

Operating Procedure for the Barnstable Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register's office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

1. **Virtual Business Encouraged.** Due to occupancy limits at the Register's Office, unless you have an Emergency as defined in Section D below, it is strongly recommended that you visit our Virtual Registry from the comfort of your home or office or make an appointment to speak with Registry staff in person in order to avoid a long wait. You may visit our virtual Registry on Tuesdays and Thursdays from 9:00am to 11:00am. The link for the Virtual Registry is <https://www.zoomgov.com/j/1605462604>.
2. **Virtual or In Person Appointments.** You may also set up a virtual appointment or an in person appointment at other times by Emailing the court at barnstableprobate@jud.state.ma.us. You may also call the court at (508) 375-6710. Please include your name, telephone number, email address, physical address, and a brief description of what you need. If there is a specific case, please include the name and or docket number of the case.
3. **Emergencies.** If you do have an Emergency as defined in Section D below, the Registry Staff is prepared to help you virtually by telephone or email so you do not physically have to come to the courthouse. If you have an emergency, you may call the court at (508) 375-6710 or Email the Court at barnstableprobate@jud.state.ma.us.
4. **Copy Requests and Record Requests.** Copy requests and record requests from our storage location may be made without coming to the courthouse in person. We strongly recommend that you email your request to: barnstableprobate@jud.state.ma.us. Registry representatives will review your request. In the discretion of the Register, if the volume of the request is within reason, Registry representatives may be able to scan and email the plain copies to you at the email address of your choice. If the documents are too voluminous to Email, or if you need Certified or Attested copies, or a Certificate of Divorce Absolute, the Registry representative will mail you the copy requests. Any fees for Certified, Attested, or plain copies must be paid by credit card. You will speak with the court cashier for payment over the phone.
5. **One Method of Filing Only.** In order for Court Staff not to duplicate efforts, please only use one method of filing. In other words, if you Email the case papers

to the Court, please do not send in the originals unless requested to do so by Registry Staff. If you choose to mail documents to us, please do not Email the documents. **Additionally, all court filings should be sent directly to the Registry or through the Registry Email at barnstableprobate@jud.state.ma.us unless otherwise ordered by the Judge.** Please do not copy Judicial Staff or other Staff at the court as it causes multiple staff members to duplicate work efforts.

6. **Title Examiners.** Title Examiners are encouraged to do their work virtually where possible. If it is necessary to review files in person, Title Examiners are requested to make an appointment with the list of files that they would like to view. In order to provide access to all due to our occupancy limits, appointments will be limited to thirty (30) minutes per appointment. We are limiting the number of files to ten (10) at one time. A public copy machine is no longer available in the Registry Office. Please bring a hand scanner or your phone to take pictures of documents that you need. Registry staff will accept in person copy order Requests for Documents that must be Certified or Attested, but due to reduced staffing levels, copy order requests for Certified or Attested documents will be fulfilled in order of receipt and will be mailed upon completion.

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some courts will not be able to safely increase staffing levels in the same way as other locations.** To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

1. The Judges will continue to operate on a rotating basis until further notice, meaning that there will always be one judge present and available in Court Monday through Friday from 8:30AM to 4:30PM to hear cases by zoom video or by telephone, while the other judge is available to hear cases in the same manner remotely. Our preference is to conduct all hearings by Zoom Video. Therefore, all litigants and counsel shall assume that their case is going to be heard by Zoom Video unless they are otherwise notified by the Court. We have a recurring Zoom Video hearing that commences every day at 8:30AM. Every Order that is issued by the Court scheduling a hearing will provide a hearing date and time, with a "Notice of Zoom Hearing" which provides the Passwords and ID's for the judges, and also provides instructions to lawyers and litigants

on how to logon on to Zoom Video with or without a computer, Iphone, Ipad, Android phone or similar device. We are currently conducting approximately 20 Zoom hearings per day between both judges. Any matter may be marked for Zoom hearings, not just emergencies. The Court is also considering Motions for Short Order of Notice and is marking emergency cases for immediate hearing as provided under the Probate and Family Court Standing Order, and when otherwise necessary and appropriate.

