen = 88 Mass.
7 Allen = 89 Mass.
8 Allen = 90 Mass.
9 Allen = 91 Mass.
10 Allen = 92 Mass.
11 Allen = 93 Mass.
12 Allen = 94 Mass.
13 Allen = 95 Mass.
14 Allen = 96 Mass.

Return to TOC

APPENDIX 4

STYLE OF CITATION FOR MISCELLANEOUS MASSACHUSETTS SOURCES

1. Board of Registration in Medicine:

Matter of Listernick, Adjudicatory Case No. 03-37-DALA (May 16, 2007)

2. Department of Public Utilities/Department of Telecommunications and Energy:

Bay State Gas Co., D.T.E. 05-27, at 189-190 (2005)

Haverhill Gas Co., D.P.U. 246, at 7 (1980)

3. Attorney Discipline:

The Massachusetts Attorney Discipline Reports ceased publication with volume 38. Bar disciplinary and reinstatement decisions are now available at https://decisions.massbbo.org. This database includes decisions from the SJC as well as the Board of Bar Overseers (BBO) and its hearing committees.

a. Do not use the BBO database for reported SJC decisions. For such decisions, use and cite only to the Massachusetts Reports, in accordance with § 2.02. E.g.,

Matter of Foster, 492 Mass. 724 (2023)

b. For other decisions, the citation includes the name of the document, the document ID and the forum (as described at https://decisions.massbbo.org), and the year. E.g.,

Matter of Kaplan, 2023-DDC-6588, at 2 (BBO 2023)
Matter of Kaplan, 2023-DDC-6588, at 2
Matter of Kaplan, supra at 2
Matter of Dupuy, 2023-DDC-6566 (HC 2023)
Admonition No. 17-22, 2017-ADM-5744 (BBO 2017)
Matter of Crowley, 2020-DDC-6237 (SJ 2020)

4. Massachusetts Discrimination Law Reporter:

Blue v. Aramark Corporation, 27 Mass. Discrimination L. Rep. 73 (2004)

5. Massachusetts Labor Cases:

City of Holyoke, 29 M.L.C. 97 (2002)

6. Massachusetts Workers' Compensation Reports:

Frechette v. Northeastern University, 21 Mass. Workers' Comp. Rep. 105 (2007)

7. Massachusetts Land Court Reporter:

Norton v. Joseph, 17 Land Ct. Rep. 40, 41 (2009)

8. Reports of the Attorney General:

Rep. A.G., Pub. Doc. No. 12, at 55 (1966)

9. Alcoholic Beverages Control Commission:

Martignetti Grocery Co. vs. Pine Ridge Winery, LLC, ABCC decision No. 25E-1285 (Nov. 20, 2013)

10. Massachusetts Child Support Guidelines:

Child Support Guidelines § 1(A)(1)(a) (Aug. 2013)

APPENDIX 5

STATUTORY HISTORY

When reference to a statute in effect at a particular time has significance, the following phrases may be used, at the discretion of the author:

1. "Inserted by": to designate the section as it appeared when first inserted into the General Laws.

G. L. c. 40A, § 7A, inserted by St. 1957, c. 297.

2. "As appearing in": when the entire text of the section, as revised following its insertion into the General Laws, appeared in the referenced amending act.

G. L. c. 40A, § 7A, as appearing in St. 1961, c. 435, § 2.

3. "As amended by": when the cited section was amended for the first time (i.e., following its insertion or rewriting as provided for in 1 and 2) by the referenced amending act.

4. "As amended through": when the cited section was amended for a second or subsequent time (i.e., following its insertion or rewriting as provided for in 1 and 2) by the referenced amending act.

APPENDIX 6

MASSACHUSETTS RULES OF CIVIL PROCEDURE

Mass. R. Civ. P. 1, as amended, 474 Mass. 1402 (2016)
Mass. R. Civ. P. 1A, repealed, 450 Mass. 1401 (2008)
Mass. R. Civ. P. 1B, 371 Mass. 910 (1977)
Mass. R. Civ. P. 2, 365 Mass. 733 (1974)
Mass. R. Civ. P. 3, as appearing in 488 Mass. 1401 (2021)
Mass. R. Civ. P. 4, as amended, 402 Mass. 1401 (1988)
Mass. R. Civ. P. 4 (a), 365 Mass. 733 (1974)
Mass. R. Civ. P. 4 (b), 365 Mass. 733 (1974)
Mass. R. Civ. P. 4 (c), as amended, 369 Mass. 997 (1976)
Mass. R. Civ. P. 4 (d), as amended, 370 Mass. 918 (1976)
Mass. R. Civ. P. 4 (e), 365 Mass. 733 (1974)
Mass. R. Civ. P. 4 (f), 365 Mass. 733 (1974)
Mass. R. Civ. P. 4 (g), 365 Mass. 733 (1974)
Mass. R. Civ. P. 4 (h), as appearing in 367 Mass. 918 (1975)
Mass. R. Civ. P. 4 (i), 385 Mass. 1215 (1982)
Mass. R. Civ. P. 4 (j), as appearing in 402 Mass. 1401 (1988)
Mass. R. Civ. P. 4.1, 365 Mass. 737 (1974)
Mass. R. Civ. P. 4.2, 365 Mass. 740 (1974)
Mass. R. Civ. P. 4.3, 365 Mass. 744 (1974)
Mass. R. Civ. P. 5, as amended, 476 Mass. 1401 (2017)
Mass. R. Civ. P. 5 (a), as amended, 488 Mass. 1402 (2021)
Mass. R. Civ. P. 5 (b), as appearing in 493 Mass. 1401 (2023)
Mass. R. Civ. P. 5 (c), 365 Mass. 745 (1974)
Mass. R. Civ. P. 5 (d), as amended, 404 Mass. 1401 (1989)
Mass. R. Civ. P. 5 (d) (2), as amended, 436 Mass. 1401 (2002)
Mass. R. Civ. P. 5 (e), 365 Mass. 745 (1974)
Mass. R. Civ. P. 5 (f), as appearing in 488 Mass. 1402 (2021)
Mass. R. Civ. P. 5 (g), as amended, 368 Mass. 905 (1975)
Mass. R. Civ. P. 5 (h), 476 Mass. 1401 (2017)
Mass. R. Civ. P. 6, 365 Mass. 747 (1974)
Mass. R. Civ. P. 6 (d), as appearing in 493 Mass. 1403 (2023)
Mass. R. Civ. P. 6 (e), repealed, 493 Mass. 1401 (2023)]
Mass. R. Civ. P. 7, as amended, 385 Mass. 1215 (1982)
Mass. R. Civ. P. 7 (a), as amended, 385 Mass. 1215 (1982)
Mass. R. Civ. P. 7 (b), 365 Mass. 748 (1974)
Mass. R. Civ. P. 7 (c), 365 Mass. 748 (1974)
Mass. R. Civ. P. 8, 365 Mass. 749 (1974)
Mass. R. Civ. P. 8.1, 479 Mass. 1401 (2019)
Mass. R. Civ. P. 9, 365 Mass. 751 (1974)
Mass. R. Civ. P. 10, as amended, 456 Mass. 1401 (2010)
Mass. R. Civ. P. 10 (e), 456 Mass. 1401 (2010)
Mass. R. Civ. P. 10 (f), 488 Mass. 1403 (2021)

Mass. R. Civ. P. 11, as amended, 456 Mass. 1401 (2010)
Mass. R. Civ. P. 11 (a), as appearing in 488 Mass. 1403 (2021)
Mass. R. Civ. P. 12, 365 Mass. 754 (1974)
Mass. R. Civ. P. 12 (b) (9), as amended, 450 Mass. 1403 (2008)
Mass. R. Civ. P. 12 (b) (10), as appearing in 450 Mass. 1403 (2008)
Mass. R. Civ. P. 12 (d), as amended, 451 Mass. 1401 (2008)
Mass. R. Civ. P. 12 (h) (1), as appearing in 450 Mass. 1403 (2008)
Mass. R. Civ. P. 13, as amended, 423 Mass. 1405 (1996)
Mass. R. Civ. P. 13 (a), as amended, 423 Mass. 1405 (1996)
Mass. R. Civ. P. 13 (b), 365 Mass. 758 (1974)
Mass. R. Civ. P. 13 (c), 365 Mass. 758 (1974)
Mass. R. Civ. P. 13 (d), 365 Mass. 758 (1974)
Mass. R. Civ. P. 13 (e), 365 Mass. 758 (1974)
Mass. R. Civ. P. 13 (f), 365 Mass. 758 (1974)
Mass. R. Civ. P. 13 (g), 365 Mass. 758 (1974)
Mass. R. Civ. P. 13 (h), 365 Mass. 758 (1974)
Mass. R. Civ. P. 13 (i), 365 Mass. 758 (1974)
Mass. R. Civ. P. 13 (j), as amended, 450 Mass. 1401 (2008)
Mass. R. Civ. P. 14, as amended, 385 Mass. 1216 (1982)
Mass. R. Civ. P. 14 (a), as amended, 385 Mass. 1216 (1982)
Mass. R. Civ. P. 14 (b), 365 Mass. 760 (1974)
Mass. R. Civ. P. 15, 365 Mass. 761 (1974)
Mass. R. Civ. P. 16, as amended, 466 Mass. 1401 (2013)
Mass. R. Civ. P. 17, 365 Mass. 763 (1974)
Mass. R. Civ. P. 17 (a), 461 Mass. 1401 (2011)
Mass. R. Civ. P. 17 (b), as appearing in 454 Mass. 1402 (2009)
Mass. R. Civ. P. 18, 365 Mass. 764 (1974)
Mass. R. Civ. P. 19, 365 Mass. 765 (1974)
Mass. R. Civ. P. 20, 365 Mass. 766 (1974)
Mass. R. Civ. P. 21, 365 Mass. 767 (1974)
Mass. R. Civ. P. 22, 365 Mass. 767 (1974)
Mass. R. Civ. P. 23, as amended, 471 Mass. 1491 (2015)
Mass. R. Civ. P. 23 (c), as amended, 471 Mass. 1491 (2015)
Mass. R. Civ. P. 23 (e), as amended, 471 Mass. 1491 (2015)
Mass. R. Civ. P. 23 (e) (3), as amended, 492 Mass. 1401 (2023)
Mass. R. Civ. P. 23.1, 365 Mass. 768 (1974)
Mass. R. Civ. P. 23.2, 365 Mass. 769 (1974)
Mass. R. Civ. P. 24, 365 Mass. 769 (1974)
Mass. R. Civ. P. 25, 365 Mass. 771 (1974)
Mass. R. Civ. P. 25 (b), as appearing in 454 Mass. 1403 (2009)
Mass. R. Civ. P. 26, as amended, 474 Mass. 1401 (2016)
Mass. R. Civ. P. 26 (a), as appearing in 382 Mass. 823 (1981)
Mass. R. Civ. P. 26 (b), 365 Mass. 772 (1974)
Mass. R. Civ. P. 26 (b) (5), as appearing in 466 Mass. 1402 (2013)

Mass. R. Civ. P. 26 (b) (5) (A), as appearing in 477 Mass. 1401 (2017)
Mass. R. Civ. P. 26 (c), as amended, 474 Mass. 1401 (2016)
Mass. R. Civ. P. 26 (d), 365 Mass. 772 (1974)
Mass. R. Civ. P. 26 (e), 365 Mass. 772 (1974)
Mass. R. Civ. P. 26 (f), 466 Mass. 1404 (2013)
Mass. R. Civ. P. 27, as amended, 423 Mass. 1401 (1996)
Mass. R. Civ. P. 27 (a), as amended, 423 Mass. 1401 (1996)
Mass. R. Civ. P. 27 (a) (1), as amended, 423 Mass. 1401 (1996)
Mass. R. Civ. P. 27 (a) (2), as amended, 454 Mass. 1401 (2009)
Mass. R. Civ. P. 27 (a) (3), 365 Mass. 777 (1974)
Mass. R. Civ. P. 27 (a) (4), 365 Mass. 777 (1974)
Mass. R. Civ. P. 27 (b), 365 Mass. 777 (1974)
Mass. R. Civ. P. 27 (c), 365 Mass. 777 (1974)
Mass. R. Civ. P. 28, as amended, 385 Mass. 1209 (1982)
Mass. R. Civ. P. 28 (a), as amended, 385 Mass. 1209 (1982)
Mass. R. Civ. P. 28 (b), 365 Mass. 779 (1974)
Mass. R. Civ. P. 28 (c), 365 Mass. 779 (1974)
Mass. R. Civ. P. 29, 365 Mass. 780 (1974)
Mass. R. Civ. P. 30, as appearing in 489 Mass. 1401 (2022)
Mass. R. Civ. P. 30 (b) (4), as appearing in 495 Mass. 1401 (2024)
Mass. R. Civ. P. 30 (c) (2), as amended, 495 Mass. 1404 (2025)
Mass. R. Civ. P. 30 (n) (4), as amended, 495 Mass. 1404 (2025)
Mass. R. Civ. P. 30A, repealed, 489 Mass. 1401 (2022)
Mass. R. Civ. P. 31, as amended, 404 Mass. 1403 (1989)
Mass. R. Civ. P. 31 (a), 365 Mass. 786 (1974)
Mass. R. Civ. P. 31 (b), as appearing in 404 Mass. 1403 (1989)
Mass. R. Civ. P. 31 (c), as appearing in 404 Mass. 1403 (1989)
Mass. R. Civ. P. 32, as amended, 392 Mass. 1105 (1984)
Mass. R. Civ. P. 32 (a) (1), 365 Mass. 787 (1974)
Mass. R. Civ. P. 32 (a) (2), 365 Mass. 787 (1974)
Mass. R. Civ. P. 32 (a) (3), as amended, 392 Mass. 1105 (1984)
Mass. R. Civ. P. 32 (a) (3) (A), 365 Mass. 787 (1974)
Mass. R. Civ. P. 32 (a) (3) (B), as appearing in 392 Mass. 1105 (1984)
Mass. R. Civ. P. 32 (a) (3) (C), 365 Mass. 787 (1974)
Mass. R. Civ. P. 32 (a) (3) (D), 365 Mass. 787 (1974)
Mass. R. Civ. P. 32 (a) (3) (E), 365 Mass. 787 (1974)
Mass. R. Civ. P. 32 (a) (4), as appearing in 385 Mass. 1211 (1982)
Mass. R. Civ. P. 32 (b), 365 Mass. 787 (1974)
Mass. R. Civ. P. 32 (c), 365 Mass. 787 (1974)
Mass. R. Civ. P. 32 (d), 365 Mass. 787 (1974)
Mass. R. Civ. P. 33, as amended, 385 Mass. 1212 (1982)
Mass. R. Civ. P. 33 (a), as appearing in 436 Mass. 1401 (2002)
Mass. R. Civ. P. 33 (a) (6), as appearing in 454 Mass. 1404

