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MASSACHUSETTS REPORTS  
MASSACHUSETTS APPEALS COURT REPORTS

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STYLE MANUAL

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REPORTER OF DECISIONS

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## 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 its 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.

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., <u>Robinson v. Gould</u> , 11 Cush. 55, 57 (1853)
Gray (1854-1860)	Gray e.g., <u>Farnsworth v. Taylor</u> , 9 Gray 162 (1858)
Allen (1861-1867)	Allen e.g., <u>Oliver v. Washington Mills</u> , 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 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).

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, in any precise form, at the discretion of the author. Their use may be avoided (again at the discretion of the author) by use of the following forms when reference to the statute as in effect at a particular time is important.

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
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



## 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.

## 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 5.

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

Citations for the Rules of the Supreme Judicial Court can be found in Appendix 7.

Citations for the Rules of Criminal Procedure can be found in Appendix 8.

Citation examples for other Massachusetts court rules can be found in Appendix 9.

## 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 10.

Citation forms for volumes in the Massachusetts Practice Series appear in Appendix 11.

## 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](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 12 (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 after Sentences

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  
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 12. 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:

<u>Use</u>	<u>Avoid</u>
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 exists, there must be a companion case for each.

Examples:

Commonwealth vs. David Alvarez  
(and seventeen companion cases<sup>1</sup>).  
422 Mass. 198 (1996)

<sup>1</sup> 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<sup>1</sup>).  
422 Mass. 816 (1996)

<sup>1</sup> Three indictments against Sean Lee, two against Ventry Gordon, and one against Ronald Settles.

Commonwealth vs. Daniel J. Curtis  
(and a companion case<sup>1</sup>).  
417 Mass. 619 (1994)

<sup>1</sup> 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.<sup>1</sup>  
379 Mass. 564 (1980)

<sup>1</sup> 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,<sup>1</sup> vs. City of Peabody.  
430 Mass. 305 (1999)

<sup>1</sup> 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 Investment 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)

(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.<sup>1</sup>

453 Mass. 614 (2009)

<sup>1</sup> 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 work places).

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.

#### 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) Labor Relations Commission

The decision (or order) of the commission 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](http://www.mass.gov/orgs/office-of-the-reporter-of-decisions), which is also found at [www.massreports.com](http://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](http://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](http://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 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[or, Adm'[r, x]
Administrat[ion, Admin. iver]		rix]
		Agricultur[al, e] Agric.

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

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



## 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
revised	rev.
same case	<u>S.C.</u>
section(s)	§ & §§
title	tit.
volume(s)	vol. & vols.

APPENDIX 3

EARLY MASSACHUSETTS REPORTS CONVERSION TABLE

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

## 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. Massachusetts Attorney Discipline Reports:

Matter of Kelley, 24 Mass. Att'y Discipline Rep. 392 (2008)

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

### 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 amended, 488 Mass. 1402 (2021)  
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 (e), 488 Mass. 1402 (2021)  
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. 25 (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. 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, 365 Mass. 831 (1974)  
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, 492 Mass. 1404 (2023)  
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)

## APPENDIX 6

### 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 (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. 5, as appearing in 481 Mass. 1608 (2019)  
Mass. R. A. P. 6, as appearing in 481 Mass. 1608 (2019)  
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. 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. 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. 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. 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. 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 [DELETED]  
Mass. R. A. P. 25, as appearing in 481 Mass. 1654 (2019)  
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)  
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Mass. R. A. P. 20 (b), as amended, 428 Mass. 1603 (1999)  
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Mass. R. A. P. 22 (b), as amended, 437 Mass. 1601 (2002)  
Mass. R. A. P. 22 (c), as amended, 418 Mass. 1601 (1994)  
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Mass. R. A. P. 24, 365 Mass. 872 (1974)  
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Mass. R. A. P. 26, as amended, 378 Mass. 925 (1979)  
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## APPENDIX 7