2. It is the responsibility of the lawyers to provide their clients with the Zoom meeting ID and Password and to assist their clients in accessing Zoom Video.
3. Beginning July 13, 2020 we will slowly begin hearing cases in person consistent with the SJC and Probate Family Court Standing Order.
4. If your case is scheduled for an in-person hearing, you will be notified of the date and time to appear in court for that hearing. We do not expect to have any more than ten people appear for in-person hearings at any one time, which means that our quota for the two courtrooms combined is 10 people. Therefore, it is possible that only the litigants and their lawyers will be allowed into the building for an in-person hearing. If a witness is called to testify they may be required to remain outside the building until they are called in to testify. When they are finished testifying they may have to exit the building. Spectators, family members and friends of litigants may not be allowed into the courthouse depending on occupancy limits. Everyone entering the building will be required to wear a face mask and may have their temperature taken by security. If a person's temperature exceeds 100 degrees they will not be allowed into the building. Litigants and Lawyers will also be asked several questions related to possible exposure to Covid-19 by security staff. If the answers to the questions indicate possible exposure to the disease then the person will not be allowed into the building.

C. New Filings

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.
2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

The Barnstable Probate and Family Court has a drop box for the filings listed in Section D only. If it is necessary to travel to the Court in person for an emergency, a box will be available for paperwork out in front of the building. Please call the Registry once you have dropped off your paperwork at (508) 375-6710. A Registry Staff member will assist you. All other Court filings

should be accomplished as set forth in Section C above. Please only use one method of filing as set forth in Section A above.

As set forth in Section C, except for Emergencies defined in Section D below, all new case filings must be done through Efiling, if available or by Regular or Overnight mail.

Parties are encouraged to obtain Court forms virtually as follows:

1. **Adoption** <https://www.mass.gov/how-to/file-for-adoption>
2. **Abuse Prevention** <https://www.mass.gov/how-to/request-an-abuse-prevention-order>
3. **Change of Name** <https://www.mass.gov/how-to/legally-change-your-name-as-an-adult>
4. **Contempt** <https://www.mass.gov/info-details/probate-and-family-court-forms-for-contempt-actions>
5. **Child Support/ Financial Statements** <https://www.mass.gov/info-details/probate-and-family-court-forms-for-child-support-guidelines>
6. **Divorce** <https://www.mass.gov/divorce>
7. **Guardian/Conservator** <https://www.mass.gov/lists/probate-family-court-forms-for-guardianship-and-conservatorship>
8. **Modifications** <https://www.mass.gov/info-details/massachusetts-law-about-modifications-of-family-law-judgments-and-orders>
9. **Actions Involving Unmarried Parents** <https://www.mass.gov/info-details/probate-and-family-court-forms-for-actions-involving-unmarried-parents>
10. **Wills, Estates, Trusts** <https://www.mass.gov/lists/probate-and-family-court-forms-for-wills-estates-and-trusts>
11. **Motion** <https://www.mass.gov/doc/motion-for-temporary-orders-cjd-400/download>

If you are not able to obtain the forms virtually on your own, you may call the Law Librarian who will assist you at (508) 362-8539. In addition in the court lobby, there will be a table with packets of forms and instructions for commonly requested case types, as well as financial statement forms.

D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B, although hearings under G. L. c. 209A are presumptively virtual (See Section G below);

2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;
3. Petitions seeking appointment of a temporary guardian or conservator;
4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
9. All requests for injunctive relief;
10. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated; and
11. Contempt actions where exceptional/exigent circumstances have been demonstrated.

E. In-Person Matters Starting on July 13, 2020

On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and
2. Trials.

Money judgment Contempt actions may also be held in person
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F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings;
2. Trials;
3. Motions for temporary orders involving custody/parenting time; and
4. Contempt actions.

G. Abuse Prevention Orders

Proceedings pursuant to G. L. c. 209A (abuse prevention orders) shall be conducted virtually unless otherwise ordered by the court. Virtual hearings shall be conducted by videoconference, unless it is not practicable to conduct the hearing by videoconference, in which case the hearing may be conducted by telephone.

An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing to occur, the judge should take into consideration all relevant factors, including but not

limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

If the Court is closed Temporarily by the Executive Office then persons with emergencies may call 508-375-6710, or email the Court at barnstableprobate@jud.state.ma.us for further instructions. There will be one judge available Monday through Friday from 8:30am until 4:30 pm to handle any said emergency matters.

