

SENATE No. 867

By Mr. Wetmore, a petition (accompanied by bill, Senate, No. 867) of Stanley C. Rosenberg and Robert D. Wetmore for legislation to establish a western Massachusetts division of the Housing Court Department. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT ESTABLISHING A WESTERN MASSACHUSETTS DIVISION OF THE HOUSING COURT DEPARTMENT.

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 21D of Chapter 40 of the General Laws,
2 as appearing in the 1988 Official Edition, is hereby amended by
3 inserting after the word "Hampden" in line 86 the following
4 words: — and with Western Massachusetts Division of the
5 Housing Court.

1 SECTION 2. Section 127G of Chapter 111 of the General
2 Laws, as appearing in the 1988 Official Edition, is hereby
3 amended by inserting after the word "Hampden" in line 86 the
4 following words: — and the Western Massachusetts Division of
5 the Housing Court.

1 SECTION 3. Section 1 of chapter 185C of General Laws, as
2 appearing in the 1988 Official Edition, is hereby amended by
3 striking the words "Hampden county" and inserting in place
4 thereof the following words: — Western Massachusetts,
5 consisting of the counties of Berkshire, Franklin, Hampden and
6 Hampshire.

1 SECTION 4. Section 3 of said chapter 185C of the General
2 Laws, as appearing in said 1988 Official Edition, is hereby
3 amended in lines 5 and 6 by striking the words “county of
4 Hampden in the case of that division” and inserting in place
5 thereof the following words: — counties of Berkshire, Franklin,
6 Hampden and Hampshire in the case of the Western Massachu-
7 setts division.

1 SECTION 5. Said section 3 of Chapter 185C is hereby further
2 amended in line 34 by striking the words “Hampden county, in
3 the case of that division” and inserting in place thereof the
4 following words: — Berkshire, Franklin, Hampden and
5 Hampshire counties, in the case of the Western Massachusetts
6 division.

1 SECTION 6. Section 4 of said chapter 185C is hereby
2 amended by striking the first paragraph and inserting in place
3 thereof the following paragraph: —

4 The division of the housing court department for Western
5 Massachusetts shall hold its sittings in the court house facilities
6 of the superior court department within Berkshire, Franklin,
7 Hampden and Hampshire counties and, with the consent of the
8 chief administrative justice, such other court house facilities
9 within said counties as the administrative justice of the housing
10 court may deem expedient or convenient.

1 SECTION 7. Section 5 of said chapter 185C of the General
2 Laws, as appearing in the 1988 Official Edition, is hereby
3 amended at the end thereof by adding the following paragraph: —

4 The Western Massachusetts division of the housing court shall
5 be open for business in Hampden county as provided in the above
6 paragraph. Business in Berkshire, Franklin and Hampshire
7 counties shall be conducted at the direction of the administrative
8 justice of the housing court, provided that the court shall conduct
9 business in each of these counties on at least one day in each week.

1 SECTION 8. Section 8 of said chapter 185C of the General
2 Laws, as appearing in the 1988 Official Edition, is hereby

3 amended by striking the first two sentences and inserting in place
4 thereof the following sentences: — There shall be two justices
5 appointed for the Western Massachusetts division, who shall
6 preside over sessions held in Berkshire, Franklin, Hampden and
7 Hampshire counties at the direction of the first justice of the
8 Western Massachusetts division of the housing court. In addition,
9 there shall be one justice appointed for the Worcester county
10 division and two justices appointed for the city of Boston division
11 of the housing court department. The senior justice in time of
12 service shall be the first justice of any division with more than
13 one justice.

1 SECTION 9. Section 9 of said chapter 185C of the General
2 Laws, as appearing in the 1988 Official Edition, is hereby
3 amended by striking the last sentence and inserting in place thereof
4 the following sentence: — The clerk appointed for the Western
5 Massachusetts division shall reside in either Berkshire, Franklin,
6 Hampden or Hampshire counties.

1 SECTION 10. Section 86A of chapter 233 of the General
2 Laws, as appearing in the 1988 Official Edition, is hereby
3 amended by inserting after the word "Hampden" in line 4, the
4 following words: — Western Massachusetts Division of the
5 Housing Court.

1 SECTION 11. Section 6 of Chapter 224 of the General Laws,
2 as appearing in the 1988 Official Edition, is hereby amended by
3 inserting after the word "Hampden" in line 14, the following
4 words: — Western Massachusetts Division of the Housing Court.

1 SECTION 12. Section 111 of Chapter 231 of the General
2 Laws, as appearing in the 1988 Official Edition, is hereby
3 amended by inserting after the word "Hampden" in line 3, the
4 following words: — Western Massachusetts Division of the
5 Housing Court.

1 SECTION 13. Section 113 of said chapter 231, as so appear-
2 ing, is hereby amended by inserting after the word "Hampden",

3 in line 3, the following words: — Western Massachusetts Division
4 of the Housing Court.

1 SECTION 14. Section 8 of Chapter 261 of the General Laws,
2 as appearing in the 1988 Official Edition, is hereby amended by
3 inserting after the word “Hampden” in line 3, the following
4 words: — Western Massachusetts Division of the Housing Court.

1 SECTION 15. Section 4 of chapter 263 of the General Laws,
2 as appearing in the 1988 Official Edition, is hereby amended by
3 inserting after the word “Hampden” in line 4, the following
4 words: — Western Massachusetts Division of the Housing
5 Courts.

1 SECTION 16. Section 8A of said chapter 263 as so appearing,
2 is hereby amended by inserting after the word “Hampden” in
3 line 3 the following words: — Western Massachusetts Division of
4 the Housing Court.

1 SECTION 17. The third paragraph of section 5 of chapter 527
2 of the Acts of 1983 is hereby amended by inserting after the word
3 “county” in line 2, the following words: — and the Western
4 Massachusetts Division of the Housing Court.