

# HOUSE . . . . . No. 2280

By Mr. Fallon of Clinton, petition of Thomas F. Fallon that the plaintiff in a tort action in the Superior Court be not required to disclose the details of his claims except in certain pleadings. The Judiciary.

## The Commonwealth of Massachusetts

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

AN ACT PROVIDING THAT THE PLAINTIFF IN A TORT ACTION IN THE SUPERIOR COURT SHALL NOT BE REQUIRED TO DISCLOSE THE DETAILS OF HIS CLAIM EXCEPT IN CERTAIN PLEADINGS.

*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 102 of chapter 231 of the General Laws, as inserted  
2 by section 3 of chapter 369 of the acts of 1958, is hereby amended  
3 by striking out the first paragraph and inserting in place thereof  
4 the following paragraph: —

5 The superior court may of its own motion or on the motion  
6 of a plaintiff or defendant, after determination by said court  
7 that if the plaintiff prevails, there is no reasonable likelihood  
8 that recovery will exceed one thousand dollars, transfer for trial  
9 any action of tort or contract pending in said court to the court  
10 from which such action was previously removed, if any, or if  
11 such action was originally entered in the superior court, to any  
12 district court, including the municipal court of the city of  
13 Boston, in which it could have been brought under the pro-  
14 visions of section two of chapter two hundred and twenty-three.  
15 **The plaintiff in a tort action in the superior court shall**  
16 **not be required, prior to trial, to disclose details of his**  
17 **claim except as is otherwise provided in the General Laws.**

THE CONFIDENTIALITY OF DISCOVERY

Section 101. (a) This title shall be known as the "Confidentiality of Discovery Act."

(b) As used in this title, the following definitions shall apply: (1) "Discovery" means the process of identifying and gathering evidence for use in a trial.

(2) "Confidentiality" means the protection of information from unauthorized disclosure.

(3) "Party" means any person who is a party to a lawsuit.

(4) "Attorney" means any person who is a member of the bar of any State or the District of Columbia.

(5) "Court" means any court of law in the United States.

(6) "Judge" means any person who is a judge of any court of law in the United States.

(7) "Jury" means any group of persons who are sworn to render a verdict in a trial.

(8) "Evidence" means any information that is used to prove or disprove a fact in a trial.

(9) "Trial" means the process of presenting evidence and arguments to a judge or jury.