I. Contact Information

Emergency phone number	508-375-6710
Emergency email address	barnstableprobate@jud.state.ma.us
Registry phone number	508-375-6710
Probation contact	Donna Feinberg Rachwal, donna.rachwal@jud.state.ma.us , 508-375-6734
Assistant Judicial Case Manager	Lisa MacKenzie, lisa.mackenzie@jud.state.ma.us , 508-375-6709
Sessions clerk	Leanna Morley, leanna.morley@jud.state.ma.us , 508-375-6949
Sessions clerk	Rita Carter, rita.carter@jud.state.ma.us , 508-375-6804
Judicial Assistant, First Justice Arthur C. Ryley	Deborah Nardone, deborah.nardone@jud.state.ma.us , 508-375-6743
Judicial Assistant, Justice Angela M. Ordoñez	Deborah Burke, deborah.burke@jud.state.ma.us , 508-375-6747
Assistant Register	Linda Larkin, linda.larkin@jud.state.ma.us , 508-375-6722

J. Additional Information

The Barnstable Probate and Family Court shall continue to conduct the majority of hearings by remote video means. Unless you are instructed otherwise, please do not appear at the courthouse for any scheduled court hearing. All in-person hearings will receive explicit instructions from the Court as to arrival time, and safety protocol to be adhered to while physically within the courthouse.

Operating Procedure for the Berkshire Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register's office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

Parties having business with the Registry will contact the court by calling 413-442-6941. If the parties are present at the front door, a staff member will assess their request and advise them accordingly. If the parties are requesting an emergency hearing, a manager will assess that request and facilitate the proceeding as determined. In addition, the Berkshire Division will be rolling out a virtual Registry and once operational, will be our first line of contact to facilitate and assess the user's needs. Parties will be allowed in the court only under the current restrictions as they are outlined by the Trial Court administration.

Records requests from our archive or storage location may still be made. Rather than come to the courthouse in person, we strongly recommend that you email your request to: Berkshireprobate@jud.state.ma.us Registry representatives will scan and email the plain copies to you at the email address used to make your initial request. Any fees for copies provided in this manner must be paid by credit card charge to be made by court cashier over the phone.

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some courts will not be able to safely increase staffing levels in the same way as other locations.** To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of

considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

1. All motions and contempt proceedings shall be given **two** dates. A telephonic appearance for the first date will allow the Court to conduct an intake to ensure all necessary papers are filed. Cases where at least one party is not represented by counsel will then be assigned to a Probation Officer, who will conduct dispute intervention (“DI”) by telephone that day. If the matter is resolved as a result of that DI, an Order or Judgment shall enter that day. If the matter remains unresolved, the matter will be heard by the Court on the second assigned day. The parties will be given a specific time slot on the scheduled hearing date.
2. At this point, cases where attorneys are involved will by-pass the DI process. However, counsel shall use the first assigned date to discuss the matter with the opposing party to see if it can be resolved. On that date, counsel shall report the results of their negotiations to the Court, in writing, by sending an email to berkshireprobate@jud.state.ma.us. In that email, counsel shall provide (a) a certification that the matter has been resolved along with an attached agreement with electronic signatures; or (b) a certification that the matter remains contested. If the matter remains contested, counsel shall further provide the Court with email addresses for ALL parties and ALL counsel. If there is an agreement, the agreement may be incorporated into an Order or Judgment on that date without hearing. If the matter remains unresolved or requires a hearing, the parties will be given a specific time for their hearing on the second assigned date.
3. Attorneys are encouraged to include case management language regarding discovery deadlines in their agreements for temporary orders and request a pre-trial date to be assigned.
4. Attorneys who believe a pre-trial conference could be helpful in resolving a case may request that the Court schedule a pre-trial conference via Zoom.
5. The Court shall attempt to accommodate and schedule 1As.
6. All hearings shall continue to be primarily conducted by the Court via ZOOM technology, when capable to do so. In the event this platform is not accessible to the parties, the hearings may be conducted by telephone, or in person, so long as all participants adhere to appropriate safety protocols.
7. Staffing restrictions along with the more cumbersome process of remote hearings will continue to result in a limited number of cases the Court will be able to accommodate each day.

