

By Mr. Cloherty of Boston, petition of William Reardon for legislation to repeal the present requirements relative to qualifications of probation officers. Public Service.

The Commonwealth of Massachusetts

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

AN ACT REPEALING THE PRESENT REQUIREMENTS RELATIVE TO QUALIFICATIONS OF PROBATION OFFICERS.

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. The first paragraph of section 83 of chapter 276
2 of the General Laws, as most recently amended by section 13
3 of chapter 731 of the acts of 1956, is hereby further amended
4 by striking out the first sentence and inserting in place thereof
5 the following sentence:— The superior court, the chief justice
6 of the municipal court of the city of Boston, subject to the
7 approval of the associate justices thereof, and the justice of
8 each other district court **subject to the approval of the**
9 **administrative committee of the district courts** and of the
10 Boston juvenile court may appoint such male and female pro-
11 bation officers as they may respectively from time to time deem
12 necessary for their respective courts [; provided, that no person
13 shall be appointed until his or her qualifications have been
14 examined by the commissioner of probation and approved by
15 him as meeting the standards established by the committee on
16 probation as provided in section ninety-nine A].

1 SECTION 2. Section 83A of said chapter 276 is hereby amended
2 by striking out the first paragraph, as most recently amended by
3 section 14 of said chapter 731, and inserting in place thereof the
4 following paragraph:—
5 The administrative committee of the district courts shall
6 designate, and from time to time redesignate, such district

7 courts within each of the counties of the commonwealth as in
8 the opinion of said committee should join in the appointment
9 of probation officers to act exclusively in juvenile cases in each
10 such court, and the district courts so designated or redesignated
11 shall thereupon join in the appointment of full-time probation
12 officers to act as aforesaid; provided, that the foregoing provi-
13 sions shall not apply to the municipal court of the city of Boston,
14 nor to the Boston juvenile court nor to the other district courts
15 in the county of Suffolk. Each such probation officer shall be
16 appointed by the justices of the courts so joining; provided,
17 that if a majority of said justices fails to agree in the selection
18 of a person for appointment of such probation officers within a
19 period of thirty days after such designation or redesignation by
20 said administrative committee, such appointment shall be made
21 by the committee on probation established by section ninety-
22 nine A [; and provided, further, that no person shall be ap-
23 pointed until his qualifications have been examined by the
24 commissioner of probation and approved by him as meeting the
25 standards established by the said committee on probation].
26 Each officer appointed under this section shall be remov-
27 able for cause by the justices of the courts for which such
28 appointment was made; provided, that no such officer shall be
29 removed or discharged from office unless such removal or dis-
30 charge shall be approved in writing by the committee on proba-
31 tion.

1 SECTION 3. The second paragraph of section 89 of said
2 chapter 276 is hereby amended by striking out the last sentence,
3 added by section 17A of said chapter 731.

1 SECTION 4. Section 99 of said chapter 276, as most recently
2 amended by section 20 of said chapter 731, is hereby further
3 amended by striking out the first paragraph and inserting in
4 place thereof the following paragraph: —

5 The commissioner of probation shall supervise the probation
6 work in all of the courts of the commonwealth, and for such
7 purpose he and his staff shall have access to all probation records
8 in said courts. He shall establish standards for probation work
9 throughout the commonwealth, including methods and pro-
10 cedures of investigation, and shall establish and promulgate
11 rules concerning supervision, casework, record keeping, account-

12 ing and caseload in all courts, subject to the approval of the
13 committee on probation established by section ninety-nine A.
14 He shall provide consultation service to all probation depart-
15 ments. [He shall qualify or disqualify applicants for positions
16 as probation officers prior to their appointment under section
17 eighty-three, according to standards fixed by the committee on
18 probation; provided, that any applicant disqualified by the com-
19 missioner for such appointment shall have the right to appeal to
20 the committee on probation.] He may recommend to a court
21 or courts the appointment of additional probation or clerical
22 personnel or both, and shall notify the committee on probation
23 within thirty days as to the action taken by such court or courts
24 concerning such recommendations. He shall conduct training
25 programs for probation personnel. He shall conduct research
26 studies relating to crime and delinquency, and may participate
27 with other public and private agencies in joint research studies.

1 SECTION 5. Section 99A of said chapter 276, inserted by
2 section 21 of said chapter 731, is hereby amended by striking
3 out the fourth paragraph.

1 SECTION 6. This act shall take effect upon its passage.

