

# Massachusetts General Laws cited in the Massachusetts Guide to Evidence (*inexhaustive list*)

March 13, 2023

## Article I General Provisions

[MGL c. 231, § 119](#) Preserving claim of error;  
[MGL c. 231, § 132](#) Error affecting substantial rights;  
[MGL c. 278, § 33E](#) Review of capital cases, law and evidence

## Article II Judicial Notice

[MGL c. 30A, § 6](#) Mass. Register

## Article III Inferences, Prima Facie Evidence and Presumptions

[MGL c. 22C, § 39](#) Certificate of chemical analysis of narcotics;  
[MGL c. 46, § 19](#) Birth, marriage, or death certificate;  
[MGL c. 90, § 24\(4\)](#) Court record of a prior conviction if accompanied by other documentation;  
[MGL c. 185C, § 21](#) Report of inspector in housing court;  
[MGL c. 233, § 79F](#) Certificate of public way;  
[MGL c. 269, § 11C](#) Firearm with obliterated serial number.

## Article IV Relevancy and its limits

[MGL c. 231, § 60G](#) Reduction of award, collateral sources of benefits;  
[MGL c. 231, § 140B](#) Evidence of payments by insurer not admissible;  
[MGL c. 233, § 21](#) Evidence of prior convictions to affect credibility;  
[MGL c. 233, § 21A](#) Evidence of reputation;  
[MGL c. 233, § 21B](#) Evidence of sex crime victim's sexual conduct;  
[MGL c. 233, § 23D](#) Admissibility of benevolent statements... relating to accident victim;  
[MGL c. 233, § 23C](#) Statements during mediation;  
[MGL c. 233, § 23F](#) Past abuse of defendant;  
[MGL c. 233, § 79L](#) Statements by health care provider;  
[MGL c. 233, § 79G](#) Medical services billing;  
[MGL c. 265, § 13B, § 13F, § 13H, § 22, § 22A, § 23, § 24, § 24B](#), and  
[MGL c. 272, § 29A](#) (Evidence of a victim's sexual conduct cannot be introduced for any of the listed crimes)  
[MGL c. 277, § 63](#) Corroborating evidence after 27 years for indictment;

## Article V Privileges and Disqualifications

[MGL c. 4, § 6](#), Twenty-sixth (documents and records);  
[MGL c. 6, § 167 et seq.](#) (Criminal Offender Record Information [C.O.R.I.]);  
[MGL c. 41, § 97D](#) (Reports of rape and sexual assault);  
[MGL c. 62C, § 21, § 22](#) Tax returns;  
[MGL c. 62C, § 74](#) Tax return preparer;  
[MGL c. 66, § 10](#) Public records;  
[MGL c. 66A, § 1, § 2](#) (Personal data held by Commonwealth agencies);

