

HOUSE No. 1012

By Mr. Aspero of Worcester, petition of William M. Snow for the classification by the County Personnel Board of the probation officers of the Central District Court of Worcester, District Court of Springfield, First District Court of Eastern Middlesex and Third District Court of Eastern Middlesex. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Nine.

AN ACT PROVIDING FOR THE CLASSIFICATION BY THE COUNTY PERSONNEL BOARD OF THE OFFICES OF PROBATION OFFICERS OF THE CENTRAL DISTRICT COURT OF WORCESTER, DISTRICT COURT OF SPRINGFIELD, FIRST DISTRICT COURT OF EASTERN MIDDLESEX, AND THIRD DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 49 of chapter 35 of the
2 General Laws, as most recently amended by chapter
3 469 of the acts of 1947, is hereby further amended
4 by inserting after the words "and probation officers"
5 in the twenty-third line, the words: — other than the
6 probation officers in the central district court of
7 Worcester, district court of Springfield, first district
8 court of eastern Middlesex and third district court
9 of eastern Middlesex, — so as to read as follows: —
10 Every office and position whereof the salary is

11 wholly payable from the treasury of one or more
12 counties, or from funds administered by and through
13 county officials, excluding the offices of county com-
14 missioners, the clerk and the assistant clerks of the
15 superior court for civil business in the county of
16 Suffolk, the clerk and assistant clerks of the superior
17 court for criminal business in the county of Suffolk,
18 official stenographers, additional stenographers and
19 temporary stenographers of the superior court in the
20 county of Suffolk, justices and special justices of the
21 district courts, the messenger of the superior court
22 in the county of Suffolk, the secretary and assistant
23 secretary of the municipal court of the city of Boston,
24 clerks and assistant clerks of the district courts other
25 than the clerks and assistant clerks of district courts
26 in the county of Suffolk except the municipal court
27 of the city of Boston, and other than the clerks and
28 assistant clerks of the central district court of
29 Worcester, and excluding trial justices, other offices
30 and positions filled by appointment of the governor
31 with the advice and consent of the council, court
32 officers appointed in Suffolk county under section
33 seventy of chapter two hundred and twenty-one,
34 court officers in attendance upon the municipal
35 court of the city of Boston, and probation officers,
36 other than the probation officers in the central
37 district court of Worcester, district court of Spring-
38 field, first district court of eastern Middlesex and
39 third district court of eastern Middlesex, but in-
40 cluding the officer described in the first sentence of
41 section seventy-six of said chapter two hundred and
42 twenty-one, shall be classified by the board in the
43 manner provided by sections forty-eight to fifty-six,
44 inclusive, and every such office and position, now

45 existing or hereafter established, shall be allocated
46 by the board to its proper place in such classification.
47 Offices and positions in the service of any depart-
48 ment, board, school or hospital principally supported
49 by the funds of the county or counties, or in the
50 service of a hospital district established under sec-
51 tions seventy-eight to ninety-one, inclusive, of
52 chapter one hundred and eleven, shall likewise be
53 subject to classification as aforesaid. The word
54 "salary", as used in this section, shall include
55 compensation, however payable; but nothing in
56 sections forty-eight to fifty-six, inclusive, and noth-
57 ing done under authority thereof, shall prevent any
58 person from continuing to receive from a county
59 such compensation as is fixed under authority of
60 other provisions of law or as is expressly established
61 by law.

1 SECTION 2. Section 83 of chapter 276 of the
2 General Laws, as most recently amended by chapter
3 639 of the acts of 1947, is hereby further amended
4 by inserting after the words "district court", in line
5 50, the words: — other than the probation officers in
6 the central district court of Worcester, district court
7 of Springfield, first district court of eastern Middle-
8 sex and third district court of eastern Middlesex, —
9 so as to read as follows: — The superior court, the
10 chief justice of the municipal court of the city of
11 Boston, subject to the approval of the associate
12 justices thereof, and the justice of each other district
13 court, other than those district courts located in
14 Suffolk county, with the written approval of the
15 administrative committee of the district courts,
16 who shall consult the board of probation relative

