

By Mr. Creedon, a petition (accompanied by bill, Senate, No. 853) of Robert S. Creedon, Jr., Michael W. Morrissey and Robert S. Bloom for legislation relative to former justices of the Supreme Judicial Court serving as recall judges. The Judiciary.

## The Commonwealth of Massachusetts

In the Year Two Thousand and One.

### AN ACT CLARIFYING RECALL OF JUDGES.

*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 65E of Chapter 32 of the General Laws is  
2 hereby amended by striking out the first sentence of paragraph (a),  
3 as appearing in lines 1 to 5, inclusive, of the 1998 Official Edi-  
4 tion, and inserting in place thereof the following:—

5 A chief justice or any associate justice of the supreme judicial  
6 court, who is retired or who has resigned from his office and who  
7 is entitled to receive a pension or retirement allowance from the  
8 commonwealth, may notify the chief justice of the supreme judi-  
9 cial court in writing that he wishes his name to be placed upon the  
10 list of retired justices of the supreme judicial court.

1 SECTION 2. Section 65F of Chapter 32 of the General Laws is  
2 hereby amended by striking out the first sentence of paragraph (a),  
3 as appearing in lines 1 to 4, inclusive, of the 1998 Official Edi-  
4 tion, and inserting in place thereof the following:—

5 A chief justice or any associate justice of the appeals court,  
6 who is retired or who has resigned from his office and who is enti-  
7 tled to receive a pension or retirement allowance from the com-  
8 monwealth, may notify the chief justice of the supreme judicial  
9 court in writing that he wishes his name to be placed upon the list  
10 of retired justices of the appeals court.

1 SECTION 3. Section 65G of Chapter 32 of the General Laws is  
2 hereby amended by striking out the first sentence of paragraph (a),  
3 as appearing in lines 1 to 4, inclusive, of the 1998 Official Edi-  
4 tion, and inserting in place thereof the following: — Any justice  
5 of a department of the trial court, who is retired or who has  
6 resigned from his office and who is entitled to receive a pension  
7 or retirement allowance from the commonwealth, may notify the  
8 chief justice of the supreme judicial court in writing that he  
9 wishes his name placed upon the list of retired justices of the trial  
10 court of the commonwealth.