[MGL c. 71, § 34D](#) Student records;  
[MGL c. 71B, § 3](#) Special needs student records;  
[MGL c. 111, § 1, § 204, § 205](#) Medical peer review committee;  
[MGL c. 111, § 70, § 70E](#) (Hospital records);  
[MGL c. 111, § 70F](#) (HIV test results);  
[MGL c. 111, § 70G](#) (Genetic testing);  
[MGL c. 111B, § 11](#) (Alcohol treatment);  
[MGL c. 111E, § 18](#) (Drug treatment);  
[MGL c. 112, § 129A](#) (Psychologist-patient communications);  
[MGL c. 112, § 135, § 135A, § 135B](#) (Social workers);  
[MGL c. 112, § 172, § 172A](#) Allied mental health and human service professionals;  
confidential communications; waiver;  
[MGL c. 119, § 51A](#) Child abuse reporting by clergy;  
[MGL c. 119, § 51E](#) (Department of Children and Families records);  
[MGL c. 119, § 60, § 60A](#) (Juvenile records);  
[MGL c. 123, § 36, § 36A](#) (Department of Mental Health records);  
[MGL c. 123B, § 17](#) (Department of Developmental Services records);  
[MGL c. 127, § 130](#) (Parole board);  
[MGL c. 127, § 29](#) (Department of Correction records);  
[MGL c. 148, § 32](#) (Sire insurance);  
[MGL c. 151A, § 46](#) Unemployment hearing privilege.  
[MGL c. 221, § 92A](#) Sign language interpreters, confidentiality;  
[MGL c. 221C, § 1, § 4](#) Interpreter client privilege;  
[MGL c. 233, § 20A](#) Communication with clergy;  
[MGL c. 233, § 20](#) Competency of witnesses; husband and wife; criminal defendant;  
parent and child;  
[MGL c. 233, § 20B](#) (Psychologists and psychotherapists);  
[MGL c. 233, § 20J](#) Sexual assault counselor privilege;  
[MGL c. 233, § 20K](#) Domestic violence counselors;  
[MGL c. 233, § 20M](#) Communication between human trafficking victim & case worker;  
[MGL c. 233, § 21](#) Proof of conviction of crime to affect credibility of witness;  
[MGL c. 233, § 23B](#) Statements made while undergoing psychiatric examination;  
[MGL c. 233, § 23C, MGL c.150, § 10A](#) Mediators;  
[MGL c. 233, §§ 20D–20I](#) (Statutes governing the granting of immunity);  
[MGL c. 273, § 7](#) Spousal privileges exceptions;  
[MGL c. 278, § 23](#) Adverse inference from claim of privilege;

## **Article VI Witnesses**

[MGL c. 119, § 60](#) Delinquent children;  
[MGL c. 123, § 19](#) Mental condition;  
[MGL c. 221C, § 4](#) Interpreter oath;  
[MGL c. 231, § 87](#) Pleadings as evidence;  
[MGL c. 231, § 89](#) Use of answers to interrogatories;

[MGL c. 233, § 19](#) Religious beliefs;  
[MGL c. 233, § 20](#) Competency;  
[MGL c. 233, § 21](#) Conviction of a crime to affect credibility;  
[MGL c. 233, § 21A](#) Evidence of reputation;  
[MGL c. 233, § 22](#) Cross examination of adverse party;  
[MGL c. 233, § 23](#) Impeachment of party's own witness;  
[MGL c. 233, § 23E](#) Mental condition;  
[MGL c. 234A, § 39](#) Discharge of juror;

### **Article VII Opinion and Expert Evidence**

[MGL c. 119, § 21, § 24](#) Child custody investigations, abandoned children;  
[MGL c. 123, § 15](#) Competence to stand trial investigation;  
[MGL c. 215, § 56A](#) Court appointed experts, investigators.

### **Article VIII Hearsay**

[MGL c. 46, § 19](#) birth, marriage, and death records;  
[MGL c. 79, § 35](#) Assessed valuation of real estate;  
[MGL c. 90, § 30](#) records of the Registry of Motor Vehicles;  
[MGL c. 106, § 2-724](#) Admissibility of market quotations;  
[MGL c. 111, § 70](#) Hospital records  
[MGL c. 111, § 195](#) Certain lead inspection reports;  
[MGL c. 119, § 24](#) Court investigation reports;  
[MGL c. 119, § 51A, § 51B](#) Department of Children and Families reports;  
[MGL c. 123A, § 14](#) Police reports on prior sexual offenses; Facts in public records as prima facie:  
[MGL c. 123A, § 14\(c\)](#) public records at trial on whether person is sexually dangerous;  
[MGL c. 123A, § 6A, § 9](#) Sexually dangerous person statute;  
[MGL c. 139, § 9](#) Nuisance building, general reputation;  
[MGL c. 152, § 20A, § 20B](#) Medical reports;  
[MGL c. 175, § 4\(7\)](#) Report of Commissioner of Insurance;  
[MGL c. 183, § 5A](#) Statements relating to title;  
[MGL c. 185C, § 21](#) Housing inspection report;  
[MGL c. 207, § 45](#) Marriage records;  
[MGL c. 231, § 89](#) Use of answers to interrogatories;  
[MGL c. 233, § 65](#) Admissibility of declaration of decedent;  
[MGL c. 233, § 65A](#) Answers to interrogatories of deceased party;  
[MGL c. 233, § 66](#) Evidence in actions against personal representative  
[MGL c. 233, § 69](#) Records of other courts;  
[MGL c. 233, § 70](#) Judicial notice of foreign law  
[MGL c. 233, § 78, § 79J](#) Business records;  
[MGL c. 233, § 79](#) Hospital records;  
[MGL c. 233, § 79B](#) Publicly issued compilations of fact;  
[MGL c. 233, § 79C](#) Treatises in malpractice actions;

