

SENATE No. 819

By Mr. LoPresti, a petition (accompanied by bill, Senate, No. 819) of Michael LoPresti, Jr., Mary C. Fitzpatrick, David H. Locke and W. Paul White for legislation to further define the equity jurisdiction of the Probate and Family Court. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT FURTHER DEFINING THE EQUITY JURISDICTION OF THE PROBATE AND FAMILY COURT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 215 section 6 of the General Laws, as most recently
2 amended by St. 1981, Chapter 616 is hereby further amended by
3 inserting at the end of the second paragraph thereof the following
4 sentence: —

5 They also shall have jurisdiction, concurrent with the supreme
6 judicial and superior courts, of proceedings in which equitable
7 relief is sought by an executor or administrator to reach and apply
8 any property, right, title, or interest, real or personal of a deceased
9 person, which may have been fraudulently conveyed or secreted
10 with the intent to defeat, delay, or impede the probating of the
11 estate of the deceased person.

12 They also shall have jurisdiction, concurrent with the supreme
13 judicial and superior courts, of proceedings in which equitable
14 relief is sought by a party to an action under Chapter 208 or Chap-
15 ter 209 of the General Laws to reach and apply any property, right,
16 title, or interest, real or personal, of the opposing party which may
17 have been fraudulently conveyed with the intent to defer, delay,
18 or defraud the other party, or any action to reach and apply
19 brought to enforce a judgement originally entered in the probate
20 and family court.

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