

HOUSE No. 138

By Mr. Bowker of Brookline, petition of Philip G. Bowker for legislation to provide for use of uniform forms of blanks and records in probate courts and district courts and in probation offices. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Five.

An Act providing for the Establishment and Furnishing of Uniform Forms of Blanks and Records for Use in Probate Courts, District Courts Other than the Municipal Court of the City of Boston, and in the Probation Offices of All District Courts.

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 thirty A of chapter two hun-
2 dred and fifteen of the General Laws is hereby amended
3 by inserting after the word "courts", in the eighth
4 line, the following new sentence:— The committee
5 shall establish uniform forms of blanks and records
6 used in probate courts, — so as to read as follows:—
7 *Section 30A.* There shall be an administrative com-
8 mittee of the probate courts, hereinafter called the
9 committee, which shall consist of three judges thereof,
10 assigned to service thereon by the chief justice of the
11 supreme judicial court for such period of time as he
12 may deem advisable. The committee shall be author-

13 ized to visit any probate court, as a committee or by
14 sub-committee, to recommend uniform practice and
15 procedure, and shall have general advisory powers in
16 relation to such courts. The committee shall estab-
17 lish uniform forms of blanks and records used in
18 probate courts. To promote co-ordination in the
19 work of such courts, the committee may from time to
20 time call conferences of any or all of the judges thereof
21 or of other officials connected therewith, and the trav-
22 eling expenses of such judges or officials for attending
23 such conferences, and also the necessary expenses of
24 the members of the committee incurred in the per-
25 formance of their duties as aforesaid, shall, subject to
26 the approval of the governor and council, be paid
27 from the state treasury.

1 SECTION 2. Said chapter two hundred and fifteen
2 is hereby further amended by striking out section fifty-
3 three and inserting in place thereof the following:—
4 *Section 53.* County commissioners shall provide
5 and maintain suitable rooms for the use of the pro-
6 bate courts, ample fireproof rooms and suitable alcoves,
7 cases and boxes for the safe-keeping of all records,
8 files, papers and documents belonging to the several
9 registries of probate, and shall also provide all books
10 necessary for keeping the records, and all stationery
11 used in probate proceedings. The division of accounts
12 of the department of corporations and taxation shall
13 furnish approximately at cost to the probate courts,
14 upon requisition of the county commissioners, uni-
15 form forms of blanks and records established under
16 section thirty A. No forms of blanks and records
17 other than those established under said section
18 thirty A shall be used in probate proceedings unless

19 approved by the administrative committee of the
20 probate courts.

1 SECTION 3. Section forty-three A of chapter two
2 hundred and eighteen of the General Laws is hereby
3 amended by striking out, in the ninth line, the words
4 “forms of blanks and records”, and by inserting
5 after the word “clerks” in the tenth line the follow-
6 ing new sentence:— The committee shall establish
7 uniform forms of blanks and records used in district
8 courts other than the municipal court of the city of
9 Boston, — so that the first paragraph will read as
10 follows:— There shall be an administrative commit-
11 tee of district courts, which shall consist of the three
12 presiding justices for the time being designated by
13 the chief justice of the supreme judicial court, under
14 section one hundred and eight of chapter two hundred
15 and thirty-one, to act in the appellate districts of
16 district courts, other than the municipal court of the
17 city of Boston. The committee shall be authorized
18 to visit any district court, other than the municipal
19 court of the city of Boston, as a committee or by sub-
20 committee, to recommend uniform practices, and to
21 superintend the keeping of records by clerks. The
22 committee shall establish uniform forms of blanks
23 and records used in district courts other than the
24 municipal court of the city of Boston.

1 SECTION 4. Section thirty-nine of said chapter two
2 hundred and eighteen is hereby amended by striking
3 out, in the fourth line, the words “blank books,
4 blanks,” and by inserting after the word “justices”
5 in the sixth line the following:— The division of
6 accounts of the department of corporations and taxa-

7 tion shall furnish approximately at cost to said dis-
8 trict courts, upon requisition of the justices and clerks
9 thereof, uniform forms of blanks and records estab-
10 lished under section forty-three A. No forms of
11 blanks and records other than those established under
12 said section forty-three A shall be used in said district
13 courts unless approved by the administrative com-
14 mittee of the district courts, — so as to read as follows:
15 — *Section 39.* Justices and clerks of district courts,
16 except the municipal court of the city of Boston, may
17 procure all law books relating to the laws of the com-
18 monwealth, including the reports of the supreme
19 judicial court, the Massachusetts digests, all sta-
20 tionery and other incidentals required by said courts
21 and approved by the justices. The division of ac-
22 counts of the department of corporations and taxation
23 shall furnish approximately at cost to said district
24 courts, upon requisition of the justices and clerks
25 thereof, uniform forms of blanks and records estab-
26 lished under section forty-three A. No forms of
27 blanks and records other than those established under
28 said section forty-three A shall be used in said district
29 courts unless approved by the administrative com-
30 mittee of the district courts. The justice of a district
31 court in any county other than Suffolk, the judicial
32 district of which has a population exceeding one hun-
33 dred and twenty thousand as ascertained by the last
34 preceding national or state census and in which there
35 is no county law library, may, with the approval of
36 the county commissioners, procure other law books
37 required by said court. The expenses thereof shall be
38 certified by the justices monthly, and shall be trans-
39 mitted to the county commissioners who shall audit

40 the bills therefor and order payment thereof by the
41 county.

1 SECTION 5. Chapter two hundred and seventy-six
2 of the General Laws is hereby amended by striking
3 out section one hundred and two and inserting in
4 place thereof the following:—

5 *Section 102.* The board of probation shall establish
6 uniform forms of blanks and records used in the pro-
7 bation offices of the district courts. The division of
8 accounts of the department of corporations and
9 taxation shall furnish such uniform blanks and records
10 approximately at cost upon requisition by said pro-
11 bation officers. No forms of blanks and records other
12 than those established by said board shall be used in
13 the probation offices unless approved by the board of
14 probation.

