

SENATE No. 1451

The Commonwealth of Massachusetts

SENATE, June 13, 1972.

The committee on Counties on the part of the Senate, to whom was referred the House Bill providing for additional assistant clerks in certain district courts (House, No. 6120), reports recommending that the same ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 1451).

For the committee,

B. JOSEPH TULLY.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR ADDITIONAL ASSISTANT CLERKS IN CERTAIN DISTRICT COURTS.

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 218 of the General Laws is hereby amended by
2 striking out section 10 and inserting in place thereof the
3 following section: —

4 *Section 10.* The clerk of a district court may, subject to the
5 approval of the justice, appoint one or more assistant clerks,
6 who shall be removable at his pleasure or at the pleasure of
7 the court, for whose official acts the clerk shall be responsible
8 and who shall be paid by him unless salaries payable by the
9 county are authorized in this section or in section fifty-three.

10 An assistant clerk with salaries payable by the county may
11 be appointed in: —

- 12 district court of eastern Hampden,
- 13 district court of western Hampden,
- 14 district court of Chicopee,
- 15 district court of eastern Essex,
- 16 district court of Fitchburg,
- 17 district court of Franklin,
- 18 district court of Marlborough,
- 19 second district court of Barnstable,
- 20 fourth district court of Bristol,
- 21 third district court of Plymouth,
- 22 fourth district court of Plymouth,
- 23 first district court of northern Worcester,
- 24 first district court of southern Worcester,
- 25 first district court of northern Middlesex, and in courts the
26 judicial districts of which have, according to national or state
27 census last preceding, a population of sixty thousand or more.
- 28 Two assistant clerks with salaries payable by the county
29 may be appointed in:
- 30 second district court of eastern Middlesex,
- 31 fourth district court of eastern Middlesex,

- 32 district court of Hampshire,
33 first district court of Essex,
34 central district court of northern Essex,
35 second district court of Bristol,
36 third district court of Bristol,
37 district court of Peabody,
38 district court of southern Norfolk,
39 district court of western Norfolk,
40 district court of Chelsea,
41 first district court of eastern Worcester, and
42 municipal court of Brookline.
- 43 Three assistant clerks with salaries payable by the county
44 may be appointed in:
- 45 municipal court of the Brighton district,
46 municipal court of the Charlestown district,
47 East Boston district court,
48 first district court of Barnstable,
49 first district court of eastern Middlesex,
50 district court of Newton,
51 district court of northern Norfolk,
52 second district court of Plymouth,
53 district court of Brockton,
54 district court of Lawrence, and
55 district court of Somerville.
- 56 Four assistant clerks with salaries payable by the county
57 may be appointed in:
- 58 municipal court of the South Boston district,
59 district court of Lowell,
60 district court of southern Essex, and
61 district court of central Middlesex.
- 62 Five assistant clerks with salaries payable by the county
63 may be appointed in:
- 64 district court of east Norfolk,
65 municipal court of the Dorchester district, and
66 municipal court of the West Roxbury district.
- 67 Six assistant clerks with salaries payable the county may
68 be appointed in:
- 69 first district court of southern Middlesex.
- 70 Seven assistant clerks with salaries payable by the county

71 may be appointed in:

72 central district court of Worcester, and

73 district court of Springfield.

74 Eight assistant clerks with salaries payable by the county

75 may be appointed in:

76 third district court of eastern Middlesex.

77 Nine assistant clerks with salaries payable by the county

78 may be appointed in:

79 municipal court of Roxbury.

80 In the following courts, one of the assistant clerks shall be

81 designated in charge of six-man jury sessions and shall receive

82 the same salary as the first assistant clerk:

83 third district court of eastern Middlesex,

84 district court of Lowell,

85 district court of Springfield, and

86 central district court of Worcester.

87 In the following courts, one of the assistant clerks shall be

88 designated in charge of civil sessions and shall receive the

89 same salary as the first assistant clerk:

90 third district court of eastern Middlesex,

91 central district court of Worcester.

92 In the following courts, one of the assistant clerks shall be

93 designated in charge of criminal sessions and shall receive the

94 same salary as the first assistant clerk:

95 district court of Lowell,

96 second district court of Bristol.

97 In the central district court of Worcester the clerk may

98 designate one of his assistant clerks as assistant clerk in charge

99 of the remand list; said list being for the trial of all cases

100 transferred to said court from the superior court under the

101 provisions of section one hundred and two C of chapter two

102 hundred and thirty-one. The salary of said assistant clerk

103 shall be equal to eighty-seven and one half percent of the

104 maximum salary of the clerk of said court.

105 Assistant clerks appointed under authority of this section,

106 who are paid by the county, and who have held said appoint-

107 ment for three consecutive years, shall hold office during good

108 behavior, but subject to applicable retirement laws, and may

109 be removed by the justice or clerk for cause shown, subject,

110 however, to a review by a justice of the superior court.