HOUSE . . . . . No. 5728

By Mr. Saggese of Winthrop, petition of Alfred E. Saggese, Jr., for legislation to establish the compensation for justices and employees of the Trial Court. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT TO ESTABLISH ADEQUATE COMPENSATION FOR THE MASSACHUSETTS 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:

SECTION 1. Chapter 211B of the General Laws is hereby amended by striking out paragraphs one, two and three of section 4 thereof and inserting in place thereof the following:

The salaries of the justices of the Trial Court shall be paid by the Commonwealth. Each associate justice shall receive as a salary fifty-one thousand and five hundred dollars.

The administrative justices for the several departments shall receive as a salary fifty-three thousand and five hundred dollars.

The chief administrative justice shall receive as a salary fifty-six thousand dollars.

SECTION 2. Section 22 of Chapter 211 of the General Laws is hereby amended by striking out the first sentence, and inserting in place thereof the following sentence:

The chief justice of the court shall receive a salary of sixty-one thousand and five hundred dollars, and each associate justice, a salary of fifty-nine thousand five hundred dollars; and they all shall annually receive from the Commonwealth, upon certification of the chief justice, the amount of expenses incurred by them in the discharge of their duties.

SECTION 3. Section two of Chapter 211A of the General Laws

is amended by striking out the first sentence and inserting in place thereof the following sentence: The chief justice shall receive a salary of fifty-six thousand dollars and each associate justice a salary of fifty-four thousand dollars; and they shall all annually receive, upon certification of the chief justice, the amount of expenses incurred by them in the discharge of their duties.

SECTION 4. Chapter 185 of the General Laws is hereby amended by striking out the first paragraph of section 14 and inserting in place thereof the following: The salaries of the following shall be paid by the Commonwealth as follows:

recorder — forty-one thousand dollars

deputy recorder and chief title examiner — a sum equivalent to eighty-seven and one half per cent of the salary of the recorder

first assistant clerk — a sum equivalent to eighty per cent of the salary of the recorder

title examiner and assistant clerks — a sum equivalent to seventy-five per cent of the salary of the recorder.

SECTION 5. Chapter 218 of the General Laws is hereby amended by striking out the first sentence of subsection (2) of section seventy-nine and inserting in place thereof the following: The clerk of a Class I district court division shall receive as a salary forty-one thousand dollars, the clerk of a Class II district court shall receive as a salary thirty-five thousand dollars and the clerk of a Class III district court shall receive as a salary thirty-three thousand dollars.

SECTION 6. Chapter 217 of the General Laws is hereby amended by striking out section 35A and inserting in place thereof the following section: The salaries of the registers of the probate and family court department shall be paid by the Commonwealth and shall be as follows: All registers of probate and family court department shall receive as a salary forty-one thousand dollars except the registers of probate and family court department of the Dukes and Nantucket divisions shall receive twenty-four thousand dollars. The said registers shall devote their entire time during business hours to their respective duties and shall not directly or indirectly engage in the practice of law.

SECTION 7. Chapter 217 of the General Laws is hereby amended by striking out section 35B and inserting in place thereof the following section: The salary of a first assistant register of probate shall be a sum equivalent to eighty-seven and one half percent of the salary of the register in his division, and all other assistant registers shall receive as a salary a sum equivalent to eighty-two and one half per cent of the salary of the register in his division.

SECTION 8. Chapter 221 of the General is amended by striking out section 94 and inserting in place thereof the following section:

Except as provided in section ninety-three and except as otherwise provided, the salaries of the clerks of the courts and their assistants and the clerk of the supreme judicial court for Suffolk county and his assistants, the clerk of the superior court department for criminal business in Suffolk county and his assistants, the clerk of the superior court department for civil business in Suffolk county and his assistants shall be paid by the Commonwealth, and shall be as follows:

SUPREME JUDICIAL COURT FOR
SUFFOLK COUNTY

Clerk. — A sum equivalent to seventy-five per cent of the salary of an associate justice of the supreme judicial court.

First Assistant Clerk. — A sum equivalent to seventy per cent of the salary of an associate justice of the supreme judicial court.

Second Assistant Clerk. — A sum equivalent to seventy per cent of the salary of an associate justice of the supreme judicial court.

Third Assistant Clerk. — A sum equivalent to sixty per cent of the salary of an associate jusitce of the supreme judicial court.

SUPERIOR COURT DEPARTMENT FOR
CRIMINAL BUSINESS IN THE COUNTY OF SUFFOLK

Clerk. — Forty-two thousand dollars.

First Assistant Clerk (so designated by the clerk). — A sum

26 equivalent to eighty-seven and one-half per cent of the salary of the
27 clerk.
28 Second Assistant Clerk (so designated by the clerk). — A sum
29 equivalent to eighty-five per cent of the salary of the clerk.
30 All other Assistant Clerks. — A sum equivalent to seventy-five
31 per cent of the salary of the clerk.

32 SUPERIOR COURT DEPARTMENT FOR CIVIL BUSINESS
33 IN THE COUNTY OF SUFFOLK

34 Clerk. — Forty-two thousand dollars. The clerk shall have and
35 perform the duties as clerk pertaining to proceedings in which
36 eqluitable relief is sought in the superior court department in his
37 county and as clerk for said department when court is sitting in
38 Boston for the hearing of causes from any other county. He shall
39 receive as salary therefor an amount equal to ten per cent of and in
40 addition to his regular salary.
41 First Assistant Clerk (so designated by the clerk). — A sum
42 equivalent to eighty-seven and one-half per cent of the salary of the
43 clerk.
44 Second Assistant Clerk (so designated by the clerk). — A sum
45 equivalent to eighty-five per cent of the salary of the clerk.
46 Assistant clerk (so designated by the clerk, in addition to such
47 other duties as the clerk may assign, to assist said clerk in the
48 performance of the duties of said clerk pertaining to proceedings in
49 which equitable relief is sought when court is sitting in Boston for
50 the hearing of causes from any other county) — A sum equivalent
51 to eighty per cent of the salary of the clerk.
52 All other Assistant Clerks. — A sum equivalent to seventy-five
53 per cent of the salary of the clerk.
54 In all other counties, the salaries of the clerks of the courts shall
55 be as follows:
56 Middlesex, Essex, Worcester, Norfolk, Hampden, Bristol and
57 Plymouth — Forty-one thousand dollars;
58 Berkshire, Hampshire, Barnstable and Franklin — Thirty-five
59 thousand dollars;
60 Dukes and Nantucket — Twenty-four thousand dollars.
61 Assistant clerks in such other counties shall receive salaries as

62 follows:
63 Middlesex — First assistant clerk; eighty-seven and one-half per
64 cent of the salary of the clerk.
65 — Second assistant clerk; eighty-five per cent of the salary of the
66 clerk.
67 Hampden — First assistant clerk; eighty-two per cent of the
68 salary of the clerk.
69 Bristol — First assistant clerk; eighty-two per cent of the salary
70 of the clerk.
71 Plymouth — First assistant clerk; eighty-five per cent of the
72 salary of the clerk.
73 Barnstable — First assistant clerk, eighty-five per cent of the
74 salary of the clerk.
75 Franklin — First assistant clerk; eighty-five per cent of the salary
76 of the clerk.
77 In all other counties, except Suffolk, the first assistant clerk shall
78 receive as a salary a sum equivalent to eighty-seven and one-half
79 per cent of the salary of the clerk; and, except as otherwise pro-
80 vided herein, all other assistant clerks shall receive as a salary a sum
81 equivalent to seventy-five per cent of the salary of the clerk.