(2009)
Mass. R. Civ. P. 33 (b), 365 Mass. 790 (1974)
Mass. R. Civ. P. 33 (c), as amended, 385 Mass. 1212 (1982)
Mass. R. Civ. P. 34, as amended, 474 Mass. 1402 (2016)
Mass. R. Civ. P. 34 (b), as amended, 474 Mass. 1402 (2016)
Mass. R. Civ. P. 34 (c), as appearing in 474 Mass. 1403 (2016)
Mass. R. Civ. P. 35, as appearing in 492 Mass. 1402 (2023)
Mass. R. Civ. P. 36, 365 Mass. 795 (1974)
Mass. R. Civ. P. 37, as amended, 423 Mass. 1406 (1996)
Mass. R. Civ. P. 37 (a) (1), as appearing in 423 Mass. 1406 (1996)
Mass. R. Civ. P. 37 (a) (2), 365 Mass. 797 (1974)
Mass. R. Civ. P. 37 (a) (3), 365 Mass. 797 (1974)
Mass. R. Civ. P. 37 (a) (4), as amended, 417 Mass. 1401 (1994)
Mass. R. Civ. P. 37 (b), as amended, 423 Mass. 1406 (1996)
Mass. R. Civ. P. 37 (b) (1), as appearing in 423 Mass. 1406 (1996)
Mass. R. Civ. P. 37 (b) (2), as amended, 390 Mass. 1208 (1984)
Mass. R. Civ. P. 37 (c), 365 Mass. 797 (1974)
Mass. R. Civ. P. 37 (d), 365 Mass. 797 (1974)
Mass. R. Civ. P. 37 (e), 365 Mass. 797 (1974)
Mass. R. Civ. P. 37 (f), 466 Mass. 1409 (2013)
Mass. R. Civ. P. 38, as amended, 423 Mass. 1406 (1996)
Mass. R. Civ. P. 38 (a), 365 Mass. 800 (1974)
Mass. R. Civ. P. 38 (b), 365 Mass. 800 (1974)
Mass. R. Civ. P. 38 (c), 365 Mass. 800 (1974)
Mass. R. Civ. P. 38 (d), 365 Mass. 800 (1974)
Mass. R. Civ. P. 38 (e), as amended, 450 Mass. 1401 (2008)
Mass. R. Civ. P. 39, as amended, 423 Mass. 1406 (1996)
Mass. R. Civ. P. 39 (a), as amended, 450 Mass. 1403 (2008)
Mass. R. Civ. P. 39 (b), 365 Mass. 801 (1974)
Mass. R. Civ. P. 39 (c), 365 Mass. 801 (1974)
Mass. R. Civ. P. 39 (d), as amended, 450 Mass. 1401 (2008)
Mass. R. Civ. P. 40, 365 Mass. 802 (1974)
Mass. R. Civ. P. 41, 365 Mass. 803 (1974)
Mass. R. Civ. P. 41 (b) (3), as amended, 454 Mass. 1403 (2009)
Mass. R. Civ. P. 42, as amended, 423 Mass. 1406 (1996)
Mass. R. Civ. P. 42 (a), as amended, 423 Mass. 1402 (1996)
Mass. R. Civ. P. 42 (b), as amended, 423 Mass. 1402 (1996)
Mass. R. Civ. P. 42 (c), as appearing in 423 Mass. 1406 (1996)
Mass. R. Civ. P. 42 (d), as appearing in 450 Mass. 1403 (2008)
Mass. R. Civ. P. 43, 365 Mass. 806 (1974)
Mass. R. Civ. P. 44, 365 Mass. 807 (1974)
Mass. R. Civ. P. 44.1, 365 Mass. 809 (1974)
Mass. R. Civ. P. 45, as amended, 470 Mass. 1401 (2015)
Mass. R. Civ. P. 45 (a), as appearing in 470 Mass. 1402 (2015)
Mass. R. Civ. P. 45 (b), as appearing in 470 Mass. 1402 (2015)

Mass. R. Civ. P. 45 (c), as appearing in 470 Mass. 1402 (2015)
Mass. R. Civ. P. 45 (d), as appearing in 470 Mass. 1403 (2015)
Mass. R. Civ. P. 45 (e), as appearing in 470 Mass. 1404 (2015)
Mass. R. Civ. P. 45 (f), as amended, 470 Mass. 1401 (2015)
Mass. R. Civ. P. 45 (g), 466 Mass. 1402 (2013)
Mass. R. Civ. P. 46, 365 Mass. 811 (1974)
Mass. R. Civ. P. 47, 365 Mass. 812 (1974)
Mass. R. Civ. P. 47 (b), as amended, 450 Mass. 1402 (2008)
Mass. R. Civ. P. 47 (c), as appearing in 450 Mass. 1404 (2008)
Mass. R. Civ. P. 48, 450 Mass. 1404 (2008)
Mass. R. Civ. P. 49, 365 Mass. 812 (1974)
Mass. R. Civ. P. 50, as amended, 428 Mass. 1402 (1998)
Mass. R. Civ. P. 50 (a), 365 Mass. 814 (1974)
Mass. R. Civ. P. 50 (b), as amended, 428 Mass. 1402 (1998)
Mass. R. Civ. P. 51, 365 Mass. 816 (1974)
Mass. R. Civ. P. 51 (a), as appearing in 488 Mass. 1405 (2021)
Mass. R. Civ. P. 52, as amended, 423 Mass. 1408 (1996)
Mass. R. Civ. P. 52 (a), as amended, 423 Mass. 1402 (1996)
Mass. R. Civ. P. 52 (b), as amended, 423 Mass. 1402 (1996)
Mass. R. Civ. P. 52 (c), as appearing in 450 Mass. 1404 (2008)
Mass. R. Civ. P. 52 (d), as appearing in 423 Mass. 1408 (1996)
Mass. R. Civ. P. 53, as amended, 423 Mass. 1408 (1996)
Mass. R. Civ. P. 53 (a), as amended, 386 Mass. 1237 (1982)
Mass. R. Civ. P. 53 (b) (1), as appearing in 423 Mass. 1408 (1996)
Mass. R. Civ. P. 53 (b) (2), as amended, 386 Mass. 1237 (1982)
Mass. R. Civ. P. 53 (b) (3), as amended, 386 Mass. 1237 (1982)
Mass. R. Civ. P. 53 (c), as amended, 386 Mass. 1237 (1982)
Mass. R. Civ. P. 53 (d), as amended, 386 Mass. 1237 (1982)
Mass. R. Civ. P. 53 (e), as amended, 386 Mass. 1237 (1982)
Mass. R. Civ. P. 53 (f), as amended, 386 Mass. 1237 (1982)
Mass. R. Civ. P. 53 (g), as amended, 386 Mass. 1237 (1982)
Mass. R. Civ. P. 53 (h), as amended, 386 Mass. 1237 (1982)
Mass. R. Civ. P. 53 (i), as amended, 386 Mass. 1237 (1982)
Mass. R. Civ. P. 54, as amended, 382 Mass. 829 (1981)
Mass. R. Civ. P. 54 (a), 365 Mass. 820 (1974)
Mass. R. Civ. P. 54 (b), 365 Mass. 820 (1974)
Mass. R. Civ. P. 54 (c), as amended, 463 Mass. 1401 (2012)
Mass. R. Civ. P. 54 (d), as appearing in 382 Mass. 821 (1980)
Mass. R. Civ. P. 54 (e), as amended, 382 Mass. 829 (1981)
Mass. R. Civ. P. 54 (f), 382 Mass. 822 (1980)
Mass. R. Civ. P. 55, as amended, 477 Mass. 1401 (2017)
Mass. R. Civ. P. 55 (a), 365 Mass. 822 (1974)
Mass. R. Civ. P. 55 (b) (1), as amended, 454 Mass. 1401 (2009)
Mass. R. Civ. P. 55 (b) (2), as amended, 463 Mass. 1401 (2012)
Mass. R. Civ. P. 55 (b) (3), as appearing in 450 Mass. 1405 (2008)

Mass. R. Civ. P. 55 (b) (4), as appearing in 483 Mass. 1402 (2020)
Mass. R. Civ. P. 55 (b) (5), as amended, 450 Mass. 1402 (2008)
Mass. R. Civ. P. 55 (b) (6), as amended, 450 Mass. 1402 (2008)
Mass. R. Civ. P. 55 (c), 365 Mass. 822 (1974)
Mass. R. Civ. P. 55 (d), 365 Mass. 822 (1974)
Mass. R. Civ. P. 55.1, 479 Mass. 1404 (2019)
Mass. R. Civ. P. 56, 365 Mass. 824 (1974)
Mass. R. Civ. P. 56 (c), as amended, 436 Mass. 1404 (2002)
Mass. R. Civ. P. 57, 365 Mass. 826 (1974)
Mass. R. Civ. P. 58, as amended, 371 Mass. 908 (1977)
Mass. R. Civ. P. 59, 365 Mass. 827 (1974)
Mass. R. Civ. P. 60, 365 Mass. 828 (1974)
Mass. R. Civ. P. 61, 365 Mass. 829 (1974)
Mass. R. Civ. P. 62, as amended, 423 Mass. 1409 (1996)
Mass. R. Civ. P. 62 (a), as amended, 423 Mass. 1409 (1996)
Mass. R. Civ. P. 62 (b), 365 Mass. 829 (1974)
Mass. R. Civ. P. 62 (c), 365 Mass. 829 (1974)
Mass. R. Civ. P. 62 (d), 365 Mass. 829 (1974)
Mass. R. Civ. P. 62 (e), as amended, 382 Mass. 821 (1980)
Mass. R. Civ. P. 62 (f), 365 Mass. 829 (1974)
Mass. R. Civ. P. 63, as appearing in 493 Mass. 1404 (2024)
Mass. R. Civ. P. 64, as amended, 423 Mass. 1410 (1996)
Mass. R. Civ. P. 64 (a), as amended, 423 Mass. 1403 (1996)
Mass. R. Civ. P. 64 (b), as appearing in 423 Mass. 1410 (1996)
Mass. R. Civ. P. 64A, repealed, 450 Mass. 1402 (2007)
Mass. R. Civ. P. 65, 365 Mass. 832 (1974)
Mass. R. Civ. P. 65.1, as appearing in 483 Mass. 1401 (2019)
Mass. R. Civ. P. 65.2, 376 Mass. 948 (1979)
Mass. R. Civ. P. 65.3, as appearing in 386 Mass. 1244 (1982)
Mass. R. Civ. P. 66, 365 Mass. 834 (1974)
Mass. R. Civ. P. 66 (c), as amended, 454 Mass. 1401 (2009)
Mass. R. Civ. P. 67, 365 Mass. 835 (1974)
Mass. R. Civ. P. 68, 365 Mass. 835 (1974)
Mass. R. Civ. P. 69, 365 Mass. 836 (1974)
Mass. R. Civ. P. 70, 365 Mass. 836 (1974)
Mass. R. Civ. P. 71, 365 Mass. 837 (1974)
Mass. R. Civ. P. 72 - RESERVED
Mass. R. Civ. P. 73 - RESERVED
Mass. R. Civ. P. 74 - RESERVED
Mass. R. Civ. P. 75 - RESERVED
Mass. R. Civ. P. 76 - RESERVED
Mass. R. Civ. P. 77, as amended, 476 Mass. 1402 (2017)
Mass. R. Civ. P. 77 (a), 365 Mass. 841 (1974)
Mass. R. Civ. P. 77 (b), as appearing in 423 Mass. 1411 (1996)
Mass. R. Civ. P. 77 (c), 365 Mass. 841 (1974)
Mass. R. Civ. P. 77 (d), as appearing in 476 Mass. 1402 (2017)

