

By Mr. LoPresti, a petition (accompanied by bill, Senate, No. 832) of Michael LoPresti, Jr., for legislation to establish a public employee bond for the Trial Court of the Commonwealth. 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 TO ESTABLISH A PUBLIC EMPLOYEE BOND FOR THE TRIAL COURT OF THE COMMONWEALTH.

*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 11 of Chapter 185 of the General Laws,  
2 as most recently amended by Section 87 of Chapter 478 of the  
3 Acts of 1978, is hereby further amended by striking out the second  
4 sentence of said section.

1 SECTION 2. Section thirteen of Chapter one hundred eighty-  
2 five C of the General Laws, as inserted by Section ninety-two of  
3 Chapter four hundred seventy-eight of the Acts of nineteen  
4 hundred and seventy-eight, is hereby repealed.

1 SECTION 3. Section 15 of Chapter 185C of the General Laws,  
2 as inserted by Section 92 of Chapter 478 of the Acts of 1978, is  
3 hereby amended by striking out the fifth sentence.

1 SECTION 4. Section twelve of Chapter two hundred  
2 seventeen of the General Laws is hereby repealed.

1 SECTION 5. Section 23 of Chapter 217 of the General Laws,  
2 as most recently amended by Section 147 of Chapter 478 of the  
3 Acts of 1978, is hereby further amended by striking out the second  
4 sentence and inserting in place thereof the following sentence: —

5 Before entering upon the performance of his duties, a first  
6 assistant register shall take the oath prescribed by the  
7 Constitution.

1 SECTION 6. Section 30 of Chapter 217 of the General Laws,  
2 as most recently amended by Section 155 of Chapter 478 of the  
3 Acts of 1978, is hereby further amended by striking out the third  
4 sentence.

1 SECTION 7. Section sixteen of Chapter two hundred eighteen  
2 of the General Laws, as most recently amended by Section one  
3 hundred eighty-one of Chapter four hundred seventy-eight of the  
4 Acts of one thousand nine hundred seventy-eight, is hereby repealed.

1 SECTION 8. Section sixty-four of Chapter two hundred  
2 eighteen of the General Laws, as most recently amended by  
3 Section two hundred nineteen of Chapter four hundred seventy-  
4 eight of the Acts of one thousand nine hundred seventy-eight, is  
5 hereby repealed.

1 SECTION 9. Section 12 of Chapter 221 of the General Laws,  
2 as most recently amended by Section 244 of Chapter 478 of the  
3 Acts of 1978, is hereby further amended by striking out the second  
4 and third sentences.

1 SECTION 10. Section 70 of Chapter 221 of the General Laws,  
2 as most recently amended by Section 252 of Chapter 478 of the  
3 Acts of 1978, is hereby further amended by striking out the first  
4 sentence of the eighth paragraph.

1 SECTION 11. Section 77 of Chapter 221 of the General Laws,  
2 as most recently amended by Section 253 of Chapter 478 of the  
3 Acts of 1978, is hereby further amended by striking out said  
4 section in its entirety and inserting in place thereof the following  
5 section: —

6 Premiums on bonds of court officers and deputy sheriffs in  
7 attendance on the supreme judicial court or appeals court shall  
8 be paid by the commonwealth.

1 SECTION 12. Chapter 211B of the General Laws is hereby  
2 amended by adding after Section 9 the following section: —

3 Section 9A. In order to provide protection to the common-  
4 wealth against loss, the chief administrative justice of the trial  
5 court shall arrange for a faithful performance bond in a sum  
6 determined by him for the following employees of the trial court:  
7 the registers of probate and assistant registers of probate of the  
8 probate and family court department, the chief probation officers  
9 and probation officers-in-charge of all departments of the trial  
10 court, the clerk-magistrates of all departments of the trial court,  
11 the first assistant clerks of the Boston municipal court and district  
12 court departments, the assistant clerks of the superior court and  
13 housing court departments, the recorder and deputy recorder of  
14 the land court department, and court officers of the superior court  
15 department. The chief administrative justice shall arrange for a  
16 public employee blanket honesty bond for all employees of the  
17 trial court other than those covered by the faithful performance  
18 bond, in a sum determined by the chief administrative justice,  
19 provided that court officers in the Boston municipal court, district  
20 court, juvenile court, housing court, land court, and probate and  
21 family court departments shall be covered by faithful performance  
22 and public employee blanket honesty bonds in sums determined  
23 by the chief administrative justice. The faithful performance and  
24 public employee blanket honesty bonds shall be surety company  
25 bonds, each for a maximum three-year term, with a surety  
26 company authorized to transact business in the commonwealth  
27 as surety, provided that the faithful performance bond shall be  
28 conditioned on the employees covered by the bond faithfully  
29 performing the duties of their offices and employments, with other  
30 conditions or provisions required by law. Premiums on the  
31 faithful performance and public employee blanket honesty bonds  
32 shall be paid by the commonwealth, and the bonds shall be held  
33 by the chief administrative justice.

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