

HOUSE No. 1887

By Mr. DiMasi of Boston, petition of Mary C. Fitzpatrick and Robert A. DeLeo for legislation to improve the administration of the abuse prevention law. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Four.

AN ACT IMPROVING ADMINISTRATION OF THE ABUSE PREVENTION LAW.

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 5 of Chapter 209A of the General Laws as most
2 recently amended Chapter 403 of the Acts of 1990 is further
3 amended by striking the first sentence and inserting in place
4 thereof the following sentence: — When the court is closed for
5 business, any justice of the superior, probate and family, district
6 or Boston municipal courts or a clerk magistrate, assistant clerk
7 magistrate, register or assistant register of any of those court
8 departments may grant relief to the plaintiff as provided under
9 section four if the plaintiff demonstrates a substantial likelihood
10 of immediate danger of abuse. Should the clerk or the register
11 fail to grant the application for relief, the application may be
12 presented to a justice of the trial court.

