

Standing Order 1-15
Application of Rule 13 (b) of the Uniform Rules of Impoundment Procedure
to the Probate and Family Court

Rule 13 (b) of the Uniform Rules of Impoundment Procedure provides as follows:

Notice to the Clerk. The filer of a document containing impounded information shall simultaneously file a notice that shall (i) notify the clerk that impounded information is included within the document being filed; (ii) identify the specific legal authority requiring impoundment of the identified information; and (iii) identify the precise location of the impounded information within the document being filed. The clerk shall docket the notice and designate the referenced document as impounded. The cover page of the document containing the impounded information shall identify that it is impounded.

As written, the filer of a document shall file the notice even if the information or document is impounded by statute, court rule, standing order, or case law.

In the Probate and Family Court, the filer of the documents listed below is exempt from filing the Rule 13 (b) notice:

- a. affidavit of indigency – by order of the SJC;
- b. financial statement – Supplemental Probate and Family Court Rule 401 (d);
- c. qualified domestic relations order, domestic relations order, and Mangiacotti order – Probate and Family Court Standing Order 3-08;
- d. guardian ad litem report – Probate and Family Court Standing Order 2-08;
- e. medical certificate, clinical team report, treatment plan and medical affidavit – Probate and Family Court Standing Order 1-09 and G. L. c. 190B;
- f. all filings in an adoption case – G. L. c. 210, § 5C;
- g. all filings in a child welfare case – G. L. c. 119; and
- h. all filings in a paternity case after there has been a judgment of non-paternity – G. L. c. 209C, § 13.

The exemption applies only when the documents are filed in the Probate and Family Court. If any of the documents listed above are filed in connection to a case in another court department, the Rule 13 (b) notice is required, unless that court department has a standing order exempting the filer.

Effective October 1, 2015
Angela M. Ordoñez, Chief Justice