Mass. R. Civ. P. 77 (e), as amended, 423 Mass. 1412 (1996)
Mass. R. Civ. P. 77 (f), as amended, 495 Mass. 1404 (2025)
Mass. R. Civ. P. 78, 365 Mass. 839 (1974)
Mass. R. Civ. P. 79, as amended, 385 Mass. 1216 (1982)
Mass. R. Civ. P. 79 (a), 365 Mass. 839 (1974)
Mass. R. Civ. P. 79 (b), 365 Mass. 839 (1974)
Mass. R. Civ. P. 79 (c), 365 Mass. 839 (1974)
Mass. R. Civ. P. 79 (d), as appearing in 385 Mass. 1216 (1982)
Mass. R. Civ. P. 80, as amended, 423 Mass. 1412 (1996)
Mass. R. Civ. P. 80 (a), as amended, 423 Mass. 1403 (1996)
Mass. R. Civ. P. 80 (b), as amended, 423 Mass. 1403 (1996)
Mass. R. Civ. P. 80 (c), as appearing in 450 Mass. 1405 (2008)
Mass. R. Civ. P. 80 (d), as appearing in 423 Mass. 1412 (1996)
Mass. R. Civ. P. 81, as amended, 481 Mass. 1401 (2018)
Mass. R. Civ. P. 81 (a), as amended, 481 Mass. 1401 (2018)
Mass. R. Civ. P. 81 (a) (1), as amended, 481 Mass. 1401 (2018)
Mass. R. Civ. P. 81 (b), 365 Mass. 841 (1974)
Mass. R. Civ. P. 81 (c), as amended, 423 Mass. 1404 (1996)
Mass. R. Civ. P. 81 (d), 365 Mass. 841 (1974)
Mass. R. Civ. P. 81 (e), 365 Mass. 841 (1974)
Mass. R. Civ. P. 81 (f), as amended, 423 Mass. 1404 (1996)
Mass. R. Civ. P. 81 (g), 365 Mass. 841 (1974)
Mass. R. Civ. P. 82, 365 Mass. 843 (1974)
Mass. R. Civ. P. 83, 365 Mass. 843 (1974)
Mass. R. Civ. P. 84, repealed, 476 Mass. 1401 (2017)
Mass. R. Civ. P. 85, 365 Mass. 843 (1974)

Return to TOC

APPENDIX 7

MASSACHUSETTS RULES OF APPELLATE PROCEDURE

Use the following format when citing to rules 1 to 32 of the rules of appellate procedure as in effect **beginning March 1, 2019**. For rules in effect before that date, see infra.

Mass. R. A. P. 1, as appearing in 481 Mass. 1601 (2019)
Mass. R. A. P. 1 (c), as amended, 487 Mass. 1601 (2021)
Mass. R. A. P. 2, as appearing in 481 Mass. 1603 (2019)
Mass. R. A. P. 3, as appearing in 481 Mass. 1603 (2019)
Mass. R. A. P. 3 (c) (1), as appearing in 491 Mass. 1601 (2023)
Mass. R. A. P. 3 (c) (3), 491 Mass. 1602 (2023)
Mass. R. A. P. 4, as appearing in 481 Mass. 1606 (2019)
Mass. R. A. P. 4 (a), as appearing in 496 Mass. 1601 (2025)
Mass. R. A. P. 4 (b) (2), as appearing in 489 Mass. 1601 (2022)
Mass. R. A. P. 4 (b) (3), as appearing in 489 Mass. 1601 (2022)
Mass. R. A. P. 4 (d), as amended, 496 Mass. 1603 (2025)
Mass. R. A. P. 5, as appearing in 481 Mass. 1608 (2019)
Mass. R. A. P. 6, as appearing in 494 Mass. 1601 (2024)
Mass. R. A. P. 7, as appearing in 481 Mass. 1611 (2019)
Mass. R. A. P. 8, as appearing in 481 Mass. 1611 (2019)
Mass. R. A. P. 9, as appearing in 481 Mass. 1615 (2019)
Mass. R. A. P. 9 (e) (1) (A) (iii), as appearing in 496 Mass. 1603 (2025)
Mass. R. A. P. 10, as appearing in 481 Mass. 1618 (2019)
Mass. R. A. P. 11, as appearing in 481 Mass. 1620 (2019)
Mass. R. A. P. 11.1, as appearing in 481 Mass. 1623 (2019)
Mass. R. A. P. 12, as appearing in 481 Mass. 1623 (2019)
Mass. R. A. P. 13, as appearing in 481 Mass. 1624 (2019)
Mass. R. A. P. 13 (d) (2) (c), as amended, 494 Mass. 1604 (2024)
Mass. R. A. P. 13 (e) (2) (E), as amended, 494 Mass. 1604 (2024)
Mass. R. A. P. 14, as appearing in 481 Mass. 1626 (2019)
Mass. R. A. P. 15, as appearing in 481 Mass. 1627 (2019)
Mass. R. A. P. 16, as appearing in 481 Mass. 1628 (2019)
Mass. R. A. P. 16 (a) (12) (A), as amended, 494 Mass. 1604 (2024)
Mass. R. A. P. 17, as appearing in 481 Mass. 1635 (2019)
Mass. R. A. P. 17 (a), as amended, 489 Mass. 1601 (2022)
Mass. R. A. P. 17 (c), as amended, 489 Mass. 1602 (2022)
Mass. R. A. P. 17 (c) (5), 489 Mass. 1602 (2022)
Mass. R. A. P. 17 (c) (9), as amended, 494 Mass. 1605 (2024)
Mass. R. A. P. 18, as appearing in 481 Mass. 1637 (2019)
Mass. R. A. P. 18 (a) (1) (D), as appearing in 491 Mass. 1603 (2023)

Mass. R. A. P. 18 (a) (1) (G), 491 Mass. 1603 (2023)
Mass. R. A. P. 19, as appearing in 481 Mass. 1642 (2019)
Mass. R. A. P. 19 (d) (1) (A), as amended, 489 Mass. 1603 (2022)
Mass. R. A. P. 19 (d) (2) (A), as amended, 489 Mass. 1603 (2022)
Mass. R. A. P. 20, as appearing in 481 Mass. 1646 (2019)
Mass. R. A. P. 20 (a) (1), as appearing in 487 Mass. 1601 (2021)
Mass. R. A. P. 20 (a) (2) (D), as amended, 487 Mass. 1601 (2021)
Mass. R. A. P. 20 (a) (3) (F), as amended, 487 Mass. 1602 (2021)
Mass. R. A. P. 20 (a) (4) (C), as amended, 487 Mass. 1602 (2021)
Mass. R. A. P. 20 (a) (6) (B) (v), as amended, 494 Mass. 1605 (2024)
Mass. R. A. P. 20 (b) (2) (B) (i), as amended, 494 Mass. 1605 (2024)
Mass. R. A. P. 21, as appearing in 481 Mass. 1651 (2019)
Mass. R. A. P. 22, as appearing in 481 Mass. 1651 (2019)
Mass. R. A. P. 23, as appearing in 481 Mass. 1653 (2019)
Mass. R. A. P. 24, as appearing in 481 Mass. 1654 (2019)
Mass. R. A. P. 24.1, repealed, 481 Mass. 1654 (2019)
Mass. R. A. P. 25, as appearing in 498 Mass. 1601 (2026)
Mass. R. A. P. 26, as appearing in 481 Mass. 1655 (2019)
Mass. R. A. P. 27, as appearing in 481 Mass. 1656 (2019)
Mass. R. A. P. 27.1, as appearing in 481 Mass. 1657 (2019)
Mass. R. A. P. 27.1 (b), as amended, 487 Mass. 1602 (2021)
Mass. R. A. P. 28, as appearing in 481 Mass. 1659 (2019)
Mass. R. A. P. 29, as appearing in 481 Mass. 1660 (2019)
Mass. R. A. P. 30, as appearing in 481 Mass. 1661 (2019)
Mass. R. A. P. 31, as appearing in 481 Mass. 1662 (2019)
Mass. R. A. P. 32, 365 Mass. 880 (1974)

Cite to the rules of appellate procedure as in effect **before March 1, 2019**, as follows:

Mass. R. A. P. 1, as amended, 430 Mass. 1601 (1999)
Mass. R. A. P. 1 (a), 365 Mass. 844 (1974)
Mass. R. A. P. 1 (b), as amended, 421 Mass. 1601 (1995)
Mass. R. A. P. 1 (c), as amended, 454 Mass. 1601 (2009)
Mass. R. A. P. 1 (d), as appearing in 397 Mass. 1228 (1986)
Mass. R. A. P. 2, 365 Mass. 845 (1974)
Mass. R. A. P. 3, as amended, 430 Mass. 1602 (1999)
Mass. R. A. P. 3 (a), as amended, 378 Mass. 927 (1979)
Mass. R. A. P. 3 (b), 365 Mass. 845 (1974)
Mass. R. A. P. 3 (c), as appearing in 430 Mass. 1602 (1999)
Mass. R. A. P. 3 (d), 365 Mass. 845 (1974)
Mass. R. A. P. 3 (e), as amended, 430 Mass. 1602 (1999)
Mass. R. A. P. 3 (f), 430 Mass. 1603 (1999)
Mass. R. A. P. 4, as amended, 430 Mass. 1603 (1999)
Mass. R. A. P. 4 (a), as amended, 464 Mass. 1601 (2013)

Mass. R. A. P. 4 (b), as amended, 431 Mass. 1601 (2000)
Mass. R. A. P. 4 (c), as amended, 378 Mass. 928 (1979)
Mass. R. A. P. 5, as amended, 378 Mass. 930 (1979)
Mass. R. A. P. 6, as appearing in 454 Mass. 1601 (2009)
Mass. R. A. P. 7, 365 Mass. 849 (1974)
Mass. R. A. P. 8, as amended, 430 Mass. 1601 (1999)
Mass. R. A. P. 8 (a), as amended, 378 Mass. 932 (1979)
Mass. R. A. P. 8 (b) (1), as amended, 430 Mass. 1601 (1999)
Mass. R. A. P. 8 (b) (2), as amended, 437 Mass. 1602 (2002)
Mass. R. A. P. 8 (b) (3), as amended, 430 Mass. 1601 (1999)
Mass. R. A. P. 8 (b) (3) (i), as appearing in 388 Mass. 1106 (1983)
Mass. R. A. P. 8 (b) (3) (ii), as amended, 428 Mass. 1601 (1998)
Mass. R. A. P. 8 (b) (3) (iii), as appearing in 388 Mass. 1106 (1983)
Mass. R. A. P. 8 (b) (3) (iv), as appearing in 388 Mass. 1106 (1983)
Mass. R. A. P. 8 (b) (3) (v), as appearing in 388 Mass. 1106 (1983)
Mass. R. A. P. 8 (b) (3) (vi), as amended, 397 Mass. 1229 (1986)
Mass. R. A. P. 8 (b) (4), as amended, 397 Mass. 1229 (1986)
Mass. R. A. P. 8 (b) (5), 430 Mass. 1603 (1999)
Mass. R. A. P. 8 (c), as amended, 378 Mass. 932 (1979)
Mass. R. A. P. 8 (d), as amended, 378 Mass. 932 (1979)
Mass. R. A. P. 8 (e), as amended, 378 Mass. 932 (1979)
Mass. R. A. P. 9, as amended, 417 Mass. 1601 (1994)
Mass. R. A. P. 9 (a), as amended, 417 Mass. 1601 (1994)
Mass. R. A. P. 9 (b), as amended, 378 Mass. 935 (1979)
Mass. R. A. P. 9 (c) (1), as amended, 378 Mass. 935 (1979)
Mass. R. A. P. 9 (c) (2), as amended, 437 Mass. 1602 (2002)
Mass. R. A. P. 10, as amended, 430 Mass. 1605 (1999)
Mass. R. A. P. 10 (a), as amended, 430 Mass. 1605 (1999)
Mass. R. A. P. 10 (a) (1), as amended, 435 Mass. 1601 (2001)
Mass. R. A. P. 10 (a) (2), as amended, 378 Mass. 937 (1979)
Mass. R. A. P. 10 (a) (3), as amended, 378 Mass. 937 (1979)
Mass. R. A. P. 10 (b), as amended, 378 Mass. 937 (1979)
Mass. R. A. P. 10 (c), as amended, 417 Mass. 1602 (1994)
Mass. R. A. P. 11, as amended, 437 Mass. 1602 (2002)
Mass. R. A. P. 11 (a), as amended, 378 Mass. 938 (1979)
Mass. R. A. P. 11 (b), as amended, 437 Mass. 1602 (2002)
Mass. R. A. P. 11 (c), 365 Mass. 854 (1974)
Mass. R. A. P. 11 (d), as amended, 426 Mass. 1601 (1998)
Mass. R. A. P. 11 (e), 365 Mass. 854 (1974)
Mass. R. A. P. 11 (f), as appearing in 421 Mass. 1602 (1996)
Mass. R. A. P. 11 (g), as amended, 409 Mass. 1602 (1991)
Mass. R. A. P. 11 (g) (1), 365 Mass. 854 (1974)
Mass. R. A. P. 11 (g) (2), 365 Mass. 854 (1974)

