

By Mrs. Pines of Newton, petition of Lois G. Pines relative to the service of contempt citations and the crediting of support payments made subsequent to the initiation of contempt therefor. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT RELATIVE TO THE SERVICE OF CONTEMPT CITATIONS AND THE CREDITING OF SUPPORT PAYMENTS MADE SUBSEQUENT TO THE INITIATION OF CONTEMPT THEREFOR.

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. Section 34A of Chapter 215 of the General Laws,
2 as most recently amended by section 68 of chapter 400 of the acts of
3 1975, is hereby further amended by striking out the second
4 paragraph:—

5 If the party summonsed for contempt fails to appear, the court
6 may order a *caus* to issue which shall be returnable forthwith or
7 at such time as the court may order. The *caus* and any other
8 process under this section may be served by a sheriff, special
9 sheriff, deputy sheriff, constable or some other person authorized
10 by law and the cost of such service, upon approval of the court,
11 shall be paid by the county.

1 SECTION 2. Said chapter 215 is hereby further amended by
2 inserting after section 34A the following section:—

3 *Section 34B.* Payments relative to support of a wife or children
4 received subsequent to the filing of a petition for contempt shall be
5 credited first to the obligation for support due subsequent to said
6 filing. After the hearing for contempt, the judge may, when notice
7 has been given of the intention to assess any arrearage to the date of
8 the hearing, order the defendant to make payment of all arrearages
9 outstanding on the date of the hearing.