17 thereto, may appoint such male and female proba-
18 tion officers as they may respectively from time to
19 time deem necessary for their respective courts;
20 and if there is more than one probation officer in one
21 court, one of such officers may be designated chief
22 probation officer. All officers so appointed shall be
23 removable for cause by the court making the ap-
24 pointment; provided, that no officer appointed by a
25 justice of a district court, in any county other than
26 Suffolk, shall be discharged or removed from office
27 unless such discharge or removal shall be approved
28 in writing by the administrative committee of the
29 district courts after consultation with the board of
30 probation. The compensation of each probation
31 officer appointed by the superior court shall be
32 fixed by that court and by it apportioned from time
33 to time among the counties wherein said officer
34 performs his duties. The justice of each district
35 court in the county of Suffolk, other than the mu-
36 nicipal court of the city of Boston, and the justice
37 of the Boston juvenile court, may appoint such
38 probation officers as he deems necessary; provided,
39 that he shall have the written approval of the justices
40 of the municipal court of the city of Boston or a
41 committee thereof, who shall consult the board of
42 probation relative thereto. Such officers shall like-
43 wise be removable for cause by the court having the
44 power of appointment provided, that no officer
45 shall be removed without the written approval of
46 said justices of the municipal court of the city of
47 Boston or their committee given after consultation
48 with the board of probation. In the municipal
49 court of the city of Boston the justices of said court,
50 subject to the approval of the justices of the supreme
51 judicial court, shall fix the compensation for each

52 probation officer appointed for such court; in each
53 other district court in Suffolk county, and in the
54 Boston juvenile court, probation officers shall be
55 classified for the purpose of making uniform their
56 compensation and duties so far as practicable into
57 the following classes: (1) junior probation officers;
58 (2) senior probation officers; (3) probation super-
59 visors; (4) chief probation officers. For said classes
60 the following salary limits are hereby established:
61 (1) junior probation officers shall be paid upon
62 appointment a minimum of twenty-five hundred
63 dollars and shall receive annual increases of two
64 hundred dollars until a maximum of thirty-one
65 hundred dollars shall have been reached; (2) senior
66 probation officers shall be paid upon appointment a
67 minimum of thirty-two hundred dollars and shall
68 receive annual increases of two hundred dollars until
69 a maximum of thirty-eight hundred dollars shall
70 have been reached; (3) probation supervisors shall
71 be paid upon appointment a minimum of thirty-nine
72 hundred dollars and shall receive annual increases of
73 two hundred dollars until a maximum of forty-five
74 hundred dollars shall have been reached; (4) chief
75 probation officers shall be paid upon appointment a
76 minimum of forty-six hundred dollars and shall
77 receive annual increases of two hundred dollars until
78 a maximum of fifty-two hundred dollars shall have
79 been reached. The presiding justice of each of the
80 district courts in the county of Suffolk, other than
81 the municipal court of the city of Boston, and of the
82 Boston juvenile court, subject to the approval of the
83 justices of the municipal court of the city of Boston
84 after consultation with the board of probation, shall
85 classify the probation officers serving in his court in
86 accordance with minimum qualifications to be estab-

87 lished by said justices after consultation with said
88 board; provided, that no probation officer who is
89 gainfully employed in addition to his duties as
90 probation officer shall be classified higher than junior
91 probation officer or shall receive compensation at
92 junior probation officer rates for that portion of his
93 working time which is spent in such other employ-
94 ment. In each other district court, other than the
95 probation officers in the central district court of
96 Worcester, district court of Springfield, first district
97 court of eastern Middlesex and third district court
98 of eastern Middlesex, the justice thereof, subject to
99 the approval of the county commissioners, shall fix
100 the compensation of each probation officer appointed
101 for such court. The minimum compensation of any
102 probation officer in any county, other than Suffolk,
103 whose service is determined by the county commis-
104 sioners thereof to be full-time service shall be two
105 thousand dollars per annum. Compensation pro-
106 vided for in this section shall be paid by the county
107 on vouchers approved respectively by the chief
108 justice of the municipal court of the city of Boston
109 or by the justice of each other district court or of
110 the Boston juvenile court.

1 SECTION 3. The salaries of the several probation
2 officers of the central district court of Worcester,
3 district court of Springfield, first district court of
4 eastern Middlesex and third district court of eastern
5 Middlesex, in office upon the effective date of the
6 classification of their offices under authority of this
7 act shall not be diminished by reason of such classi-
8 fication, and such salaries shall not be altered until
9 the effective date of such classification.