Mass. R. A. P. 11 (g) (3), 365 Mass. 854 (1974)
Mass. R. A. P. 11 (g) (4), as amended, 410 Mass. 1602 (1991)
Mass. R. A. P. 11.1, 365 Mass. 857 (1974)
Mass. R. A. P. 12, as amended, 409 Mass. 1602 (1991)
Mass. R. A. P. 13, as amended, 406 Mass. 1601 (1990)
Mass. R. A. P. 13 (a), as amended, 406 Mass. 1601 (1990)
Mass. R. A. P. 13 (b), 365 Mass. 854 (1974)
Mass. R. A. P. 13 (c), 365 Mass. 854 (1974)
Mass. R. A. P. 13 (d), 365 Mass. 854 (1974)
Mass. R. A. P. 14, as amended, 378 Mass. 939 (1979)
Mass. R. A. P. 14 (a), 365 Mass. 859 (1974)
Mass. R. A. P. 14 (b), as amended, 378 Mass. 939 (1979)
Mass. R. A. P. 14 (c), 365 Mass. 859 (1974)
Mass. R. A. P. 15, as amended, 378 Mass. 939 (1979)
Mass. R. A. P. 15 (a), 365 Mass. 859 (1974)
Mass. R. A. P. 15 (b), 365 Mass. 859 (1974)
Mass. R. A. P. 15 (c), 365 Mass. 859 (1974)
Mass. R. A. P. 15 (d), as amended, 378 Mass. 939 (1979)
Mass. R. A. P. 16, as amended, 428 Mass. 1603 (1999)
Mass. R. A. P. 16 (a), as amended, 428 Mass. 1603 (1999)
Mass. R. A. P. 16 (a) (1), as appearing in 424 Mass. 1601 (1997)
Mass. R. A. P. 16 (a) (2), 365 Mass. 860 (1974)
Mass. R. A. P. 16 (a) (3), 365 Mass. 860 (1974)
Mass. R. A. P. 16 (a) (4), as amended, 367 Mass. 921 (1975)
Mass. R. A. P. 16 (a) (5), 365 Mass. 860 (1974)
Mass. R. A. P. 16 (a) (6), as appearing in 428 Mass. 1603 (1999)
Mass. R. A. P. 16 (a) (7), as appearing in 428 Mass. 1603 (1999)
Mass. R. A. P. 16 (a) (8), 428 Mass. 1603 (1999)
Mass. R. A. P. 16 (b), as appearing in 411 Mass. 1602 (1992)
Mass. R. A. P. 16 (c), as amended, 399 Mass. 1217 (1987)
Mass. R. A. P. 16 (d), as amended, 425 Mass. 1601 (1997)
Mass. R. A. P. 16 (e), as amended, 378 Mass. 940 (1979)
Mass. R. A. P. 16 (f), 365 Mass. 860 (1974)
Mass. R. A. P. 16 (g), as amended, 405 Mass. 1701 (1989)
Mass. R. A. P. 16 (h), as amended, 438 Mass. 1601 (2003)
Mass. R. A. P. 16 (i), 365 Mass. 860 (1974)
Mass. R. A. P. 16 (j), 365 Mass. 860 (1974)
Mass. R. A. P. 16 (k), 445 Mass. 1601 (2005)
Mass. R. A. P. 16 (l), as amended, 386 Mass. 1247 (1982)
Mass. R. A. P. 16 (m), 425 Mass. 1601 (1997)
Mass. R. A. P. 17, as amended, 426 Mass. 1602 (1998)
Mass. R. A. P. 18, as amended, 428 Mass. 1601 (1998)
Mass. R. A. P. 18 (a), as amended, 425 Mass. 1602 (1997)
Mass. R. A. P. 18 (b), as amended, 425 Mass. 1602 (1997)
Mass. R. A. P. 18 (c), as amended, 378 Mass. 940 (1979)
Mass. R. A. P. 18 (d), as amended, 370 Mass. 919 (1967)
Mass. R. A. P. 18 (e), as appearing in 428 Mass. 1601 (1998)

Mass. R. A. P. 18 (f), 365 Mass. 864 (1974)
Mass. R. A. P. 18 (g), 425 Mass. 1602 (1997)
Mass. R. A. P. 19, as amended, 441 Mass. 1606 (2004)
Mass. R. A. P. 19 (a), as amended, 441 Mass. 1606 (2004)
Mass. R. A. P. 19 (b), as amended, 426 Mass. 1602 (1998)
Mass. R. A. P. 19 (c), 365 Mass. 867 (1974)
Mass. R. A. P. 19 (d), as appearing in 430 Mass. 1606 (1999)
Mass. R. A. P. 20, as amended, 456 Mass. 1601 (2010)
Mass. R. A. P. 20 (a), as amended, 456 Mass. 1601 (2010)
Mass. R. A. P. 20 (b), as amended, 428 Mass. 1603 (1999)
Mass. R. A. P. 21, 365 Mass. 870 (1974)
Mass. R. A. P. 22, as amended, 418 Mass. 1601 (1994)
Mass. R. A. P. 22 (a), 365 Mass. 870 (1974)
Mass. R. A. P. 22 (b), as amended, 437 Mass. 1601 (2002)
Mass. R. A. P. 22 (c), as amended, 418 Mass. 1601 (1994)
Mass. R. A. P. 22 (d), 365 Mass. 870 (1974)
Mass. R. A. P. 22 (e), 365 Mass. 870 (1974)
Mass. R. A. P. 22 (f), 365 Mass. 870 (1974)
Mass. R. A. P. 22 (g), as amended, 378 Mass. 943 (1979)
Mass. R. A. P. 22 (h), 365 Mass. 870 (1974)
Mass. R. A. P. 23, as appearing in 367 Mass. 921 (1975)
Mass. R. A. P. 24, 365 Mass. 872 (1974)
Mass. R. A. P. 24.1, 416 Mass. 1601 (1994)
Mass. R. A. P. 25, as appearing in 376 Mass. 949 (1979)
Mass. R. A. P. 26, as amended, 378 Mass. 925 (1979)
Mass. R. A. P. 27, as amended, 410 Mass. 1602 (1991)
Mass. R. A. P. 27 (a), as appearing in 396 Mass. 1218 (1986)
Mass. R. A. P. 27 (b), as appearing in 396 Mass. 1218 (1986)
Mass. R. A. P. 27 (c), as amended, 410 Mass. 1602 (1991)
Mass. R. A. P. 27.1, as amended, 441 Mass. 1601 (2004)
Mass. R. A. P. 27.1 (a), as amended, 367 Mass. 922 (1975)
Mass. R. A. P. 27.1 (b), as amended, 416 Mass. 1602 (1994)
Mass. R. A. P. 27.1 (c), 365 Mass. 875 (1974)
Mass. R. A. P. 27.1 (d), as amended, 426 Mass. 1602 (1998)
Mass. R. A. P. 27.1 (e), as appearing in 420 Mass. 1602 (1995)
Mass. R. A. P. 27.1 (f), as amended, 441 Mass. 1601 (2004)
Mass. R. A. P. 27.1 (g), as appearing in 418 Mass. 1601 (1994)
Mass. R. A. P. 28, as amended, 378 Mass. 925 (1979)
Mass. R. A. P. 29, as amended, 378 Mass. 943 (1979)
Mass. R. A. P. 29 (a), 365 Mass. 877 (1974)
Mass. R. A. P. 29 (b), as amended, 378 Mass. 943 (1979)
Mass. R. A. P. 29 (c), 365 Mass. 877 (1974)
Mass. R. A. P. 30, as amended, 378 Mass. 925 (1979)
Mass. R. A. P. 31, 365 Mass. 879 (1974)
Mass. R. A. P. 32, 365 Mass. 880 (1974)

APPENDIX 8

RULES OF THE SUPREME JUDICIAL COURT

S.J.C. Rule 1:01, as amended, 429 Mass. 1301 (1999)
S.J.C. Rule 1:02, as appearing in 382 Mass. 700 (1981)
S.J.C. Rule 1:02A, as amended, 430 Mass. 1325 (2000)
S.J.C. Rule 1:03, as appearing in 382 Mass. 700 (1981)
S.J.C. Rule 1:04, as appearing in 382 Mass. 702 (1981)
S.J.C. Rule 1:05, as appearing in 382 Mass. 704 (1981)
S.J.C. Rule 1:06, as appearing in 411 Mass. 1313 (1991)
S.J.C. Rule 1:07, as amended, 431 Mass. 1301 (2000)
S.J.C. Rule 1:08, as amended, 411 Mass. 1318 (1992)
S.J.C. Rule 1:08 (1), as appearing in 411 Mass. 1318 (1992)
S.J.C. Rule 1:08 (1A), as appearing in 382 Mass. 709 (1981)
S.J.C. Rule 1:08 (2), as appearing in 382 Mass. 709 (1981)
S.J.C. Rule 1:08 (3), as appearing in 382 Mass. 709 (1981)
S.J.C. Rule 1:09, as appearing in 382 Mass. 710 (1981)
S.J.C. Rule 1:10, as appearing in 382 Mass. 711 (1981)
S.J.C. Rule 1:11, as appearing in 480 Mass. 1322 (2018)
S.J.C. Rule 1:11, § 7 A (3), as amended, 497 Mass. 1301 (2026)
S.J.C. Rule 1:11, § 7 A (4), as amended, 497 Mass. 1301 (2026)
S.J.C. Rule 1:11, § 7 A (5), repealed, 497 Mass. 1301 (2026)
S.J.C. Rule 1:12, as appearing in 382 Mass. 717 (1981)
S.J.C. Rule 1:13, as appearing in 382 Mass. 718 (1981)
S.J.C. Rule 1:14, repealed, 471 Mass. 1485 (2015)
S.J.C. Rule 1:15, as appearing in 472 Mass. 1301 (2015)
S.J.C. Rule 1:16, as appearing in 406 Mass. 1305 (1990)
S.J.C. Rule 1:17, 419 Mass. 1301 (1995)
S.J.C. Rule 1:18, as amended, 442 Mass. 1301 (2004)
S.J.C. Rule 1:19, as appearing in 461 Mass. 1301 (2012)
S.J.C. Rule 1:20, 436 Mass. 1301 (2002)
S.J.C. Rule 1:21, 437 Mass. 1303 (2002)
S.J.C. Rule 1:22, 458 Mass. 1301 (2010)
S.J.C. Rule 1:23, 458 Mass. 1302 (2010)
S.J.C. Rule 1:24, § x (2016)
S.J.C. Rule 1:25, as amended, 484 Mass. 1301 (2020)

(Massachusetts Rules of Electronic Filing)
cite individual rule as Mass. R. E. F. xx, 480 Mass. xxxx (2018), unless an amendment is listed below

Mass. R. E. F. 1 (b), as appearing in 484 Mass. 1301 (2020)
Mass. R. E. F. 8 (a), as appearing in 484 Mass. 1301 (2020)
Mass. R. E. F. 8 (f), as amended, 484 Mass. 1302 (2020)
Mass. R. E. F. 10 (b), as amended, 484 Mass. 1302 (2020)
S.J.C. Rule 2:01, as appearing in 382 Mass. 743 (1981)
S.J.C. Rule 2:02, as appearing in 382 Mass. 743 (1981)

Return to TOC

S.J.C. Rule 2:03, as appearing in 382 Mass. 744 (1981)
S.J.C. Rule 2:04, as appearing in 382 Mass. 745 (1981)
S.J.C. Rule 2:05, as appearing in 382 Mass. 745 (1981)
S.J.C. Rule 2:06, as appearing in 382 Mass. 746 (1981)
S.J.C. Rule 2:07, as appearing in 382 Mass. 746 (1981)
S.J.C. Rule 2:08, as appearing in 382 Mass. 746 (1981)
S.J.C. Rule 2:09, as appearing in 382 Mass. 747 (1981)
S.J.C. Rule 2:10, as appearing in 382 Mass. 747 (1981)
S.J.C. Rule 2:11, as appearing in 382 Mass. 748 (1981)
S.J.C. Rule 2:12, as appearing in 382 Mass. 748 (1981)
S.J.C. Rule 2:13, as appearing in 382 Mass. 749 (1981)
S.J.C. Rule 2:14, as appearing in 382 Mass. 749 (1981)
S.J.C. Rule 2:15, as appearing in 382 Mass. 750 (1981)
S.J.C. Rule 2:16, as appearing in 382 Mass. 750 (1981)
S.J.C. Rule 2:17, as appearing in 382 Mass. 751 (1981)
S.J.C. Rule 2:18, as appearing in 437 Mass. 1302 (2002)
S.J.C. Rule 2:19, as appearing in 382 Mass. 752 (1981)
S.J.C. Rule 2:20, as appearing in 382 Mass. 752 (1981)
S.J.C. Rule 2:21, as amended, 434 Mass. 1301 (2001)
S.J.C. Rule 2:22, 422 Mass. 1302 (1996)
S.J.C. Rule 2:23, 471 Mass. 1303 (2015)
S.J.C. Rule 3:01, as appearing in 478 Mass. 1301 (2018)
S.J.C. Rule 3:01, § 1.2.6, as amended, 497 Mass. 1301 (2026)
S.J.C. Rule 3:02, as appearing in 382 Mass. 758 (1981)
S.J.C. Rule 3:03, as appearing in 496 Mass. 1301 (2025)
S.J.C. Rule 3:04, as appearing in 382 Mass. 760 (1981)
S.J.C. Rule 3:05, as amended, 430 Mass. 1328 (2000)
S.J.C. Rule 3:06, as amended, 430 Mass. 1303 (1999)
S.J.C. Rule 3:06 (1), as appearing in 421 Mass. 1306 (1996)
S.J.C. Rule 3:06 (2), as amended, 430 Mass. 1303 (1999)
S.J.C. Rule 3:06 (3), as amended, 423 Mass. 1302 (1996)
S.J.C. Rule 3:06 (4), as amended, 423 Mass. 1301 (1996)
S.J.C. Rule 3:06 (5), as amended, 423 Mass. 1301 (1996)
S.J.C. Rule 3:06 (6), as amended, 423 Mass. 1301 (1996)
S.J.C. Rule 3:06 (7), as amended, 423 Mass. 1301 (1996)
S.J.C. Rule 3:06 (8), as amended, 423 Mass. 1301 (1996)
S.J.C. Rule 3:07, as amended, 495 Mass. 1301 (2025)