### RULES OF THE SUPREME JUDICIAL COURT

S.J.C. Rule 1:01, as amended, 429 Mass. 1301 (1999)  
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S.J.C. Rule 1:04, as appearing in 382 Mass. 702 (1981)  
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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)  
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S.J.C. Rule 1:08 (1), as appearing in 411 Mass. 1318 (1992)  
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S.J.C. Rule 1:08 (2), as appearing in 382 Mass. 709 (1981)  
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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)  
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S.J.C. Rule 1:17, 419 Mass. 1301 (1995)  
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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)  
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S.J.C. Rule 2:02, as appearing in 382 Mass. 743 (1981)  
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)  
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S.J.C. Rule 2:19, as appearing in 382 Mass. 752 (1981)  
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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)  
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S.J.C. Rule 3:03, as amended, 418 Mass. 1302 (1994)  
S.J.C. Rule 3:03 (1), as amended, 463 Mass. 1301 (2012)  
S.J.C. Rule 3:03 (2), as appearing in 382 Mass. 758 (1981)  
S.J.C. Rule 3:03 (3), as amended, 455 Mass. 1301 (2009)  
S.J.C. Rule 3:03 (4), as appearing in 382 Mass. 758 (1981)  
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S.J.C. Rule 3:03 (9), as amended, 416 Mass. 1317 (1993)  
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S.J.C. Rule 3:05, as amended, 430 Mass. 1328 (2000)  
S.J.C. Rule 3:06, as amended, 430 Mass. 1303 (1999)  
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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)  
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Mass. R. Prof. C. 4.4 (a), as amended, 490 Mass. 1321 (2022)  
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Mass. R. Prof. C. 5.4, as amended, 474 Mass. 1302 (2016)  
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Mass. R. Prof. C. 5.5, as amended, 474 Mass. 1302 (2016)  
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Mass. R. Prof. C. 5.6, as appearing in 471 Mass. 1459 (2015)  
Mass. R. Prof. C. 5.7, as appearing in 471 Mass. 1460 (2015)  
Mass. R. Prof. C. 6.1, as appearing in 471 Mass. 1463 (2015)  
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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)  
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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)  
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 S.J.C. Rule 4:01, § 1, as amended, 430 Mass. 1319 (2000)  
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 S.J.C. Rule 4:01, § 3 (1), as appearing in 453 Mass. 1308 (2009)  
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 S.J.C. Rule 4:01, § 5 (3) (i), as amended, 453 Mass. 1306 (2009)  
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 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)  
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 S.J.C. Rule 4:01, § 13, as amended, 435 Mass. 1302 (2002)  
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 S.J.C. Rule 4:01, § 14, as appearing in 425 Mass. 1318 (1997)  
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S.J.C. Rule 4:01, § 16, as appearing in 425 Mass. 1319 (1997)  
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S.J.C. Rule 4:01, § 18, as appearing in 453 Mass. 1315 (2009)  
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S.J.C. Rule 4:01, § 20, as amended, 438 Mass. 1301 (2002)  
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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 8

### 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:

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) (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) (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 442 Mass. 1518 (2004)  
Mass. R. Crim. P. 14 (a) (1) (A), as amended, 444 Mass. 1501 (2005)  
Mass. R. Crim. P. 14 (a) (1) (B), as amended, 444 Mass. 1501 (2005)



Mass. R. Crim. P. 14 (a) (1) (D), as amended, 444 Mass. 1501 (2005)

Mass. R. Crim. P. 14 (b) (2), as appearing in 463 Mass. 1501 (2012)

Mass. R. Crim. P. 14 (b) (4), 463 Mass. 1504 (2012)

Mass. R. Crim. P. 14 (d) (1), as amended, 463 Mass. 1501 (2012)

Mass. R. Crim. P. 14 (d) (2), as amended, 463 Mass. 1501 (2012)

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)

APPENDIX 9

OTHER MASSACHUSETTS COURT RULES & REPORTERS' NOTES

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)

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 10

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 Standards for Imposing Lawyer Sanctions § 2.5 (1992)

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. 2013)

-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 (11th ed. 2019)

2 W. Blackstone, Commentaries \*305-306

M. Bobrowski, Massachusetts Land Use and Planning Law § 7.06 (4th ed. 2018)

R.N. Boyce, D.A. Dripps, & R.M. Perkins, Criminal Law and Procedure 1093 (12th ed. 2013)

M.S. Brodin & M. Avery, Massachusetts Evidence § 5.2.1, at 193-194 (2020 ed.)

