

By Mr. Jakubowicz of Pittsfield, petition of Robert F. Jakubowicz for legislation to assure speedy trials in all criminal proceedings involving minors under the age of sixteen who are witnesses. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT ASSURING A SPEEDY TRIAL IN ALL CRIMINAL PROCEEDINGS INVOLVING A MINOR UNDER THE AGE OF SIXTEEN AS THE COMPLAINING WITNESS.

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 1. Section 24 of chapter 212 of the General Laws
2 is hereby amended by adding thereto the following new
3 paragraph: —

4 Provided further that in any criminal proceeding in which the
5 complaining witness is a minor under the age of sixteen, the court,
6 after the arraignment of the defendant, shall assign all of the
7 subsequent court proceedings to be heard on a priority basis and
8 all such proceedings shall take precedence over all other cases so
9 as to accomplish a speedy trial. The court shall maintain a separate
10 record of the dates of the various proceedings, including the trial,
11 and shall forward a copy of such record in each such case to the
12 administrative justice of the court for his or her use to determine
13 whether speedy trials are being achieved in these cases and if this
14 is not the case such administrative justice shall take appropriate
15 steps to assure such speedy trials.

1 SECTION 2. Chapter 218 of the General Laws is hereby
2 amended by adding a new section at the end thereof as follows: —

3 Section 85. Speedy trials involving minors as criminal victims.
4 In any criminal proceeding in which the complaining witness is
5 a minor under the age of sixteen, the court, after the arraignment

6 of the defendant, shall assign all of the subsequent court
7 proceedings to be heard on a priority basis and all such
8 proceedings shall take precedence over all other cases so as to
9 accomplish a speedy trial. The court shall maintain a separate
10 record of the dates of the various proceedings, including the trial,
11 and shall forward a copy of such record in each such case to the
12 administrative justice of court for his or her use to determine
13 whether speedy trials are being achieved in these cases and if this
14 is not the case such administrative justice shall take appropriate
15 steps to assure such speedy trial.