(Massachusetts Rules of Professional Conduct)

Mass. R. Prof. C. 1.0, as amended, 490 Mass. 1301 (2022)
Mass. R. Prof. C. 1.0 (c), 490 Mass. 1301 (2022)
Mass. R. Prof. C. 1.0 (o), 490 Mass. 1301 (2022)

Mass. R. Prof. C. 1.1, as amended, 490 Mass. 1302 (2022)
Mass. R. Prof. C. 1.2, as amended, 490 Mass. 1316 (2022)
Mass. R. Prof. C. 1.3, as appearing in 471 Mass. 1318 (2015)
Mass. R. Prof. C. 1.4, as appearing in 471 Mass. 1319 (2015)
Mass. R. Prof. C. 1.4 (a) (1), as amended, 490 Mass. 1302 (2022)

Mass. R. Prof. C. 1.5, as amended, 480 Mass. 1315 (2018)
Mass. R. Prof. C. 1.5 (b), as appearing in 463 Mass. 1302 (2012)
Mass. R. Prof. C. 1.5 (c), as amended, 480 Mass. 1315 (2018)
Mass. R. Prof. C. 1.6, as amended, 490 Mass. 1302 (2022)
Mass. R. Prof. C. 1.6 (a), as amended, 493 Mass. 1309 (2024)
Mass. R. Prof. C. 1.6 (d), as amended, 474 Mass. 1301 (2016)
Mass. R. Prof. C. 1.7, as amended, 490 Mass. 1303 (2022)
Mass. R. Prof. C. 1.8, as amended, 490 Mass. 1304 (2022)
Mass. R. Prof. C. 1.8 (e), as appearing in 490 Mass. 1317 (2022)
Mass. R. Prof. C. 1.8 (j), as appearing in 490 Mass. 1318 (2022)
Mass. R. Prof. C. 1.8 (k), as amended, 490 Mass. 1304 (2022)
Mass. R. Prof. C. 1.9, as amended, 490 Mass. 1305 (2022)
Mass. R. Prof. C. 1.10, as amended, 474 Mass. 1301 (2016)
Mass. R. Prof. C. 1.11, as amended, 490 Mass. 1305 (2022)
Mass. R. Prof. C. 1.12, as amended, 490 Mass. 1306 (2022)
Mass. R. Prof. C. 1.13, as amended, 490 Mass. 1306 (2022)
Mass. R. Prof. C. 1.14, as amended, 471 Mass. 1305 (2015)
Mass. R. Prof. C. 1.14 (c), as appearing in 471 Mass. 1379 (2015)
Mass. R. Prof. C. 1.15, as amended, 493 Mass. 1302 (2024)
Mass. R. Prof. C. 1.15 (e) (4), as amended, 493 Mass. 1301 (2024)
Mass. R. Prof. C. 1.15 (e) (6), as amended, 493 Mass. 1301 (2024)
Mass. R. Prof. C. 1.15 (e) (7), as amended, 490 Mass. 1306 (2022)
Mass. R. Prof. C. 1.15 (f), as amended, 493 Mass. 1301 (2024)
Mass. R. Prof. C. 1.15 (f) (1) (E) (i), as amended, 493 Mass. 1301 (2024)
Mass. R. Prof. C. 1.15 (f) (1) (E) (iii), as amended, 493 Mass. 1301 (2024)
Mass. R. Prof. C. 1.15 (g) (2) (ii), as amended, 493 Mass. 1301 (2024)
Mass. R. Prof. C. 1.15 (g) (4) (vi), as amended, 493 Mass. 1302 (2024)
Mass. R. Prof. C. 1.15 (h), as appearing in 493 Mass. 1303 (2024)
Mass. R. Prof. C. 1.15 (i), 493 Mass. 1306 (2024)
Mass. R. Prof. C. 1.15A, as amended, 493 Mass. 1303 (2024)
Mass. R. Prof. C. 1.15A (c), as appearing in 490 Mass. 1320 (2022)
Mass. R. Prof. C. 1.15A (e) (2), as amended, 493 Mass. 1303 (2024)
Mass. R. Prof. C. 1.15A (e) (3), as amended, 493 Mass. 1303 (2024)
Mass. R. Prof. C. 1.15A (g), 490 Mass. 1306 (2022)
Mass. R. Prof. C. 1.15A (h), 490 Mass. 1306 (2022)

Mass. R. Prof. C. 1.16, as amended, 495 Mass. 1302 (2025)
Mass. R. Prof. C. 1.16 (a), as amended, 495 Mass. 1301 (2025)
Mass. R. Prof. C. 1.16 (c), as amended, 495 Mass. 1302 (2025)
Mass. R. Prof. C. 1.16 (d), as amended, 495 Mass. 1302 (2025)
Mass. R. Prof. C. 1.17, as amended, 490 Mass. 1307 (2022)
Mass. R. Prof. C. 1.18, as amended, 490 Mass. 1308 (2022)
Mass. R. Prof. C. 2.1, as appearing in 471 Mass. 1408 (2015)
Mass. R. Prof. C. 2.2 -- RESERVED
Mass. R. Prof. C. 2.3, as appearing in 471 Mass. 1410 (2015)
Mass. R. Prof. C. 2.4, as amended, 490 Mass. 1308 (2022)
Mass. R. Prof. C. 3.1, as appearing in 471 Mass. 1414 (2015)
Mass. R. Prof. C. 3.2, as appearing in 471 Mass. 1416 (2015)
Mass. R. Prof. C. 3.3, as amended, 490 Mass. 1308 (2022)
Mass. R. Prof. C. 3.4, as amended, 490 Mass. 1309 (2022)
Mass. R. Prof. C. 3.4 (a), as amended, 490 Mass. 1308 (2022)
Mass. R. Prof. C. 3.4 (g), as amended, 490 Mass. 1308 (2022)
Mass. R. Prof. C. 3.4 (g) (3), as amended, 490 Mass. 1308 (2022)
Mass. R. Prof. C. 3.4 (h), 490 Mass. 1308 (2022)
Mass. R. Prof. C. 3.4 (i), 490 Mass. 1308 (2022)
Mass. R. Prof. C. 3.5, as amended, 490 Mass. 1309 (2022)
Mass. R. Prof. C. 3.6, as appearing in 471 Mass. 1430 (2015)
Mass. R. Prof. C. 3.7, as amended, 490 Mass. 1309 (2022)
Mass. R. Prof. C. 3.8, as appearing in 473 Mass. 1301 (2016)
Mass. R. Prof. C. 3.9, as appearing in 471 Mass. 1437 (2015)
Mass. R. Prof. C. 4.1, as appearing in 471 Mass. 1438 (2015)
Mass. R. Prof. C. 4.2, as amended, 493 Mass. 1309 (2024)
Mass. R. Prof. C. 4.3, as appearing in 471 Mass. 1442 (2015)
Mass. R. Prof. C. 4.4, as amended, 493 Mass. 1310 (2024)
Mass. R. Prof. C. 4.4 (a), as amended, 490 Mass. 1321 (2022)
Mass. R. Prof. C. 5.1, as amended, 490 Mass. 1310 (2022)
Mass. R. Prof. C. 5.2, 426 Mass. 1407 (1998)
Mass. R. Prof. C. 5.3, as appearing in 471 Mass. 1447 (2015)
Mass. R. Prof. C. 5.4, as amended, 474 Mass. 1302 (2016)
Mass. R. Prof. C. 5.4 (a), as amended, 474 Mass. 1302 (2016)
Mass. R. Prof. C. 5.5, as amended, 493 Mass. 1310 (2024)
Mass. R. Prof. C. 5.5 (d), as appearing in 474 Mass. 1302 (2016)
Mass. R. Prof. C. 5.5 (e), 474 Mass. 1302 (2016)
Mass. R. Prof. C. 5.6, as appearing in 471 Mass. 1459 (2015)
Mass. R. Prof. C. 5.7, as amended, 493 Mass. 1311 (2024)
Mass. R. Prof. C. 6.1, as appearing in 471 Mass. 1463 (2015)
Mass. R. Prof. C. 6.2, as appearing in 471 Mass. 1467 (2015)
Mass. R. Prof. C. 6.3, 426 Mass. 1416 (1998)
Mass. R. Prof. C. 6.4, 426 Mass. 1417 (1998)
Mass. R. Prof. C. 6.5, as appearing in 463 Mass. 1303 (2012)
Mass. R. Prof. C. 7.1, as appearing in 490 Mass. 1323 (2022)
Mass. R. Prof. C. 7.2, as appearing in 490 Mass. 1325 (2022)
Mass. R. Prof. C. 7.3, as appearing in 490 Mass. 1330 (2022)

Mass. R. Prof. C. 7.4, repealed, 490 Mass. 1310 (2022)
Mass. R. Prof. C. 7.5, repealed, 490 Mass. 1310 (2022)
Mass. R. Prof. C. 8.1, as appearing in 471 Mass. 1479 (2015)
Mass. R. Prof. C. 8.2, as appearing in 471 Mass. 1480 (2015)
Mass. R. Prof. C. 8.3, as appearing in 471 Mass. 1481 (2015)
Mass. R. Prof. C. 8.4, as appearing in 471 Mass. 1482 (2015)
Mass. R. Prof. C. 8.5, as appearing in 454 Mass. 1301 (2009)
S.J.C. Rule 3:09, Canon x, Rule x (2016)
(Massachusetts Code of Judicial Conduct)
S.J.C. Rule 3:10, as appearing in 475 Mass. 1301 (2016)
S.J.C. Rule 3:11, as appearing in 476 Mass. 1301 (2016)
S.J.C. Rule 3:12, as amended, 427 Mass. 1322 (1998)
S.J.C. Rule 3:12, Canon 1, as appearing in 407 Mass. 1301 (1990)
S.J.C. Rule 3:12, Canon 2, as appearing in 407 Mass. 1301 (1990)
S.J.C. Rule 3:12, Canon 3, as appearing in 407 Mass. 1301 (1990)
S.J.C. Rule 3:12, Canon 4, as appearing in 407 Mass. 1301 (1990)
S.J.C. Rule 3:12, Canon 5, as appearing in 407 Mass. 1301 (1990)
S.J.C. Rule 3:12, Canon 6, as appearing in 407 Mass. 1301 (1990)
S.J.C. Rule 3:12, Canon 7, as appearing in 407 Mass. 1301 (1990)
S.J.C. Rule 3:12, Canon 8, as amended, 411 Mass. 1317 (1992)
S.J.C. Rule 3:12, Canon 9, as amended, 427 Mass. 1322 (1998)
S.J.C. Rule 3:13, as appearing in 471 Mass. 1301 (2015)
S.J.C. Rule 3:14, as appearing in 407 Mass. 1309 (1990)
S.J.C. Rule 3:15, as amended, 480 Mass. 1330 (2019)
S.J.C. Rule 3:16, repealed, 494 Mass. 1301 (2024)
S.J.C. Rule 4:01, § 1, as amended, 430 Mass. 1319 (2000)
S.J.C. Rule 4:01, § 2, as appearing in 453 Mass. 1307 (2009)
S.J.C. Rule 4:01, § 3, as amended, 430 Mass. 1314 (1999)
S.J.C. Rule 4:01, § 3 (1), as appearing in 453 Mass. 1308 (2009)
S.J.C. Rule 4:01, § 3 (3), as appearing in 489 Mass. 1304 (2022)
S.J.C. Rule 4:01, § 4, as appearing in 425 Mass. 1304 (1997)
S.J.C. Rule 4:01, § 5, as amended, 430 Mass. 1314 (1999)
S.J.C. Rule 4:01, § 5 (3), as amended, 453. Mass. 1305 (2009)
S.J.C. Rule 4:01, § 5 (3) (b), as amended, 453 Mass. 1305 (2009)
S.J.C. Rule 4:01, § 5 (3) (c), as appearing in 453 Mass. 1308 (2009)
S.J.C. Rule 4:01, § 5 (3) (e), as amended, 453 Mass. 1306 (2009)
S.J.C. Rule 4:01, § 5 (3) (f), as amended, 453 Mass. 1306 (2009)
S.J.C. Rule 4:01, § 5 (3) (g), as appearing in 453 Mass. 1308 (2009)
S.J.C. Rule 4:01, § 5 (3) (h), as amended, 453 Mass. 1306 (2009)
S.J.C. Rule 4:01, § 5 (3) (i), as amended, 453 Mass. 1306 (2009)
S.J.C. Rule 4:01, § 5 (3) (j), as amended, 453 Mass. 1306 (2009)
S.J.C. Rule 4:01, § 5 (3) (k), as amended, 453 Mass. 1306 (2009)
S.J.C. Rule 4:01, § 5 (3) (l), as amended, 453 Mass. 1306 (2009)
S.J.C. Rule 4:01, § 6, as appearing in 425 Mass. 1307 (1997)
S.J.C. Rule 4:01, § 6 (4), as amended, 453 Mass. 1306 (2009)

