

HOUSE No. 1250

By Mr. Murphy of Peabody, petition of John E. Murphy for legislation to authorize the appointment of auditors in motor vehicle accident cases involving personal injuries. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Two.

AN ACT TO AUTHORIZE APPOINTMENT OF AUDITORS IN ACTIONS INVOLVING INJURIES CAUSED BY MOTOR VEHICLES.

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

1 Chapter 221 of the General Laws is hereby amended
2 by inserting after section fifty-six the following new
3 sections:—

4 *Section 56A.* When a civil action is at issue and is
5 pending in the superior court, which involves injuries
6 or damages arising out of the operation or use of a
7 motor vehicle, and one year has elapsed since the
8 commencement of the action, any party to said action
9 may upon motion request a hearing be held before
10 an auditor, and the superior court shall appoint one
11 or more auditors to hear the parties and report such
12 facts as may be ordered by the court.

13 *Section 56B.* When a civil action is at issue, in-
14 volving injuries or damages arising out of the oper-

15 ation or use of a motor vehicle, and both parties agree
16 that a certain person shall be appointed as auditor
17 to hear the parties, the supreme judicial court, the
18 superior court, or the district court shall appoint the
19 person agreed upon, provided the findings of fact
20 shall be final.