

By Mr. Galvin of Boston, petition of William F. Galvin relative to the appointment of clerk magistrates and assistant clerk magistrates. The Judiciary.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Ninety.

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AN ACT FURTHER DEFINING THE APPOINTMENT OF CLERK MAGISTRATES AND ASSISTANT CLERKS.

*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 8 of Chapter 218 of the General Laws,  
2 as appearing in the 1986 Official Edition, is hereby amended by  
3 striking out the second paragraph and inserting in place thereof  
4 the following paragraph: —  
5 Each Clerk appointed prior to January first, nineteen hundred  
6 and eighty-seven under the authority of this section and serving  
7 continuously thereafter shall be entitled to thirty days vacation  
8 and thirty days sick leave in each calendar year. Any such clerk  
9 may accumulate vacation and sick leave not used in any such year;  
10 provided, however, that the total amount of vacation days so  
11 accumulated shall not exceed sixty and the total amount of sick  
12 leave so accumulated shall not exceed one hundred and eighty  
13 days; and, provided further, that no additional such days shall  
14 be accumulated on or after said January first except in accordance  
15 with the policies and procedures established by the chief  
16 administrative justice pursuant to section eight of chapter two  
17 hundred and eleven B. All other clerks appointed under the  
18 authority of this section shall be entitled to vacation leave and  
19 sick leave in accordance with the policies and procedures  
20 established by the chief administrative justice pursuant to said  
21 section eight. Each clerk shall also be provided with 15 days of  
22 educational leave in each calendar year except in the first year

23 of service, when said clerk shall be provided with 20 days  
24 education leave prior to assuming the duties of clerk. Each clerk  
25 shall also be entitled to 5 days personal leave in each calendar  
26 year, and each qualifying clerk shall also be provided with  
27 maternity leave for the same period and upon the same terms and  
28 conditions as management and confidential employees of the  
29 Commonwealth.

1 SECTION 2. Section 10 of said Chapter 218 is hereby  
2 amended by striking out the twelfth paragraph and inserting in  
3 place thereof the following paragraph: —

4 Each assistant clerk appointed prior to January first, nineteen  
5 hundred and eighty-seven under the authority of this section and  
6 serving continuously in such appointment thereafter shall be  
7 entitled to thirty days vacation leave and thirty days sick leave  
8 in each calendar year. Any such assistance clerk may accumulate  
9 vacation and sick leave not used in any such year; provided,  
10 however, that the total amount of vacation days so accumulated  
11 shall not exceed sixty and the total amount of sick leave so  
12 accumulated shall not exceed one hundred and eighty days; and  
13 provided, further, that no additional such days shall be  
14 accumulated on or after January first, nineteen hundred and  
15 eighty-seven except in accordance with the policies and  
16 procedures established by the chief administrative justice pursuant  
17 to section eight of chapter two hundred and eleven B. All other  
18 assistant clerks appointed under the authority of this section shall  
19 be entitled to vacation leave and sick leave in accordance with  
20 the policies and procedures established by the chief administrative  
21 justice pursuant to said section eight. Each assistant clerk shall  
22 also be provided with 15 days of educational leave in each calendar  
23 year except in the first year of service, when said assistant clerk  
24 shall be provided with 20 days leave prior to assuming the duties  
25 of assistant clerk. Each assistant clerk shall also be entitled to 5  
26 days personal leave in each calendar year, and each qualifying  
27 assistant clerk shall also be provided with maternity leave for the  
28 same period and upon the same terms and conditions as manage-  
29 ment and confidential employees of the Commonwealth.

1 SECTION 3. Section 53 of said Chapter 218 is hereby  
2 amended by striking out the third paragraph and inserting in place  
3 thereof the following paragraph: —

4 Each clerk and assistant clerk appointed to such position prior  
5 to January first, nineteen hundred and eighty-seven under the  
6 authority of this section and serving continuously thereafter shall  
7 be entitled to thirty days vacation and thirty days sick leave in  
8 each calendar year. Any such clerk and assistant clerk may  
9 accumulate vacation and sick leave not used in any such year;  
10 provided, however, that the total amount of vacation days so  
11 accumulated shall not exceed sixty and the total amount of sick  
12 leave so accumulated shall not exceed one hundred and eighty  
13 days; and, provided further, that no additional such days shall  
14 be accumulated on or after said January first except in accordance  
15 with the policies and procedures established by the chief  
16 administrative justice pursuant to section eight of chapter two  
17 hundred and eleven B. All other clerks and assistant clerks  
18 appointed under the authority of this section shall be entitled to  
19 vacation leave and sick leave in accordance with the policies and  
20 procedures established by the chief administrative justice pursuant  
21 to said section eight. Each clerk and assistant clerk shall also be  
22 provided with 15 days of educational leave in each calendar year  
23 except in the first year of service, when said clerk and assistant  
24 clerk shall be provided with 20 days education leave prior to  
25 assuming the duties of clerk and assistant clerk. Each clerk and  
26 assistant clerk shall also be entitled to 5 days personal leave in  
27 each calendar year, and each qualifying clerk and assistant clerk  
28 shall also be provided with maternity leave for the same period  
29 and upon the same terms and conditions as management and  
30 confidential employees of the Commonwealth.

1 SECTION 4. Section 58 of said Chapter 218 is hereby  
2 amended by striking out the sixth paragraph and inserting in place  
3 thereof the following paragraph: —

4 Each clerk and assistant clerk of the juvenile court department  
5 appointed to such position prior to January first, 'nineteen  
6 hundred and eighty-seven under the authority of this section and  
7 serving continuously in such appointment thereafter shall be



8 entitled to thirty days vacation leave and thirty days sick leave  
9 in each calendar year. Any such clerk and assistant clerk may  
10 accumulate vacation and sick leave not used in any such year;  
11 provided, however, that the total amount of vacation days so  
12 accumulated shall not exceed sixty and the total amount of sick  
13 leave so accumulated shall not exceed one hundred and eighty  
14 days; and provided, further, that no additional such days shall  
15 be accumulated on or after January first, nineteen hundred and  
16 eighty-seven except in accordance with the policies and  
17 procedures established by the chief administrative justice pursuant  
18 to section eight of chapter two hundred and eleven B. All other  
19 clerks and assistant clerks appointed under the authority of this  
20 section shall be entitled to vacation leave and sick leave in  
21 accordance with the policies and procedures established by the  
22 chief administrative justice pursuant to said section eight. Each  
23 clerk and assistant clerk shall also be provided with 15 days of  
24 educational leave in each calendar year except in the first year  
25 of service, when said clerk and assistant clerk shall be provided  
26 with 20 days leave prior to assuming the duties of clerk and  
27 assistant clerk. Each clerk and assistant clerk shall also be entitled  
28 to 5 days personal leave in each calendar year, and each qualifying  
29 clerk and assistant clerk shall also be provided with maternity  
30 leave for the same period and upon the same terms and conditions  
31 as management and confidential employees of the  
32 Commonwealth.