
ACTS, 1987. - Chap. 647.

SECTION 3. This act shall take effect upon its passage.

Approved December 31, 1987.

Chapter 647. AN ACT FURTHER REGULATING THE COMPENSATION OF THE CLERKS AND ASSISTANT CLERKS OF THE SUPREME JUDICIAL COURT FOR THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide a new compensation schedule for the clerks and assistant clerks of the supreme judicial court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 93 of chapter 221 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by striking out the first two sentences and inserting in place thereof the following sentence:- The clerk and assistant clerk of the supreme judicial court for the commonwealth shall receive such salary, subject to appropriation, as the chief justice of said court shall determine, consistent with the methodology employed in and the salaries payable for personnel allocated to the job classification and pay plan maintained by the chief administrative justice of the trial court under section eight of chapter two hundred and eleven B; provided, however, that no such salary shall take effect unless and until it shall have been included in a schedule of permanent offices and positions filed by the chief justice of the supreme judicial court with the house and senate committees on ways and means.

SECTION 2. Section 94 of said chapter 221, as so appearing, is hereby amended by striking out the four paragraphs under the caption SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY and inserting in place thereof the following paragraph:-

The clerk and all assistant clerks for the supreme judicial court for Suffolk county shall receive such salaries, subject to appropriation, as the chief justice of the supreme judicial court shall determine, consistent with the methodology employed in and the salaries payable for personnel allocated to the job classification and pay plan maintained by the chief administrative justice of the trial court under section eight of chapter two hundred and eleven B; provided, however, that no such salary shall take effect unless and until it shall have been included in a schedule of permanent offices and positions filed by the chief justice of the supreme judicial court with the house and senate committees on ways and means.

SECTION 3. If immediately prior to July first, nineteen hundred and eighty-six, any clerk or assistant clerk of the supreme judicial court for the commonwealth or any clerk or assistant clerk for the supreme judicial court for Suffolk county is receiving a salary which is greater than the salary determined pursuant to this act, such clerk or assistant clerk shall receive a salary equal to the salary to which he was entitled immediately prior to said date. When the appointment or term of such clerk or assistant clerk expires, or if such clerk or assistant clerk vacates his office for any reason, his successor in such position shall be paid in accordance with the provisions of this act.

SECTION 4. The chief administrative justice of the trial court, with the approval of the chief justice of the supreme judicial court, is authorized and directed to commission a professional study of the job responsibilities and compensation of the clerks and assistant clerks of the supreme judicial court for the commonwealth and of the clerks and assistant clerks of the supreme judicial court for Suffolk county. Such study shall be consistent with the methodology and economic assumptions employed in determining the job classification and pay plan maintained by the chief administrative justice of the trial court under the provisions of chapter two hundred and eleven B of the General Laws. Not later than April first, nineteen hundred and eighty-eight, the chief administrative justice of the trial court shall forward a copy of the results and recommendations of said study to the clerk of the house of representatives who shall forward copies to the house and senate committees on ways and means. The chief justice of the supreme judicial court shall make an initial determination as provided for in sections one and two, consistent with said results and recommendations; provided, however, that notwithstanding the provisions of said sections one and two, no increase in the salaries payable to said clerks and assistant clerks shall take effect unless and until (a) it shall have been recommended in writing by the chief justice of the supreme judicial court to the house and senate committees on ways and means and (b) it shall have been included in a schedule of offices and positions filed with the house and senate committees on ways and means.

SECTION 5. Said clerks and assistant clerks shall be compensated in accordance with the provisions of this act as of July first, nineteen hundred and eighty-six, and the initial salaries determined in accordance with section four shall be effective as of said July first.

Approved January 4, 1988.

Chapter 648. **AN ACT PROVIDING A NEW SALARY SCHEDULE FOR CERTAIN JUDICIAL POSITIONS IN THE COMMONWEALTH.**