HOUSE . . . . . No. 5723

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 3, 1971.

The committee on the Judiciary, to whom were referred the petition (accompanied by bill, Senate, No. 606) of Jack H. Backman for legislation to provide for the establishment of a juvenile circuit court in Norfolk County; the petition (accompanied by bill, Senate, No. 610) of Jack H. Backman for legislation to establish a statewide juvenile court; the petition (accompanied by bill, Senate, No. 695) of Harold Brown for legislation to improve the administration of the judicial system; to provide for the construction, maintenance, and operation of court facilities; and to improve and expedite the operation of the courts and related functions, including procedures, fees, juries, clerks, service of process, sheriffs and constables; the petition (accompanied by bill, Senate, No. 698) of the Massachusetts Bar Association, by Richard K. Donahue, president, for legislation to provide for the establishment of the number of justices in the Superior Court in proportion to the population; the petition (accompanied by bill, Senate, No. 699) of the Massachusetts Bar Association, by Richard K. Donahue, president, for legislation to provide for trial by jury of certain civil cases in the Municipal Court of the City of Boston which have been transferred from the Superior Court; the petition (accompanied by bill, Senate, No. 700) of the Massachusetts Bar Association, by Richard K. Donahue, president, for legislation to provide for the establishment of the number of justices in the Superior Court in proportion to the population; the petition (accompanied by bill, Senate, No. 701) of the Massachusetts Bar Association, for legislation to increase the number of justices of the superior courts; the petition (accompanied by bill, House, No. 395) of Carl R. Ohlson for the appointment of an additional justice and an additional special justice in the District Court of Brockton; the petition (accompanied by bill, House, No. 397) of Thomas F. Fallon for legislation to make all district courts full time courts; the petition (accompanied by bill, House, No. 955) of Edward P. Coury for legislation to increase the number of justices of the Superior Court; the petition (accompanied by bill, House, No. 1155) of Thomas E. Cargill, Jr., relative to transfer of certain actions from the

Superior Court; the petition (accompanied by bill, House, No. 1536) of Richard D. Gerould and Daniel W. Carney for legislation to increase the number of associate judges of the Land Court; the petition (accompanied by bill, House, No. 1547) of Peter L. Masnik and other members of the House for establishing the basis for the number of justices in the Superior Court in proportion to the population; the petition (accompanied by bill, House, No. 1555) of John F. St. Cyr for the establishment of the number of justices in the Superior Court in proportion to the population; the petition (accompanied by bill, House, No. 1738) of Lawrence T. Perera and Maurice E. Frye, Jr., that courts be authorized to make rules providing for service of process by registered or certified mail; the petition (accompanied by bill, House, No. 1895) of John R. Buckley, Thomas C. Wojtkowski, David J. Mofenson and Andrea F. Nuciforo relative to establishing juvenile court procedures and amending the laws relative to neglected and delinquent children; the petition (accompanied by bill, House, No. 2230) of Timothy J. McInerney relative to increasing the number of justices of the Supreme Judicial Court, the petition (accompanied by bill, House, No. 2232) of Timothy J. McInerney relative to establishing an intermediate appellate court to be known as the court of appeals for the rehearing of matters of law arising in civil and criminal cases in the superior probate and land courts; the petition (accompanied by bill, House, No. 2234) of Michael F. Flaherty and another for legislation to provide for the elimination of the position of special justices of the district courts and for their replacement with full time circuit justices of said courts; the petition (accompanied by bill, House, No. 2238) of Samuel E. Levine and Frank J. Matrango relative to the appointment of district court circuit justices; the petition (accompanied by bill, House, No. 2842) of Daniel W. Carney for legislation to increase the number of justices in the Boston municipal court; the petition (accompanied by bill, House, No. 3623) of Anthony R. DiFruscia for legislation to redefine the term "delinquent children"; the petition (accompanied by bill, House, No. 4215) of William J. Spence and other members of the House for legislation to establish a juvenile court in Plymouth County; the petition (accompanied by bill, House, No. 4408) of Daniel W. Carney that provision be made for the speedy trial of a misdemeanor by a jury of six in all district courts; the petition

