

# HOUSE . . . . . No. 3182

By Mr. DiMasi of Boston, petition of Salvatore F. DiMasi relative to the settlement of claims of minors and incompetent persons. The Judiciary.

## The Commonwealth of Massachusetts

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

### AN ACT RELATIVE TO THE SETTLEMENT OF CLAIMS OF MINORS AND INCOMPETENT PERSONS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 231 of the General Laws, as appearing in the 1988  
2 Official Edition, is hereby amended by inserting after section 140C  
3 the following new section: —

4 Section 140D. In a claim for damages because of personal  
5 injury to a minor or incompetent person the trial court may review  
6 and approve a settlement in any case before the court where any  
7 party has filed a petition for settlement approval signed by all  
8 parties. The trial court may make such orders and take such action  
9 as it deems necessary to effectuate the disposition of a settlement  
10 approval including but not limited to the appointment of a  
11 guardian, the appointment of a guardian ad litem, or the holding  
12 of an evidentiary hearing.

13 Any party to a settlement of a claim of a minor or incompetent  
14 person, when such claim is not in suit, may initiate an action by  
15 filing a complaint and petition for settlement approval for the  
16 purpose of seeking the court's approval of the settlement under  
17 this section.

