

The Commonwealth of Massachusetts



THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

MICHAEL S. DUKAKIS
GOVERNOR

March 1, 1985

To the Honorable Senate and House of Representatives:

I am filing today the attached bill, entitled An Act Placing Chief Probation Officers on the Job Classification and Pay Plan of the Trial Court. This proposed act places the determination of the salaries of chief probation officers within the jurisdiction of the chief administrative justice of the trial court, for placement on the trial court's job classification and pay plan. Also moved to the trial court's plan are the salaries of supervisors of probation and personnel in the office of the commissioner of probation. Placing these personnel on the trial court's pay plan will enable regular and ongoing review of pay scales according to job classification.

The proposed act also provides for the transferability of probation officers among departments of the trial court, as long as the transfer is within a reasonable distance. Chief probation officers may not be transferred without their consent, however.

I urge your favorable consideration of this act.

Respectfully submitted,

Michael S. Dukakis
Governor

The Commonwealth of Massachusetts

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

AN ACT PLACING CHIEF PROBATION OFFICERS ON THE JOB CLASSIFICATION AND PAY PLAN OF THE TRIAL 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 SECTION 1. *Supervisors of Probation*

2 Section 83 of chapter 276 of the General Laws is hereby amended
3 by striking the first sentence of the third paragraph and inserting in
4 its place the following new sentence: —

5 The compensation of probation officers in all courts of the
6 commonwealth shall be fixed according to the provisions of an
7 applicable collective bargaining agreement, except that the com-
8 pensation of the probation officers designated by the superior
9 court, pursuant to the first paragraph of this section, as supervisor
10 of probation and as assistant supervisor of probation for said
11 court, shall be paid by the commonwealth in accordance with the
12 job classification and pay plan established by the chief administra-
13 tive justice of the trial court pursuant to section 9 of chapter 211B
14 of the General Laws.

1 SECTION 2. *Commissioner of Probation*

2 Said chapter 276 is hereby further amended by striking section
3 98 and inserting in its place the following section: —

4 There shall be a commissioner of probation who shall have
5 executive control and supervision of the probation service. He
6 shall be appointed for a term of six years by the chief administra-
7 tive justice and shall devote his full time during business hours to
8 the duties of his office.

9 The commissioner of probation may appoint an administrative
10 assistant. Said administrative assistant shall perform such duties as
11 the commissioner may from time to time define.

12 The commissioner, with the approval of the chief administrative
13 justice, shall appoint five deputy commissioners and may, with like
14 approval, for cause, remove them. The commissioner may desig-

15 nate one deputy commissioner as first deputy commissioner. Each
16 deputy commissioner shall devote his full time during business
17 hours to the duties of his office.

18 The commissioner of probation shall appoint four supervisors of
19 court probation services and one assistant supervisor of court
20 probation services. Said supervisors and assistant supervisor of
21 court probation services shall, in addition to other duties imposed
22 upon them by said commissioner, be responsible for the evaluation
23 of the probation service in each court in the commonwealth, for the
24 recruitment, training, educational development and evaluation of
25 the work performance of probation officers. They shall plan,
26 initiate and develop volunteer, diversion and other programs in
27 consultation with probation officers throughout the common-
28 wealth and shall supervise and evaluate all programs within the
29 probation service. Said commissioner may appoint a chief admini-
30 strative clerk and two senior clerk typists to assist the supervisors
31 of services in the performance of their duties.

32 The commissioner of probation shall be provided with suitable
33 accommodations in the Suffolk county court house or elsewhere,
34 and may subject to appropriation, employ such assistance as may
35 be necessary for the performance of his duties, including a director
36 of research and other research assistance, and to compile, evaluate
37 and make available for official use and public education the statisti-
38 cal information on delinquency, crime and appropriate family
39 service matters available in his records.

40 The commissioner of probation, administrative assistant, dep-
41 uty commissioners, supervisors of court probation services, and
42 the assistant supervisor of court probation services shall not be
43 subject to the provisions of chapter thirty-one and shall be paid by
44 the commonwealth in accordance with the job classification and
45 pay plan established by the chief administrative justice of the trial
46 court pursuant to section 9 of chapter 211B. Reasonable expenses
47 for travel and subsistence while engaged in official business within
48 or without the commonwealth shall be paid to the commissioner
49 and deputy commissioners.

1 SECTION 3. *Chief Probation Officers*

2 Sections 99B and 99D of said chapter 276 are hereby amended
3 by striking the sections in their entirety and inserting in their place
4 the following new section: —

5 *Section 99B.* The salaries of chief probation officers and acting
6 chief probation officers shall be paid by the commonwealth in
7 accordance with the job classification and pay plan established by
8 the chief administrative justice of the trial court pursuant to section
9 9 of chapter 211B of the General Laws.

1 SECTION 4. *Transferability*

2 Section 9 of chapter 211B of the General Laws is hereby
3 amended by inserting in the third paragraph after the words “in
4 every case” the words “except in the case of probation officers”,
5 and adding the following new sentence at the end of the para-
6 graph: —

7 The chief administrative justice may assign probation officers
8 among the various departments, divisions or places for holding
9 court of the trial court, but in no event shall any such transfer be
10 more than a reasonable distance from the place where such per-
11 sonnel is appointed, assigned or employed, nor shall a chief proba-
12 tion officer be transferred without his express consent.

1 SECTION 5. *Effective Dates*

2 Sections 1, 2, and 3 of this act shall take effect as of July 1, 1984.