

To accompany the petition of Richard H. Lee for legislation to permit retired justices of the Supreme Judicial and Superior Courts to be recalled to temporary active duty for stated periods. The Judiciary.

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**The Commonwealth of Massachusetts**

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

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AN ACT TO PERMIT RETIRED JUSTICES OF THE SUPREME JUDICIAL AND SUPERIOR COURTS TO BE RECALLED TO TEMPORARY ACTIVE DUTY FOR STATED PERIODS.

*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. Chapter 212 of the General Laws is  
2 hereby amended by inserting after section 14A a new  
3 section, as follows:—

4 *Section 15.* Any former justice of the superior  
5 court, who is retired upon a pension under the pro-  
6 visions of chapter 32 of the General Laws, may with  
7 his consent be recalled to temporary active duty for  
8 stated monthly periods by the chief justice of the  
9 superior court. During such stated period of periods,  
10 the justice so recalled shall have the same authority  
11 as an active associate justice of the superior court;  
12 and shall receive, for each monthly period of tempo-  
13 rary active duty, a salary equal to one twelfth of the  
14 annual salary of an associate justice of the superior  
15 court, provided that the said justice shall in writing  
16 waive his pension for the same period.

1 SECTION 2. Chapter 211 of the General Laws is  
2 hereby amended by adding after section 23 a new  
3 section, as follows:—

4    *Section 24.* Any former justice of the supreme ju-  
5 dicial court, who is retired upon a pension under the  
6 provisions of chapter 32 of the General Laws, may  
7 with his consent be recalled to temporary active duty  
8 for stated monthly periods by the chief justice of the  
9 supreme judicial court. During such stated period or  
10 periods, the justice so recalled shall have the same  
11 authority as an active associate justice of the supreme  
12 judicial court; and shall receive, for each monthly  
13 period of temporary active duty, a salary equal to  
14 one twelfth of the annual salary of an associate jus-  
15 tice of the supreme judicial court; provided, that the  
16 said justice shall in writing waive his pension for the  
17 same period.