

By Mr. O'Flaherty of Chelsea, petition of Robert S. Bloom, Eugene L. O'Flaherty, Christopher G. Fallon, Harold P. Naughton, Jr. and Gale D. Candaras relative to the temporary service of certain justices after said justices have resigned. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

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 2000 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 2000 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 2000 Official Edi-
4 tion, and inserting in place thereof the following:—

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