S.J.C. Rule 4:01, § 7, as appearing in 453 Mass. 1309 (2009)
S.J.C. Rule 4:01, § 7 (5), as appearing in 489 Mass. 1304 (2022)
S.J.C. Rule 4:01, § 8, as appearing in 453 Mass. 1310 (2009)
S.J.C. Rule 4:01, § 8 (2) (c), as amended, 489 Mass. 1301 (2022)
S.J.C. Rule 4:01, § 8 (4) (a), as amended, 489 Mass. 1302 (2022)
S.J.C. Rule 4:01, § 9, as appearing in 425 Mass. 1312 (1997)
S.J.C. Rule 4:01, § 10, as appearing in 425 Mass. 1313 (1997)
S.J.C. Rule 4:01, § 11, as amended, 453 Mass. 1306 (2009)
S.J.C. Rule 4:01, § 12, as appearing in 425 Mass. 1313 (1997)
S.J.C. Rule 4:01, § 12A, as appearing in 425 Mass. 1315 (1997)
S.J.C. Rule 4:01, § 13, as amended, 435 Mass. 1302 (2002)
S.J.C. Rule 4:01, § 13 (4) (d), as amended, 453 Mass. 1307 (2009)
S.J.C. Rule 4:01, § 13 (4) (e), as amended, 453 Mass. 1307 (2009)
S.J.C. Rule 4:01, § 14, as appearing in 425 Mass. 1318 (1997)
S.J.C. Rule 4:01, § 15, as appearing in 489 Mass. 1305 (2022)
S.J.C. Rule 4:01, § 16, as appearing in 425 Mass. 1319 (1997)
S.J.C. Rule 4:01, § 17, as amended, 426 Mass. 1301 (1997)
S.J.C. Rule 4:01, § 17 (3), as amended, 489 Mass. 1302 (2022)
S.J.C. Rule 4:01, § 17 (4), as appearing in 489 Mass. 1302 (2022)
S.J.C. Rule 4:01, § 17 (7), as amended, 453 Mass. 1307 (2009)
S.J.C. Rule 4:01, § 17 (8), as appearing in 453 Mass. 1314 (2009)
S.J.C. Rule 4:01, § 18, as appearing in 453 Mass. 1315 (2009)
S.J.C. Rule 4:01, § 19, as appearing in 425 Mass. 1327 (1997)
S.J.C. Rule 4:01, § 20, as amended, 438 Mass. 1301 (2002)
S.J.C. Rule 4:01, § 21, as appearing in 494 Mass. 1302 (2024)
S.J.C. Rule 4:01, § 22, as appearing in 425 Mass. 1330 (1997)
S.J.C. Rule 4:01, § 23, as appearing in 425 Mass. 1330 (1997)
S.J.C. Rule 4:02, as amended, 476 Mass. 1305 (2017)
S.J.C. Rule 4:02 (1), as amended, 467 Mass. 1301 (2014)
S.J.C. Rule 4:02 (1A), as amended, 467 Mass. 1301 (2014)
S.J.C. Rule 4:02 (2), as appearing in 416 Mass. 1302 (1993)
S.J.C. Rule 4:02 (2A), as amended, 489 Mass. 1303 (2022)
S.J.C. Rule 4:02 (3), as amended, 447 Mass. 1301 (2006)
S.J.C. Rule 4:02 (4), as appearing in 416 Mass. 1302 (1993)
S.J.C. Rule 4:02 (5), as appearing in 416 Mass. 1302 (1993)
S.J.C. Rule 4:02 (6), as appearing in 416 Mass. 1302 (1993)
S.J.C. Rule 4:02 (7), as appearing in 416 Mass. 1319 (1993)
S.J.C. Rule 4:02 (9), as amended, 476 Mass. 1305 (2017)
S.J.C. Rule 4:02 (10), 460 Mass. 1301 (2011)
S.J.C. Rule 4:02 (11), 467 Mass. 1402 (2014)
S.J.C. Rule 4:02 (12), 489 Mass. 1303 (2022)
S.J.C. Rule 4:03, as amended, 457 Mass. 1306 (2010)
S.J.C. Rule 4:03 (1), as amended, 457 Mass. 1306 (2010)

S.J.C. Rule 4:03 (2), as appearing in 421 Mass. 1302 (1995)
S.J.C. Rule 4:03 (3), as amended, 489 Mass. 1303 (2022)
S.J.C. Rule 4:04, as appearing in 482 Mass. 1301 (2019)
S.J.C. Rule 4:05, as appearing in 482 Mass. 1303 (2019)
S.J.C. Rule 4:06, as appearing in 482 Mass. 1304 (2019)
S.J.C. Rule 4:07, as amended, 425 Mass. 1331 (1997)
S.J.C. Rule 4:07, § 1, as amended, 425 Mass. 1331 (1997)
S.J.C. Rule 4:07, § 2, as appearing in 414 Mass. 1304 (1993)
S.J.C. Rule 4:07, § 3, as appearing in 414 Mass. 1304 (1993)
S.J.C. Rule 4:07, § 4, as appearing in 421 Mass. 1305 (1995)
S.J.C. Rule 4:07, § 5, as appearing in 426 Mass. 1434 (1998)
S.J.C. Rule 4:08, as appearing in 482 Mass. 1306 (2019)
S.J.C. Rule 4:09, as appearing in 482 Mass. 1306 (2019)

APPENDIX 9

MASSACHUSETTS RULES OF CRIMINAL PROCEDURE

Use the following format when citing to one of the rules of criminal procedure, unless an amendment is listed below.

Mass. R. Crim. P. xx, 378 Mass. xxx (1979)

The following rules of criminal procedure have been amended or added:

Mass. R. Crim. P. 1, as appearing in 442 Mass. 1501 (2004)
Mass. R. Crim. P. 2 (b), as amended, 397 Mass. 1226 (1986)
Mass. R. Crim. P. 3, as appearing in 442 Mass. 1502 (2004)
Mass. R. Crim. P. 3.1, 442 Mass. 1503 (2004)
Mass. R. Crim. P. 5, as appearing in 442 Mass. 1505 (2004)
Mass. R. Crim. P. 5 (a), as appearing in 489 Mass. 1504 (2022)
Mass. R. Crim. P. 5 (b), as appearing in 489 Mass. 1505 (2022)
Mass. R. Crim. P. 5 (e), as amended, 489 Mass. 1506 (2022)
Mass. R. Crim. P. 5 (f), as amended, 489 Mass. 1507 (2022)
Mass. R. Crim. P. 5 (g), as amended, 489 Mass. 1507 (2022)
Mass. R. Crim. P. 5 (i), as appearing in 489 Mass. 1507 (2022)
Mass. R. Crim. P. 7, as appearing in 461 Mass. 1501 (2012)
Mass. R. Crim. P. 8, as amended, 397 Mass. 1226 (1986)
Mass. R. Crim. P. 10 (a) (4), 426 Mass. 1501 (1997)
Mass. R. Crim. P. 11, as appearing in 442 Mass. 1509 (2004)
Mass. R. Crim. P. 12, as amended, 482 Mass. 1501 (2019)
Mass. R. Crim. P. 12 (b) (5) (A), as amended, 489 Mass. 1501 (2022)
Mass. R. Crim. P. 12 (b) (6), as appearing in 482 Mass. 1501 (2019)
Mass. R. Crim. P. 12 (c), as amended, 489 Mass. 1501 (2022)
Mass. R. Crim. P. 12 (c) (1), as amended, 496 Mass. 1501 (2025)
Mass. R. Crim. P. 12 (c) (3) (A) (iii), as appearing in 486 Mass. 1501 (2020)
Mass. R. Crim. P. 12 (c) (4) (A), as amended, 489 Mass. 1501 (2022)
Mass. R. Crim. P. 12 (c) (4) (B), as amended, 489 Mass. 1501 (2022)
Mass. R. Crim. P. 12 (d) (1), as amended, 496 Mass. 1501 (2025)
Mass. R. Crim. P. 12 (d) (3) (A) (iii), as appearing in 486 Mass. 1501 (2020)
Mass. R. Crim. P. 13, as appearing in 442 Mass. 1516 (2004)
Mass. R. Crim. P. 14, as appearing in 495 Mass. 1501 (2024)
Mass. R. Crim. P. 14.1, 495 Mass. 1510 (2024)

Mass. R. Crim. P. 14.2, 495 Mass. 1510 (2024)
Mass. R. Crim. P. 14.3, 495 Mass. 1513 (2024)
Mass. R. Crim. P. 14.4, 495 Mass. 1515 (2024)
Mass. R. Crim. P. 15, as amended, 476 Mass. 1501 (2017)
Mass. R. Crim. P. 15 (a) (3), as appearing in 476 Mass. 1501 (2017)
Mass. R. Crim. P. 16 (a), as amended, 489 Mass. 1501 (2022)
Mass. R. Crim. P. 18 (a) (1), as appearing in 489 Mass. 1501 (2022)
Mass. R. Crim. P. 18 (a) (2), as amended, 489 Mass. 1502 (2022)
Mass. R. Crim. P. 18 (a) (3), as amended, 489 Mass. 1503 (2022)
Mass. R. Crim. P. 19, as appearing in 486 Mass. 1501 (2020)
Mass. R. Crim. P. 23, 471 Mass. 1501 (2015)
Mass. R. Crim. P. 25, as amended, 420 Mass. 1502 (1995)
Mass. R. Crim. P. 25 (c) (2), as appearing in 420 Mass. 1502 (1995)
Mass. R. Crim. P. 28 (a), as amended, 489 Mass. 1502 (2022)
Mass. R. Crim. P. 28 (b), as amended, 489 Mass. 1502 (2022)
Mass. R. Crim. P. 28 (c), as amended, 489 Mass. 1502 (2022)
Mass. R. Crim. P. 28 (d) (1), as amended, 489 Mass. 1502 (2022)
Mass. R. Crim. P. 28 (e), 453 Mass. 1501 (2009)
Mass. R. Crim. P. 28 (e) (ii), as amended, 489 Mass. 1502 (2022)
Mass. R. Crim. P. 29, as amended, 489 Mass. 1503 (2022)
Mass. R. Crim. P. 29 (a) (1), as appearing in 489 Mass. 1503 (2022)
Mass. R. Crim. P. 29 (a) (2), as appearing in 489 Mass. 1503 (2022)
Mass. R. Crim. P. 30, as appearing in 435 Mass. 1501 (2001)
Mass. R. Crim. P. 31, as appearing in 454 Mass. 1501 (2009)
Mass. R. Crim. P. 31 (d), as appearing in 489 Mass. 1503 (2022)
Mass. R. Crim. P. 32, as amended, 476 Mass. 1501 (2017)
Mass. R. Crim. P. 32 (f), as appearing in 476 Mass. 1501 (2017)
Mass. R. Crim. P. 33, as amended, 397 Mass. 1227 (1986)
Mass. R. Crim. P. 34, as amended, 442 Mass. 1501 (2004)
Mass. R. Crim. P. 36 (b) (1) (D), as amended, 422 Mass. 1503 (1996)
Mass. R. Crim. P. 37 (a), as amended, 489 Mass. 1504 (2022)
Mass. R. Crim. P. 43, as appearing in 466 Mass. 1501 (2013)
Mass. R. Crim. P. 43 (b) (3) (iii), as amended, 489 Mass. 1504 (2022)
Mass. R. Crim. P. 45, as appearing in 493 Mass. 1501 (2023)
Mass. R. Crim. P. 49, 495 Mass. 1520 (2024)

APPENDIX 10

OTHER MASSACHUSETTS COURT RULES & REPORTERS' NOTES

When citing rules that are not published in either the Massachusetts Reports or the Massachusetts Appeals Court Reports, do not insert spaces between subsections.

Dist./Mun. Cts. R. Civ. P. -- Massachusetts Rules of the District and Municipal Courts

Mass. R. Dom. Rel. P. -- Massachusetts Rules of Domestic Relations Procedure

Rule xx of the Rules of the Superior Court (20xx)

Rule xx of the Rules of the Probate Court (20xx)

Rule xx of the Rules of the Appeals Court, as appearing in 97 Mass. App. Ct. 10xx (2020) (for rule 6, cite to Rule 6 of the Rules of the Appeals Court, as appearing in 104 Mass. App. Ct. 1001 [2024])

Rule xx of the Rules of the Land Court (20xx)

Rule xx of the Rules of the Housing Court (20xx)

Housing Court Standing Order x-xx (20xx)

Rule xx of the Rules of the Appellate Tax Board (20xx)

Rule xx of the Rules of the Commission on Judicial Conduct (20xx)

Rule xx of the Uniform Summary Process Rules (20xx)

Rule xx of the Uniform Magistrate Rules (20xx)

Proposed Mass. R. Evid. xx

Reporters' Notes to Rule XX, Mass. Ann. Laws Court Rules, Rules of XXX Procedure, at XX (LexisNexis 20xx).

APPENDIX 11

STYLE OF CITATION FOR POPULAR TEXTS

The texts in this list are alphabetized by the last name of the author or, if no author is given, by title.