[MGL c. 233, § 79F](#) Certificate of public way;  
[MGL c. 233, § 79G](#) Medical and hospital bills;  
[MGL c. 233, § 79H](#) Medical reports of deceased physicians;  
[MGL c. 233, § 80](#) Official transcripts;  
[MGL c. 233, § 81, § 82](#) Admissibility of out of court statements, sexual contact, criminal, civil;  
[MGL c. 233, § 83](#) Admissibility of out of court statements, sexual conduct, child custody;  
[MGL c. 239, § 8A, ¶ 3](#) Board of health inspection report if certified by inspector who conducted the inspection;  
[MGL c. 276, § 58](#) Considerations for release on personal recognizance;  
[MGL c. 276, § 58A](#) Conditions for release, offenses physical force;  
[MGL c. 278, § 16D](#) Child witness testimony;

### **Article IX Authentication and Identification**

[MGL c. 9, § 11](#) Great seal, copies as evidence  
[MGL c. 30A, § 6](#) Mass. Register  
[MGL c. 66, § 5](#) Municipal records  
[MGL c. 66, § 7](#) Town clerk, custody of old records  
[MGL c. 66, § 16](#) Surrender of old church records,  
[MGL c. 90, § 30](#) Records of RMV;  
[MGL c. 111, § 195](#) Lead poisoning detection report,  
[MGL c. 209C, § 16](#) Paternity, testimony, evidence  
[MGL c. 209C, § 17](#) Genetic marker tests  
[MGL c. 231, § 69](#) Admissions, demand and answers  
[MGL c. 233, § 68](#) Proof of signature  
[MGL c. 233, § 69](#) Records of courts of other states or U.S.;  
[MGL c. 233, § 73](#) Foreign oaths and affidavits;  
[MGL c. 233, § 74](#) Acts of incorporation;  
[MGL c. 233, § 75](#) Printed copies of acts of legislative and administrative bodies;  
[MGL c. 233, § 76](#) Authenticated records of government departments;  
[MGL c. 233, § 76A](#) Records of SEC;  
[MGL c. 233, § 77](#) Records of banks;  
[MGL c. 233, § 78](#) Impeachment of certain business records  
[MGL c. 233, § 79](#) Hospital records  
[MGL c. 233, § 79A](#) Certified copies of public and private records  
[MGL c. 233, § 79B](#) Occupational published statements of fact  
[MGL c. 233, § 79C](#) Scientific publications  
[MGL c. 233, § 79D](#) Photographic copy of newspaper in library  
[MGL c. 233, § 79G](#) Medical and hospital services records  
[MGL c. 233, § 79J](#) Business records  
[MGL c. 233, § 80](#) Court transcripts from stenographic notes

## **Article X Contents of Writings and Records**

[MGL c. 233, § 76](#) Attested-to records of governmental departments;

[MGL c. 233, § 76A](#) Properly authenticated copies of documents filed with the SEC;

[MGL c. 233, § 77](#) Copies of books, etc., of trust companies and banks;

[MGL c. 233, § 78](#) Court may order originals

[MGL c. 233, § 79A](#) Duly certified copies of public, bank, insurance, and hospital records;

