

SENATE No. 748

By Mr. Tobin, a petition (accompanied by bill, Senate, No. 748) of Alfred L. Podolski, Chief Judge of Probate, Arthur H. Tobin, David H. Locke and Thomas F. Brownell for legislation to provide for the preservation of testimony in the probate courts. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-eight.

**AN ACT PROVIDING FOR THE PRESERVATION OF TESTIMONY IN
THE PROBATE 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 Chapter 217 of the General Laws is hereby amended by
2 inserting after section 8A the following new section: —

3 *Section 8B.* The chief judge of the probate courts shall pro-
4 vide for the preservation of a record of proceedings by elec-
5 tronic means in proceedings in said courts, and for making
6 said record available in such form as he may prescribe.

7 The chief judge of the probate courts may enter into such
8 contracts as he deems appropriate and necessary for the pur-
9 chase, installation and maintenance of recording devices,
10 related equipment, accessories and supplies, the cost of which
11 shall be borne by the Commonwealth, and may promulgate
12 such rules and regulations as are necessary and desirable for
13 the uniform implementation of this system in the probate
14 courts.

15 A record made pursuant to this section shall be the official
16 record of the proceedings. Said record, a copy thereof certified
17 by the chief judge of the probate courts to be an electronic
18 reproduction of said record, or a typewritten transcript of all
19 or part of said record certified to be accurate by the trial
20 court, shall be admissible as evidence of testimony given
21 whenever proof of such testimony is otherwise competent.