This list is intended only as an example of style. Individual texts may have differing publication dates, editions, or authors; consult the volume you are citing to confirm.

-A-

ABA Annotated Standards for Imposing Lawyer Sanctions § 2.5 (2d ed. 2019)

ALI Principles of Corporate Governance § 7.06 (1994)

3 American Law of Property § 11.9 (A.J. Casner ed. 1952) or (1952 & Supp. 1977)

American Psychiatric Association, Diagnostic and Statistical Manual of Mental Disorders (5th ed. text rev. 2022)

-B-

1 T.H. Belknap, Newhall's Settlement of Estates and Fiduciary Law in Massachusetts § 9:11, at 278 (5th ed. 1994)

Black's Law Dictionary 1675 (12th ed. 2024)

2 W. Blackstone, Commentaries *305-306

M. Bobrowski, Massachusetts Land Use and Planning Law § 7.06 (5th ed. 2022)

M.S. Brodin, M. Avery, & B.K. Golden, Massachusetts Evidence § 5.2.1, at 193-194 (2026 ed.)

-C-

B. Cardozo, The Nature of the Judicial Process 155 (1921)

1 A.J. Casner & J.N. Pennell, Estate Planning § 3.0 (8th ed. 2012)

Return to TOC

3 Collier on Bankruptcy par. 320.03[2] (A.N. Resnick & H.J. Sommer eds., 16th ed. 2010)

Crocker's Notes on Common Forms § 404 (Mass. Cont. Legal Educ. 13th ed. 2025)

-D-E-F-

2 Debates in the Massachusetts Constitutional Convention 1917-1918, 776-778 (1918)

1 D.B. Dobbs, Torts § 201 (2001)

P.B. Donovan, Judgment, in Massachusetts Superior Court Civil Practice Manual § 15.8, at 15-14 (Mass. Cont. Legal Educ. 7th ed. 2025)

D.A. Dripps, R.N. Boyce, & R.M. Perkins, Criminal Law and Procedure 1093 (14th ed. 2021)

R.A. Epstein, Takings: Private Property and the Power of Eminent Domain (1985)

Equal Justice: Eliminating the Barriers, Commission to Study Racial and Ethnic Bias in the Courts 64 (1994)

2 C.S. Fishman, Jones on Evidence, Civil and Criminal §§ 9:22-9:23 (7th ed. 1994)

-G-

J.A. Grasso, Jr., Suppression Matters Under Massachusetts Law § 4-4[d] (2025 ed.)

Guidelines for Judicial Practice: Abuse Prevention Proceedings § 3:01 commentary (Oct. 2021)

-H-

1 Hale, Pleas of the Crown 583 (1800)

1 F.V. Harper, F. James, Jr., & O.S. Gray, Harper, James and Gray on Torts § 4.1 (rev. 3d ed. 2006)

2 Hawkins, Pleas of the Crown c. 14, § 1 (6th ed. 1787)

O.W. Holmes, Jr., The Common Law 271-272 (1881)

-I-J-K-

E.J. Imwinkelried, The New Wigmore: A Treatise on Evidence § 7.4.1 (R.D. Friedman ed., 4th ed. 2017)

13 S.H. Jenkins, Corbin on Contracts § 68.2(1), at 165-166 (J.M. Perillo ed., rev. ed. 2003)

-L-

4 W.R. LaFave, Search and Seizure § 9.2(f), at 337 (6th ed. 2020)

2 W.R. LaFave, Substantive Criminal Law § 12.1 (3d ed. 2017)

5 W.R. LaFave, J.H. Israel, N.J. King, & O.S. Kerr, Criminal Procedure § 20.4(b) (4th ed. 2015)

7 A.K. Larson, Larson's Workers' Compensation Law § 122.01[2] (rev. ed. 2010)

2A L. Lawrence, Lawrence's Anderson on the Uniform Commercial Code § 2-301.88 (3d ed. 2008)

2 Legal Papers of John Adams 106-147 (L. Wroth & H. Zobel eds. 1965)

1 R.A. Lord, Williston on Contracts § 1.19 (4th ed. 2007)

-M-N-

J. Maguire, Evidence of Guilt § 2.07, at 65 n.1 (1959)

Mass. G. Evid. § 509(a) (2026)

Mass. G. Evid. § 701 note (2021)

2 McCormick on Evidence § 272, at 257 (R.B. Mosteller ed., 8th ed. 2020)

7 E. McQuillin, Municipal Corporations § 24.217, at 67 (3d rev. ed. 2005)

Model Code of Pre-Arraignment Procedure § 140.8(4) (1975)

2 Model Jury Instructions for Use in the District Court (1995)

Model Jury Instructions on Homicide 43 (1999)

6 Moore's Federal Practice § 26.06[2], at 26-41 to 26-42 (3d ed. 2010)

-O-P-Q-

1 Page on the Law of Wills § 10.23 (Bowe-Parker rev. 3d ed. 2003)

11 J.M. Perillo, Corbin on Contracts § 57.10 (rev. ed. 2005)

2 M.G. Perlin & D. Cooper, Massachusetts Proof of Cases § 68:13 (2025-2026 ed. 2025)

M.G. Perlin & J.M. Connors, Civil Procedure in the Massachusetts District Court § 2.5 (5th ed. 2018)

3 R.J. Pierce, Jr., Administrative Law Treatise § 19.2 (4th ed. 2002)

S. Plitt, D. Maldonado, & J.D. Rogers, Couch on Insurance 3d § 1:35 (rev. ed. 2009 & Supp. 2010)

14 R. Powell, Real Property § 82.01[3], at 82-13 (M. Wolf ed. 2009)

W.L. Prosser & W.P. Keeton, Torts § 125, at 931-934 (5th ed. 1984)

-R-

Restatement (Second) of Judgments § 27 & comment d (1982)

Restatement (Third) of Torts: Liability for Physical and Emotional Harm § 36 comment b, at 599 (2010)

-S-

4A J.L. Sackman, Nichols on Eminent Domain § 14A.01[1] (3d ed. 2010)

1 I.E. Schermer & W.J. Schermer, Automobile Liability Insurance § 5:21 (4th ed. 2004)

3 A.W. Scott, W.F. Fratcher, & M.L. Ascher, Scott and Ascher on

Trusts § 17.10 (5th ed. 2006)

3A S. Singer, Statutes and Statutory Construction § 66:8 (8th ed. 2018)

1 S.M. Speiser, C.F. Krause, & A.W. Gans, Torts § 4:14 (1983)

Stedman's Medical Dictionary 1689 (28th ed. 2006)

-T-U-V-

3 J.E. Thomas, New Appleman on Insurance Law Library Edition § 16.01 (2009)

2 C. Torcia, Wharton's Criminal Law § 161 (15th ed. 1994)

Unif. R. Crim. P. 243, 10 U.L.A. 38 (Master ed. 2001)

-W-

Webster's Third New International Dictionary 1926 (2002)

3 J.B. Weinstein & M.A, Berger, Weinstein's Federal Evidence § 503.03[1] (J.M. McLaughlin ed., 2d ed. 2010)

1 A.I. Widiss & J.E. Thomas, Uninsured and Underinsured Motorist Insurance § 7.12 (rev. 3d ed. 2005)

C.W. Wolfram, Model Legal Ethics § 15.3.2, at 859 (1986)

6A C.A. Wright, A.R. Miller, & M.K. Kane, Federal Practice and Procedure § 1524, at 345 (2010)

-X-Y-Z-

1 E.H. Ziegler, Jr., Rathkopf's Zoning and Planning § 6.50 (2010)

APPENDIX 12

STYLE OF CITATION FOR THE MASSACHUSETTS PRACTICE SERIES

Volumes in the Massachusetts Practice Series (MPS) are cited by author and title without reference to the MPS. Individual volumes (or supplements) within a given topic may have varying publication dates; consult the material you are citing to confirm. Cite to any supplements in accordance with the Uniform System of Citation. Not listed here are those volumes that contain compilations of material, such as Massachusetts statutes, that are available from primary sources.

J.F. Adkins, M.W. Batten, S.C. Moriearty, & L.F. Rubin, Employment Law (3d ed. 2016)

H.J. Alperin, Summary of Basic Law (5th ed. 2014)

P.M. Annino, Estate Planning (3d ed. 2007)

P.M. Annino, Probate Law and Practice (3d ed. 2019)

J.D. Bernard & S.L. Jones, Drunk Driving Defense (2025-2026 ed. 2025)

R.W. Bishop, Prima Facie Case (5th ed. 2005)

J.A. Bloom & P.C. D'Agostino, Elder Law (2025-2026 ed. 2025)

E. Carlson, Massachusetts Summary Judgment and Related Termination Motions (2026 ed.)

H.P. Carroll & W.C. Flanagan, Trial Practice (3d ed. 2017)

J.F. Comerford & M.S. Coven, Insurance Law (2013)

J.P. Connelly & J.D. Bernarducci, Construction Law (2025-2026 ed. 2025)

E.B. Cypher, Criminal Practice and Procedure (4th ed. 2014)

E.G. Daher & H. Chopp, Landlord and Tenant Law (3d ed. 2000)

T.J. Farris & C.P. Kindregan, III, Motor Vehicle Law and Practice (5th ed. 2021)

P.A. Finn, B.J. Mone, & J.S. Kelly, Mediation and Arbitration (2024-2025 ed. 2024)

M.C. Gilleran, The Law of Chapter 93A (2d ed. 2007)

V. Hansen, Annotated Guide to Massachusetts Evidence (2025-2026 ed. 2025)

V. Hansen, Evidence (4th ed. 2026)

B.R. Henry & C.N. Henry, Civil Practice (4th ed. 2023)

W.V. Hovey & A.B. Koenig, Legal Forms (5th ed. 2008)

R.L. Ireland & P. Kilcoyne, Juvenile Law (2d ed. 2006)

G. Jacobs & K. Laurence, Professional Malpractice (2007)

C.P. Kindregan, Jr., M. McBrien, & P.A. Kindregan, Family Law and Practice (4th ed. 2013)

P.M. Lauriat, S.E. McChesney, W.H. Gordon, A.A. Rainer, Discovery (3d ed. 2017)

H. Lemelman, Manual on Uniform Commercial Code (3d ed. rev. 2012)

H. Lemelman, Uniform Commercial Code Forms Annotated (3d ed. rev. 2012)

G.A. McDonough, Administrative Law and Practice (2d ed. 2016)

T.B. Merritt, Consumer Law (4th ed. 2021)

R.B. Minehan & R.M. Kantrowitz, Mental Health Law (2007)

V.L. Nadel & R. Witkin, Criminal Defense Motions (5th ed. 2019)

L.Y. Nason, C.W. Koziol, & R.A. Wall, Workers' Compensation (3d ed. 2003)

J.R. Nolan & L.J. Sartorio, Criminal Law (3d ed. 2001)

J.R. Nolan & L.J. Sartorio, Equitable Remedies (3d ed. 2007)

J.R. Nolan & L.J. Sartorio, Tort Law (3d ed. 2005)

M.G. Perlin & S.H. Blum, Procedural Forms Annotated (6th ed. 2009)

M. Pill, Real Estate Law (2025-2026 ed. 2025)

E. Polubinski, Jr., Business Corporations (2025-2026 ed. 2025)

D.A. Randall & D.E. Franklin, Municipal Law and Practice (5th ed. 2006)

D.J. Savery, F.C. Corso, & W.T. Harrington, Federal Civil Practice (2d ed. 2008)

B.R. Scheffler & D.N. Finley, Motions in Limine (2025-2026 ed. 2025)

J.L. Shapiro, M.G. Perlin, & J.M. Connors, Collection Law (4th ed. 2015)

J.W. Smith & H.B. Zobel, Rules Practice (2d ed. 2006) or (2d ed. 2007)

J.F. Stanton, Appellate Practice and Procedure (4th ed. 2020)

F.T. Talty, P.S. Talty, & A.L. Braunstein, Methods of Practice (4th ed. 2000)

W.G. Van Dorn & M.S. Allen, Taxation (5th ed. 2009)

APPENDIX 13

STYLE OF PARTICULAR WORDS

For words not appearing on the list, consult the latest available unabridged edition of Webster's Third New International Dictionary of the English Language.