-C-

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

1 A.J. Casner & J.N. Pennell, Estate Planning § 3.0 (6th ed.)

1995 & Supp. 2009-2010)

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

1 Crocker's Notes on Common Forms § 404 (Mass. Cont. Legal Educ. 10th ed. 2013)

-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 Superior Court Civil Practice Manual § 15.10, at 15-12 (Mass. Cont. Legal Educ. 3d ed. 2013 & Supp. 2015)

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] (2022 ed.)

Guidelines for Judicial Practice: Abuse Prevention Proceedings § 3:02 commentary (Dec. 2000)

-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)

3 E.M. Holmes, Holmes's Appleman on Insurance 2d § 10.8 (1998)

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

-I-J-K-

E.I. Imwinkelried, *The New Wigmore: A Treatise on Evidence*  
§ 7.4.1 (R.D. Friedman ed., 2d ed. 2010)

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

-L-

4 W.R. LaFare, *Search and Seizure* § 9.2(f), at 337 (4th ed.  
2004)

2 W.R. LaFare, *Substantive Criminal Law* § 12.1 (2d ed. 2003)

5 W.R. LaFare, J.H. Israel, N.J. King, & O.S. Kerr, *Criminal  
Procedure* § 20.4(b) (3d ed. 2007)

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 (2019)

Mass. G. Evid. § 701 note (2021)

2 McCormick on Evidence § 272, at 257 (K.S. Broun ed., 6th ed.  
2006)

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

Model Code of Pre-Arrest 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)

1 M.G. Perlin, Mottla's Proof of Cases in Massachusetts §§ 13.1-13.21 (3d ed. 1992)

M.G. Perlin & J.M. Connors, Civil Procedure in the Massachusetts District Court § 2.5 (4th ed. 2009)

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-

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 11

### 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)
- R.W. Bishop, *Prima Facie Case* (5th ed. 2005)
- J.A. Bloom & H.S. Margolis, *Elder Law* (2019-2020 ed. 2019)
- E. Carlson, *Massachusetts Summary Judgment and Related Termination Motions* (2018)
- H.P. Carroll & W.C. Flanagan, *Trial Practice* (3d ed. 2017)
- M.S. Coven & J.F. Comerford, *Insurance Law* (2013)
- E.B. Cypher, *Criminal Practice and Procedure* (4th ed. 2014)
- E.G. Daher & H. Chopp, *Landlord and Tenant Law* (3d ed. 2000) or (3d ed. 2001)
- S.M. Dunphy, *Probate Law and Practice* (3d ed. 2019)
- P.A. Finn, B.J. Mone, & J.S. Kelly, *Mediation and Arbitration* (2019-2020 ed. 2019)
- M.C. Gilleran, *The Law of Chapter 93A* (2d ed. 2007)
- 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)

S.L. Jones & J.D. Bernard, *Drunk Driving Defense* (2020 ed.)

R.J. Kenney, Jr., & T.J. Farris, *Motor Vehicle Law and Practice* (4th ed. 2008)

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* (2d ed. 2008)

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

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

J. Lewin & E.F. Eisenberg, *Construction Law* (2019-2020 ed. 2019)

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

T.B. Merritt, *Consumer Law* (3d ed. 2010)

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 & B. Henry, *Civil Practice* (3d ed. 2004)

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* (2019-2020 ed. 2019)

E. Polubinski, Jr., *Business Corporations* (2018-2019 ed. 2018)

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* (2019 ed.)