(accompanied by bill, House, No. 4608) of the Massachusetts Trial Lawyers Association for establishing an appellate division of the Superior Court; the petition (accompanied by bill, House, No. 4611) of Anthony R. DiFruscia for the establishment of a uniform juvenile court; the petition (accompanied by bill, House, No. 4619) of William P. Homans and Paul Maurice Murphy relative to the disposition by the Superior Court of complaints issued against juveniles; the petition (accompanied by bill, House, No. 4621) of J. Hilary Rockett for legislation to establish juvenile divisions of the district courts; the petition (accompanied by bill, House, No. 4808) of Robert S. Creedon, Jr., for legislation to provide for the establishment of a juvenile court in the city of Brockton; and the petition (accompanied by bill, House, No. 4815) of J. Hilary Rockett relative to establishing a juvenile court in Essex County, report recommending that the accompanying order (House, No. 5723) ought to be adopted.

For the committee,

CORNELIUS F. KIERNAN

The Commonwealth of Massachusetts

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1 *Ordered*, That the special committee established (under the
2 provisions of an order adopted by the house of representatives
3 on April 6, 1970 and by the senate on May 20, 1970 with an
4 amendment in which the house concurred on May 26, 1970, see
5 House, No. 5271, amended, of 1970) to make an investigation
6 and study of the system for administration of justice in the
7 commonwealth and the ways and means for reforming and
8 improving the judicial system, shall, in the course of its
9 investigation and study, consider the subject matter of current
10 senate documents numbered 606, providing for the establishment
11 of a juvenile circuit court in Norfolk county; 610, to establish a
12 statewide juvenile court; 695, to improve the administration of
13 the judicial system; to provide for the construction, maintenance,
14 and operation of court facilities; and to improve and expedite the
15 operation of the courts and related functions, including pro-
16 cedures, fees, juries, clerks, service of process, sheriffs and
17 constables; 698, providing for the establishment of the number
18 of justices in the superior court in proportion to the population;
19 699, providing for trial by jury of certain civil cases in the
20 municipal court of the city of Boston which have been
21 transferred from the superior court; 700, providing for the
22 establishment of the number of justices in the superior court in
23 proportion to the population; and 701, increasing the number of
24 justices of the superior courts; of current house documents
25 numbered 395, providing for an additional justice and an
26 additional special justice in the district court of Brockton; 397,
27 making all district courts full time courts; 955, increasing the
28 number of justices of the superior court; 1155, providing for
29 transfer of action from superior court, trial, decision, notice and
30 judgment; 1536, increasing the number of associate judges of the
31 land court; 1547, providing for the establishment of the number
32 of justices in the superior court in proportion to the population;
33 1555, providing for the establishment of the number of justices
34 in the superior court in proportion to the population; 1738,
35 authorizing courts to make rules providing for service of process
36 by registered or certified mail; 1895, establishing juvenile court
37 procedures and further revising the general laws relating to

38 neglected and delinquent children; 2230, increasing the number
39 of justices of the supreme judicial court; 2232, establishing an
40 intermediate appellate court; 2234, providing for the elimination
41 of positions of special justices of district courts, and for their
42 replacement with full time circuit justices of district courts;
43 2238, providing for the appointment of district court circuit
44 justices; 2842, increasing the number of justices in the Boston
45 municipal court; 3623, redefining the term "delinquent chil-
46 dren"; 4215, providing for the establishment of a juvenile court
47 in Plymouth county; 4408, providing the speedy trial of a
48 misdemeanor by a jury of six in all district courts; 4608,
49 establishing an appellate division of the superior court; 4611,
50 relative to a uniform juvenile court; 4619, relative to the
51 disposition by superior court of complaints issued against
52 juveniles; 4621, establishing juvenile divisions of the district
53 courts; 4808, providing for the establishment of a juvenile court
54 in the city of Brockton; 4815, establishing a juvenile court in
55 Essex county. and 5404, providing for an increase in certain fees
56 charged by clerks of district courts.