A

aboveground (adj.)
above-mentioned (avoid)
abridgment
access (v.) (avoid)
accidentally (not "accidently")
accommodation
acknowledgment
action (if a law matter; "suit" if equity matter)
adversary (adj.) (not "adversarial")
adviser
advisory
African-American
aforementioned (avoid)
air conditioning
alcoholic beverages control commission
all-alcoholic license
all right (not "alright")
all together (i.e., unity of place or time)
altogether (i.e., entirely)
amendments to the Constitution ("to" not "of")
and/or (avoid use; see § 3.01.8)
annulment
annulling
ante mortem (two words)
anti (generally no hyphen; see § 3.01.6)
appeal from
Appellate Division
Appellate Tax Board
appendices
Appendix (i.e., attachment to opinion)
Armed Forces
arm's length (n.)
arm's-length (adj.)
assistant attorney general
as to whether (avoid; omit "as to")
attorney-at-law
Attorney General
attorney-in-fact
attorney's fees
audiotape (n. and v.)
audio-visual
Auditor
automobile (not "auto")
Avenue (when one)
avenues (when more than one)
a while (n.)
awhile (adv.)
axe

B

baby-sitter
baby-sitting
back-dating
band-aid
bankbook
bankruptcy court
bar counsel
based on (not "upon")
before (not "preliminary to")
before-mentioned (avoid)
benefiting
benefited

Return to TOC

bilateral
bimonthly
bind-over
Black (when used in a racial, ethnic, or cultural sense)
blacktop
blood alcohol test
bloodstain
board
board of assessors
bodily injury
bondholders
bookkeeper
Boston Municipal Court (but note division when citing a specific court, e.g., "West Roxbury Division of the Boston Municipal Court Department")3
Boston navy yard
Boston police headquarters
boyfriend (beginning with 481 Mass. and 95 Mass. App. Ct.)
breach (use as noun only; do not "breach a contract" but "commit a breach")
break-in (n.)
breathalyzer
bullets
burglar's tools (not "burglar tools")
bus
bused
buses
busing
bylaw (provisions are "adopted," not "enacted")

C

café
caliber (not "calibre")
call (v., as in "to telephone," acceptable beginning with 481 Mass. and 95 Mass. App. Ct.)
canceled
canceling
cancellation
car (acceptable in place of "automobile" beginning with 481 Mass. and 95 Mass. App. Ct.)
case-by-case basis
case-in-chief
case law
"castle law" statute
cellmate
cellular telephone ("cell phone" is acceptable beginning with 481 Mass. and 95 Mass. App. Ct.)
center (not "centre")
certiorari ("action in the nature of certiorari" if brought under G. L. c. 249, § 4; "petition for writ of certiorari" in United States Supreme Court)
charge back
child care (n.)
child victim
child witness
citation (n.)
cite (v.)
City Hall, Boston
city of Boston
Civil War veteran
class B substance
clerk-magistrate
cliché
closely held corporation
coconspirator
co-counsel
codefendant
coexecutor
coinsurer
collector-treasurer
Colonial

commerce clause
Commissioner of Insurance
Commissioner of Revenue
commissions (in general, lower case)
common-law (adj., as in "common-law right")
common law (n.)
commonsense (adj.)
common sense (n.)
Commonwealth
Communist Party
compact disc
confined to wheelchair (avoid; use "full-time wheelchair user")
condominium units (not "condominiums")
Congress
congressional
Constitution
constitutional
Constitutions
controlled purchase (not "controlled buy")
conviction of (not "conviction for")
cooperation
cooperative
coowner
correction officer
correspondent
cotenant
coterminous
cotrustee
councillors
counselled
counselling
counsellors
count 1
counter affidavit
counterclaim
counter designation
county of Suffolk (or "Suffolk County")
County of Dukes County
court-appointed counsel
court house (but "Suffolk County Court House")
court room
coventurer
coworker
"crack" cocaine
cross action
cross appeal (n.)
cross-appeal (v.)
cross bill
cross claim (n.)
cross-claim (v.)
cross complaint
cross-examination (n.)
cross-examine (v.)
cross motion (n.)
cross-move (v.)
cross payments
cross section
crosswalk
cul-de-sac (plural: culs de sac)
Custom House
cutoff (n. & adj.)

D

damage (i.e., loss or injury)
damages (i.e., monetary compensation)
day care (n.)
daytime
day-to-day (adj.)
dead end (n.)
dead-end (adj.)
decision maker
decision-making
declaration in set-off
deem (avoid)
defense
de minimis
different from (not "different than")
digital video disc
dispute whether
dissociate (not "disassociate")

district attorney (but refer to the official name of the district, per G. L. c. 12, § 13, when referencing full title, e.g., "district attorney for the middle district," not "Worcester County district attorney")
District Court (but note division when citing a specific court, e.g., "Springfield Division of the District Court Department")
dollar bill
domicil
doorknob
doorway
doubtless (adv.) (not "doubtlessly")
down payment
Draconian
driver's side
drug store
due process clause
Dumpster
duplicative convictions (not "duplicitous")

E

each and every (avoid)
east coast
e.g. (for example)
e-mail (n.) (to describe the means or system of sending messages electronically; to refer to messages, see "electronic mail message," infra)
e-mail (v.) (avoid; use "send an e-mail message")
electronic mail message ("e-mail message" is acceptable beginning with 481 Mass. and 95 Mass. App. Ct.)
embarrass
empanelled
empanelling
empanelment
enact (use only for statutes; use "adopt" for ordinances and bylaws and "promulgate" for rules)
encumbrance
enforceable
ensure/insure/assure
entranceway
entrust
equal protection clause
etc. (avoid; use "and so forth")
et seq. (no comma, no italics)
exhibit A
exit (not favored as verb)
extrajudicial
extreme atrocity or cruelty
eyewitness

F

face-to-face
fact finder (n.)
fact finding (n.)
fact-finding (adj.)
fall (as a season)
far-reaching (adj.)
father-in-law
Federal
federally
felony-murder
file a complaint (not "file an action")
finalize (avoid)
fingernail
firefighter (beginning with 481 Mass. and 95 Mass. App. Ct.)

fire house
fireproof
firsthand (adj. & adv.)
fitted (past tense & past participle) (not "fit")
five to four decision (no hyphens)
food stamp
forbear (i.e., tolerate)
forebear (i.e., ancestor)
forcible
forego, foregoing (i.e., to go before)
forgo, forgoing (i.e., to do without, waive, renounce, avoid)
freeze-out (n.)
freeze out (v.)
fulfill (beginning with 481 Mass. and 95 Mass. App. Ct.)
fulfilled
fulfilling
fulfillment (beginning with 481 Mass. and 95 Mass. App. Ct.)
full-blown
full court
full-time (adj.)
full time (n.)
fund raising

G

gasoline (avoid "gas")
gasoline station
girlfriend (beginning with 481 Mass. and 95 Mass. App. Ct.)
good will
Governor
grand jury for the county of Norfolk (but "grand jury for Norfolk County")
grand jury (plural, i.e., "the grand jury are")
grandchildren
grandfather (avoid use as in "grandfather clause"; use, e.g., "preexisting nonconforming use")
grandfather clause (avoid)
grievous (not "grievious")
guarantee (v.)
guaranty (n.)
guardian ad litem
gunshot

H

hallway
happened (not "transpired")
hand bills
handbag
handgun
hand rail
harass
hard pressed
headlight
head on collision
heir at law
heirs at law
high crime area
high-speed
high tension wire
high-power lines
hit-and-run (adj.)
Hobson's choice
hopefully (avoid)
hot top
hot topping
house of correction
Houses (when referring to House and Senate)

I

ibid. (do not use)
id. (period and underscore; no comma when followed by page number)
idiosyncrasy (not "idiosyncracy")

i.e. (that is)
ill-advised
ill-considered
ill-equipped
impact (avoid use as verb)
impostor
inasmuch as
in camera
in-court
in-court identification
incumbent
indicate (avoid; use "say," "state," or "show")
individual (avoid; use "person")
indorse (i.e., commercial paper)
indorsement (i.e., commercial paper)
Industrial Accident Board
industry-wide
in evidence (not "into evidence")
inferable
in personam
insofar (one word)
insofar as
installment (beginning with 481 Mass. and 95 Mass. App. Ct.)
install
installation
installed
Internet
Interstate Highway 93
Interstate Commerce Commission
Internal Revenue Service
intervener
in the circumstances (not "under")
Irish-American
irregardless (avoid)
issue whether (not "issue of whether")
italicized

J

East Cambridge jail
Suffolk County jail
joint venture
judgment
judgment n.o.v. (not jnov)
jury (plural, i.e., "the jury are")
jury-of-six (adj.)
jury of six (n.)
Justices (see § 3.04.1)

L

labeled
labeling
landowner
last-minute
lawmaker
lay persons
Legislature
legislative
lesser included offense
libellous
lienholder
Lieutenant Governor
life beneficiary (used in trust matter; "life tenant" used in connection with real estate)
lifetime
linchpin
lineup
lock up (v.)
Lord's day
lot 40
lump-sum (adj.)

M

makeup (i.e., cosmetics)
marijuana (beginning with 429 Mass.)
mayor of Boston

Mexican-American
mid-1970s
millimeter (e.g., "nine millimeter handgun")
mischievous
minuscule
Miranda rights (no italics)
Miranda warnings (no italics)
moot (avoid use as verb)
mugshots
multi (generally no hyphen; see § 3.01.6)
murder in the first degree

N

next door
nighttime
1970s
Nineteenth Century (initial caps.)
no-fault
nol pros (v.)
nolle prosequi (n.)
nonfelony-murder
non (generally no hyphen; see § 3.01.6)
nonprofit
nonunion
nonprejudicial

O

observed (avoid)
o'clock (9 A.M., 9:15 P.M.)
off duty (was off duty)
off-duty officer
offset (n. & v.)
on (not "upon"; see infra)
online
one-on-one
oneself
one-way street
ongoing
on the part of (avoid; use "by")
out-of-court (adj.)
out-of-State (adj.)
over-all (adj.)
overall (adv. & n.)

P

pager (not "beeper")
parameter (avoid; use "limit")
part time (n.)
part-time (adj.)
pat-down
patfrisk (n.)
pat frisk (v.)
pejorative (not "perjorative")
percent (beginning with 481 Mass. and 95 Mass. App. Ct.)
petit larceny (not "petty larceny")
phone (v.) (avoid; use "telephone")
photocopied (not "reproduced")
photograph (not "photo")
pickup truck
plan to go (not "plan on going")
pleaded (past tense of plead) (not "pled")
post (generally no hyphen; see § 3.01.6)
postjudgment
postminority
post mortem
posttrial
pre (generally no hyphen; see § 3.01.6)
prescribe (i.e., dictate)
prefer . . . to or over (not "prefer . . . than")
pretext (not "pretextual")
pretrial
preventive (not "preventative")
pro rata (adj. & adv.) (no

hyphen)
proscribe (i.e., prohibit)
Probate and Family Court
probate court
probate judge
product (not "products") liability
proffered

Q

quasi contract
quasi contractual
quasi judicial
question whether (not "question as to whether" or "question of whether")

R

rainwater
ratemaking
ratepayer
rate setting (two words)
record-keeping
recommittal
redirect
reelected
reenactment
reexamine
reexamination
reelection
regardless of whether
registry of deeds
relied on (not "upon")
remit (use instead of "remand" when motion for new trial is first filed in the SJC and then sent to trial court)
remodeling
required finding
res judicata (not "res adjudicata")
resume
retroactive to
revise or revoke
a right of way
right hand side
roll call vote
Route 125
rowboat
rule against perpetuities
runoff election

S

S.C. (same case; cap.; ital.)
second-hand
second level hearsay
self- (always hyphenated)
Secretary of the Commonwealth
setback (n.)
setoff (n.)
set-off (adj.)
set off (v.)
self-dealing
self-defense
self-help
semiautomatic
sentence of from (three to five years)
sergeant
shortfall
shotgun
showup
[sic] (bracketed & underscored)
sidebar
single justice
small-time
"smart phone"
snide (avoid use)
snow blower
snow storm
so-called
Social Security
son-in-law
spring (as in season)
stage two (Bishop-Fuller protocol)
staircase
stairway

Return to TOC

stairwell
stand-alone (adj.)
State (when used in a political or geographic sense)
state of mind
State police
State Secretary
statement of agreed facts (not "agreed statement")
Statewide
station house
Statute of Frauds
statute of limitations
Statute of Wills
streets (when plural)
struck (not "stricken")
subbid
subcontractor
sub-subcontractor
Suffolk County (or "county of Suffolk")
supersede
susceptible of

T

T-shirt
tablet computer (do not use brand names such as "iPad")
tape record (v.)
tax-exempt character
taxicab
telephone (v.) ("call" as a verb is acceptable beginning with 481 Mass. and 95 Mass. App. Ct.)
telephone call
Terry-type
text (v.) (avoid; use "send a text message")
text message (n.) (avoid "text" alone)
third-floor landing
third prong malice
The following nouns denoting elapsed spans of time should preferably be used as indicated:
thirty days' ------- time
thirty days' ------- duration
thirty-day ------- period
thirty-day ------- term
thirty-day ------- span
thirty-day ------- spell
thirty-day or
thirty days' ------- notice
thirty-day ------ interim
thirty-day ------ interval
thirty-day ------ pendency
thirty-day ------ intermission
thirty-day ------ sentence
thirty-day or
thirty days'----- delay
thirty-day ----- lapse
thirty days'----- grace
thirty-day ----- reign
thirty-day ----- tenure
toward
town of
traveled
traveler
traveling
Treasurer and Receiver General
treble damages
trial court
truth-telling (adj.)
two-lane traffic
two-tone

U

underground (adj.)
unobjected-to statements
upon (i.e., on the occasion of; otherwise, use "on")
U-turn

Return to TOC

V

vis-à-vis
Vice-President (U.S.)
vice-president (all others)
video footage
video recording
videotape (n. and v.)

W

website (beginning with 481 Mass. and 95 Mass. App. Ct.)
well-being
well-settled law (but "the law is well settled," see § 3.01.6)
wheelchair-bound (avoid; use "full-time wheelchair user")
whether (not "as to whether")
white (when used in a racial, ethnic, or cultural sense)
wholly owned
widespread
willful (beginning with 481 Mass. and 95 Mass. App. Ct.)
witness's
witnesses'
work product doctrine
work-related injury
workers' compensation
workers' compensation act
World War II

X

X-ray

Y

year old (adj.)