J.L. Shapiro, M.G. Perlin, & J.M. Connors, *Collection Law* (3d ed. 2000)

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)

W.G. Young, J.R. Pollets, & C. Poreda, *Evidence* (2d ed. 1998)

W.G. Young, J.R. Pollets, & C. Poreda, *Annotated Guide to Massachusetts Evidence* (2019-2020 ed. 2019)

APPENDIX 12

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.)	appendices
above-mentioned (avoid)	Appendix (i.e., attachment to opinion)
abridgment	Armed Forces
access (v.) (avoid)	arm's length (n.)
accidentally (not "accidently")	arm's-length (adj.)
accommodation	assistant attorney general
acknowledgment	as to whether (avoid; omit "as to")
action (if a law matter; "suit" if equity matter)	attorney-at-law
adversary (not "adversarial")	Attorney General
adviser	attorney-in-fact
advisory	attorney's fees
African-American	audiotape (n. and v.)
aforementioned (avoid)	audio-visual
air conditioning	Auditor
alcoholic beverages control commission	automobile (not "auto")
all-alcoholic license	Avenue (when one)
all right (not "alright")	avenues (when more than one)
all together (i.e., unity of place or time)	a while (n.)
altogether (i.e., entirely)	awhile (adv.)
amendments to the Constitution ("to" not "of")	axe
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	

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
bilateral

bimonthly	beginning with 481 Mass.
bind-over	and 95 Mass. App. Ct.)
Black (when used in a racial, ethnic, or cultural sense)	canceled
blacktop	canceling
blood alcohol test	cancellation
bloodstain	car (acceptable in place of "automobile" beginning with 481 Mass. and 95 Mass. App. Ct.)
board	case-by-case basis
board of assessors	case-in-chief
bodily injury	case law
bondholders	"castle law" statute
bookkeeper	cellular telephone ("cell phone" is acceptable beginning with 481 Mass. and 95 Mass. App. Ct.)
Boston Municipal Court (but note division when citing a specific court, e.g., "West Roxbury Division of the Boston Municipal Court Department") <sup>3</sup>	center (not "centre")
Boston navy yard	charge back
Boston police headquarters	child care (n.)
boyfriend (beginning with 481 Mass. and 95 Mass. App. Ct.)	child victim
breach (use as noun only; do not "breach a contract" but "commit a breach")	child witness
break-in (n.)	citation (n.)
breathalyzer	cite (v.)
bullets	City Hall, Boston
burglar's tools (not "burglar tools")	city of Boston
bus	Civil War veteran
bused	class B substance
buses	clerk-magistrate
busing	cliché
bylaw (provisions are "adopted," not "enacted")	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.)

C

café  
caliber (not "calibre")  
call (v., as in "to  
telephone," acceptable

common sense (n.)	cross complaint
Commonwealth	cross-examination (n.)
Communist Party	cross-examine (v.)
compact disc	cross motion (n.)
condominium units (not "condominiums")	cross-move (v.)
Congress	cross payments
congressional	cross section
Constitution	crosswalk
constitutional	cul-de-sac (plural: culs de sac)
Constitutions	Custom House
controlled purchase (not "controlled buy")	cutoff (n. & adj.)
conviction of (not "conviction for")	D
cooperation	damage (i.e., loss or injury)
cooperative	damages (i.e., monetary compensation)
coowner	day care (n.)
correction officer	daytime
correspondent	day-to-day (adj.)
cotenant	dead end (n.)
coterminous	dead-end (adj.)
cotrustee	decision maker
councillors	decision-making
counselled	declaration in set-off
counselling	deem (avoid)
counsellors	defense
count 1	de minimis
counter affidavit	different from (not "different than")
counterclaim	digital video disc
counter designation	dispute whether
county of Suffolk (or "Suffolk County")	dissociate (not "disassociate")
County of Dukes County	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")
court-appointed counsel	District Court (but note division when citing a
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.)	

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, waive, 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

happened (not "transpired")  
hallway  
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  
instalment  
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

## 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")  
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")  
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  
stairwell  
state of mind  
statement of agreed facts  
    (not "agreed statement")  
State police  
State Secretary  
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

U-turn

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)

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.)