

HOUSE No. 1571

By Mr. Sennott of Cambridge, petition of Joseph K. Collins and John R. Sennott, Jr., for legislation to authorize the Superior Court to transfer certain equity cases to the probate court. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT TO AUTHORIZE THE SUPERIOR COURT TO TRANSFER CERTAIN EQUITY CASES TO A PROBATE 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 214 of the General Laws is hereby amended by in-
2 serting after section 32 thereof the following section 32A:—

3 *Section 32A.* Subject to the conditions set forth hereafter
4 any justice of the superior court may transfer for final disposi-
5 tion in a probate court any proceeding in equity pending in the
6 superior court, except cases arising from labor disputes as de-
7 fined in section twenty C of chapter one hundred and forty-
8 nine. Upon such transfer the case shall thereafter be subject
9 to statutes and rules regulating procedure in equity in the pro-
10 bate courts.

11 All such transfers shall be subject to the approval of the chief
12 justice of the superior court, of the administrative committee
13 of the probate courts, and of the judge of the probate court for
14 the county to which the case is to be transferred, if such county
15 has one probate judge, or of a majority of the probate judges if
16 such county has more than one probate judge. Such transfer
17 shall also be limited to a probate court for a county in which the
18 case could have been brought originally.

