

By Mrs. Kane of Boston and Frye of Boston, petition of Edwin C. Hamada, Michael E. Haynes, Katharine D. Kane, Maurice E. Frye, Jr., and others for legislation to establish a housing court for Suffolk County. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT ESTABLISHING A HOUSING COURT FOR THE COUNTY OF SUFFOLK.

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. The General Laws are hereby amended by
2 inserting after chapter 212, the following new chapter:—

3 CHAPTER 212A.

4 THE SUFFOLK COUNTY HOUSING COURT.

5 *Section 1. Territorial Jurisdiction.*—There is hereby estab-
6 lished in the county of Suffolk a housing court which shall
7 have and exercise jurisdiction within the territorial limits of
8 said county.

9 *Section 2. Justices and Clerks.*—The court shall consist of
10 one presiding justice and one associate justice each of whom
11 shall devote their entire time during ordinary business hours
12 to their respective duties and neither of whom shall directly
13 or indirectly engage in the practice of law. The court shall
14 have a clerk, who shall be appointed by the governor, with
15 the advice and consent of the council, and an assistant clerk
16 who shall be appointed by the clerk subject to the approval
17 of the presiding justice, both of whom shall hold office during
18 good behavior, subject however, to the provisions of appli-
19 cable laws pertaining to retirement and retirement systems
20 for county employees.

21 *Section 3. Jurisdiction.*—The court shall have original and
22 exclusive jurisdiction over all general and special laws of the
23 commonwealth, the ordinances of each city and by-laws of

24 each town within Suffolk county, all existing and future
25 codes, rules and regulations as may have been duly promul-
26 gated and enacted by the commonwealth, each city and town
27 within Suffolk county, and the governmental agencies,
28 departments and officers thereof; provided, and, only insofar
29 as the same shall be applicable to or effect any building or
30 dwelling used or intended for human habitation and every
31 other structure or condition located within the same lot line
32 as such building or dwelling, or any occupant thereof. And
33 the court shall also have such original and exclusive jurisdic-
34 tion over all proceedings and matters under chapter one
35 hundred and eighty-six, chapter two hundred and thirty-nine,
36 sections one hundred and twenty-seven to one hundred and
37 twenty-seven J of chapter one hundred and eleven, section
38 sixteen of chapter two hundred and seventy and sections
39 twenty-two B and twenty-two C of chapter ninety of the
40 General Laws.

41 *Section 4. Powers of the Court.*—In all matters within its
42 jurisdiction the court shall have all the powers of the superior
43 court in actions at law and suits in equity, including the
44 power to grant injunctions and restraining orders in accor-
45 dance with the procedures provided in chapter two hundred
46 and fourteen, as justice and equity may require, and the court
47 shall have like power and authority for enforcing orders,
48 rulings and decrees made or pronounced in the exercise of any
49 jurisdiction vested in it, and for punishing civil contempts of
50 its orders, rulings and decrees and other contempts of its
51 authority, as are vested for such and similar purposes in the
52 supreme judicial court or superior court in equity; and all
53 laws relating to the superior court in the county of Suffolk or
54 officials thereof, and all rules thereof or proceedings therein
55 shall, insofar as the same are applicable, apply to said court.
56 Provided, however, that there shall be no right to trial by
57 jury of any action or proceeding before said court.

1 SECTION 2. It is hereby declared to be the public policy and
2 law of the commonwealth that from and after the effective
3 date of this act, all prosecutions for violation of any general
4 or special law, code, ordinance, by-law, rule or regulation, the
5 exclusive and original jurisdiction over which in Suffolk

6 county resides in the housing court by virtue of this enact-
7 ment, are hereby declared to be civil in nature and form
8 throughout the commonwealth, and no person shall be
9 arrested, nor shall any criminal complaint or indictment be
10 issued or returned, nor shall any criminal sentence be
11 imposed by any court of the commonwealth for violation of
12 any of the foregoing; provided, however, that all existing
13 penalties by way of fine shall be deemed civil in nature and
14 form and as such may be imposed by any court of com-
15 petent jurisdiction upon a finding warranted by the evi-
16 dence before the court. The foregoing notwithstanding, com-
17 plaints of violation of the foregoing shall be presented to
18 the appropriate court in the same manner and using the same
19 forms and procedures as have heretofore been used through-
20 out the commonwealth subject only to the declaration of the
21 policy and law of the commonwealth contained herein that
22 all such proceedings are henceforth civil in nature and
23 form.

The first section of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and a list of the names of the persons who have assisted in the work.

The second section of the report deals with the financial statement of the year. It shows the total amount of money received and the amount spent. It also shows the balance carried over from the previous year and the balance to be carried over to the next year. The financial statement is followed by a list of the names of the persons who have contributed to the work.

The third section of the report deals with the list of the names of the persons who have assisted in the work. It is followed by a list of the names of the persons who have contributed to the work. The report concludes with a list of the names of the persons who have assisted in the work.