

HOUSE No. 7336

The Commonwealth of Massachusetts



DONALD R. DWIGHT
LIEUTENANT GOVERNOR

EXECUTIVE DEPARTMENT
STATE HOUSE, BOSTON 02133

August 17, 1973

TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES:

In accordance with the provisions of Article LVI of the Amendments to the Constitution, I am returning, herewith, House Bill No. 7130 entitled "AN ACT PROVIDING FOR THE APPOINTMENT OF ADDITIONAL ASSISTANT CLERKS IN CERTAIN DISTRICT COURTS."

Under the provisions of this legislation, the appointment of two additional assistant clerks would be authorized in the district courts located in Lawrence, Haverhill, Framingham, and Dorchester; and, the appointment of one additional assistant would be authorized in the courts located in Barnstable, Waltham, Woburn, and Dedham. As a result, the taxpayers of Essex and Middlesex counties would be required to support four new positions in each county, the taxpayers of Suffolk County two additional positions, and the taxpayers would have to finance one new position in Barnstable County and another in Norfolk County. I will not approve such legislation unless I am certain that the additional financial burdens which would be created are justifiable. I am not persuaded that each of the twelve positions authorized in this bill is warranted.

In reviewing this bill I have had the benefit of comments from various court officials, I have considered the staffing of each of the courts, evaluated the most recent figures available on their workload, and compared this information with similar data concerning other district courts with approximately similar caseloads. This information indicates that the average workload for each clerk and assistant is approximately 10,000 business

units. I believe that, in order for an additional position to be warranted, the work load per clerk and assistant should approach this figure. I concluded, therefore, that one, not two, additional assistants are justified by the existing work level in the district courts of Lawrence and Dorchester; and, that one additional position is warranted in the district courts in Barnstable, Dedham, Woburn, and Waltham. The business units for these courts vary from 7,500 in Dedham (which also has 6-member jury sessions) to a high of 10,636 in Woburn. I am not convinced that the courts in Framingham and Haverhill (which have work loads per individual of 5,600 and 5,700 units respectively) warrant two additional assistants. In fact, this bill would create two new positions in courts which have only 1/3 the business units now processed by the staffs of the courts in Malden and Springfield and only 1/4 of those processed by the staff of the Municipal Court of Roxbury.

In the absence of clear and convincing proof that the remaining positions authorized by this bill for the district courts in Lawrence, Framingham, Haverhill and Dorchester are justified, I refuse to approve them and will not saddle the taxpayers of the counties affected with the financial burdens these positions represent. I will not approve the creating of positions merely for the sake of creating positions. We owe the taxpayers our continuing best efforts to assure that every expense which we impose on them is in their best interests.

I therefore recommend that the bill be amended as follows:-

By striking out all after the enacting clause and inserting in place thereof the following:-

SECTION 1. The second paragraph of section 10 of chapter 218 of the General Laws, as appearing in section 1 of chapter 75 of the acts of 1973, is hereby amended by striking out the lines reading "first district court of Barnstable," "district court of Lawrence," "second district court of eastern Middlesex," "fourth district court of eastern Middlesex," and "district court of northern Norfolk,".

SECTION 2. The third paragraph of said section 10 of said chapter 218, as so appearing, is hereby amended by inserting after the line reading "first district court of eastern Middlesex," the following lines:-

first district court of Barnstable,
district court of Lawrence,
district court of northern Norfolk,
second district court of eastern Middlesex,
fourth district court of eastern Middlesex.

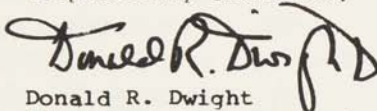
SECTION 3. The fifth paragraph of said section 10 of said chapter 218, as so appearing, is hereby amended by striking out the lines reading "district court of East Norfolk," and "municipal court of the Dorchester district, and" and inserting in place thereof the following line:-

district court of East Norfolk, and.

SECTION 4. The sixth paragraph of said section 10 of said chapter 218, as so appearing, is hereby amended by inserting before the line reading "district court of Springfield," the following line:-

municipal court of the Dorchester district, and.

Respectfully submitted,



Donald R. Dwight
Lieutenant Governor and
Acting Governor
Commonwealth of Massachusetts

The following information is being furnished to you for your information and use. It is derived from a review of the records of the [redacted] and is being furnished to you for your information and use. It is not to be disseminated outside your organization without the express approval of the [redacted].

[Faint, illegible text block]

[Faint, illegible text block]