[MGL c. 233, § 79D](#) Duly certified copies of newspapers deposited in certain public and college libraries;

[MGL c. 233, § 79E](#) Reproductions made in the regular course of business;

[MGL c. 233, § 79K](#) Duplicate of a computer data file or program file unless issue as to authenticity or unfair to admit

## **Article XI Miscellaneous sections**

[MGL c. 6, § 178L](#) Classification of sex offenders

[MGL c. 30A, § 11](#) Agency adjudicatory proceedings

[MGL c. 71B, § 3](#) Special education records, confidential, not privileged

[MGL c. 79, § 22](#) Eminent Domain, view

[MGL c. 80, § 9](#) Trial procedure tax abatement

[MGL c. 111, § 70](#) Hospital records

[MGL c. 111B, § 11](#) Alcoholism treatment records

[MGL c. 111E, § 18](#) Drug rehab treatment records

[MGL c. 112, § 135, § 135A, § 135B](#) Social worker communications

[MGL c. 119, § 24](#) Court reports, child custody investigator reports

[MGL c. 119, § 21A](#) Care & protection, evidence, qualified experts

[MGL c. 119, § 29](#) Right to counsel

[MGL c. 119, § 29D](#) Foster and pre adoptive parents testimony

[MGL c. 119, § 60](#) Delinquent children, admissibility of adjudication

[MGL c. 123, § 1](#) Likelihood of serious harm, definitions

[MGL c. 123, § 7, § 8](#) Commitment, dangerous persons

[MGL c. 123, § 8B](#) Hearing for treatment of persons with antipsychotic medication

[MGL c. 123, § 35](#) Commitment substance abuse, alcoholism

[MGL c. 123, § 36](#) Mental health facility records

[MGL c. 123A, § 1, § 6A, § 9, § 12, § 13, § 14, § 15](#) Sexually dangerous persons

[MGL c. 152, § 2](#) Investigations, Industrial Accidents Division

[MGL c. 209A, § 1, § 3A, § 3B, § 4, § 5, § 7](#) Abuse prevention

[MGL c. 210, § 3](#) Adoption plan report, testimony

[MGL c. 218, § 21, § 22](#) Small claims

[MGL c. 218, § 35A](#) Pre-complaint hearing

[MGL c. 233, § 20](#) Witness competency

[MGL c. 233, § 20B](#) Psychotherapists, communications

[MGL c. 233, § 22](#) Cross of adverse witness, parent

[MGL c. 233, § 78](#) Business records, impeachment

[MGL c. 233, § 79](#) Observations by experts

[MGL c. 233, § 79G](#) Medical and hospital services, evidence  
[MGL c. 233, § 82, § 83](#) Children's out of court statements  
[MGL c. 234A, § 67A](#) Examination of jurors  
[MGL c. 234A, § 69A](#) View  
[MGL c. 253, § 7](#) Mill flowage, view  
[MGL c. 258B, § 1](#) Restitution  
[MGL c. 258B, § 3](#) Rights of victims, witnesses  
[MGL c. 258E, § 1](#) Harassment prevention  
[MGL c. 276, § 55](#) Discharge on acknowledgment of satisfaction  
[MGL c. 276, § 57](#) Bail revocation  
[MGL c. 276, § 58A](#) Pretrial dangerousness hearing  
[MGL c. 276, § 85](#) Probation officer, info for sentencing  
[MGL c. 276, § 85B](#) Reports of P & F probation in writing  
[MGL c. 276, § 87, § 87A](#) Restitution, probation  
[MGL c. 276, § 92A](#) Restitution, MV theft or fraudulent claims  
[MGL c. 276, § 100](#) Reports of probation work  
[MGL c. 277, § 68](#) Subpoenas by AG and district attorneys  
[MGL c. 279, § 1](#) Suspension of execution; payment of fine; probation; revocation of suspension  
[MGL c. 280, § 6](#) Costs as penalty