8. There will be a limited number of hearing slots for motion days. Attorneys will not be able to simply choose a date and mark up their motion(s) for that date. Counsel will need to contact the Court to secure a specific hearing slot. The hearing slot is the “second date” referred to in paragraph 3 above. In order for the Court get through its list, it will devote no more than 25 minutes of hearing time per case and shall endeavor to adhere to the assigned time slot. Therefore, if your case is assigned for a hearing at 10:30 a.m., you must be ready at that time. Absent extraordinary circumstances, the 10:30 a.m. hearing shall terminate at 10:55 a.m.
9. In completing a Notice of Hearing, counsel shall include this language in the documents they serve to the opposing party:
 - a. **IMPORTANT:** You must check-in for your hearing by contacting the Registry at [413-442-6941](tel:413-442-6941) by 10 am on _____ (2days before). You will be provided with additional instructions at that time as to how the hearing shall proceed. Failure to follow these instructions may result in your inability to participate in your hearing."
10. In order to ensure that all members of the Bar gain access to the Court, no attorney shall be permitted to schedule more than one case per motion day.
11. To promote efficiency, the rules of the individual calendar will be relaxed. Hearings on motions filed in cases, regardless of which Judge the case is assigned, may be heard on either a Wednesday or Thursday.

C. New Filings

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.
2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

The Drop-box is located at the front door of the Registry and is emptied once daily. If your filing is time sensitive, please call the Registry at 413-442-6941 and notify staff before leaving your filing in the Drop-box.

D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the

Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B, although hearings under G. L. c. 209A are presumptively virtual (See Section G below);
2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;
3. Petitions seeking appointment of a temporary guardian or conservator;
4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
9. All requests for injunctive relief;
10. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated; and
11. Contempt actions where exceptional/exigent circumstances have been demonstrated.

E. In-Person Matters Starting on July 13, 2020

On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and
2. Trials.

F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings;
2. Trials;
3. Motions for temporary orders involving custody/parenting time; and
4. Contempt actions.

G. Abuse Prevention Orders

Proceedings pursuant to G. L. c. 209A (abuse prevention orders) shall be conducted virtually unless otherwise ordered by the court. Virtual hearings shall be conducted by videoconference, unless it is not practicable to conduct the hearing by videoconference, in which case the hearing may be conducted by telephone.

An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing to occur, the judge should take into consideration all relevant factors, including but not limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

I. REGISTRY

- a.** With the agreement of the First Justice of the District Court, all 209A matters shall be referred to the District Court on-call Judge.
- b.** The following emergency contact information shall be prominently placed on the entry door of the building.
 - i.** Emergency phone number: (413) 442-6941, extension 7200.
Emergency email address: berkshireprobate@jud.state.ma.us
- c.** Any member of the “Team”¹ shall access both the Registry phone messages and emails regularly throughout the closure to triage the emergencies as outlined in Standing Order 2-20..
- d.** Whenever possible, a member of the Team shall work with the litigant or attorney to complete the appropriate paperwork online and email it to berkshireprobate@jud.state.ma.us or if available, to e-file the paperwork. If the person is unable to do this, the Team member shall ask the litigant to make the request in writing in an email and send it to berkshireprobate@jud.state.ma.us In the event the person has no access to email, the Team member shall assist the litigant by filling out the necessary paperwork over the phone.
- e.** The Team member shall ensure that the following information is gleaned from the litigant and/or Masscourts:
 - 1.** Names, phone numbers, email addresses and residential addresses of both the moving party and the adverse party;
 - 2.** Where appropriate identifying information in order to run a CARI: dates of birth, mother’s maiden name; social security numbers
 - 3.** Docket number of any open or closed case involving the parties;

¹ The Team consists of Register Fran Marinaro, Asst Register Clem Ferris, JCM Lisa McCormack and Office Manager, Tony Patella. The Team will have its own system of rotating responsibilities.

4. If the case is open, what is the status of the case, including the last Order and the next scheduled date;
5. The terms and dates of any existing Order;
6. Whether or not there is an active 209A Order in existence between the parties; and
7. Whether or not DCF is involved with the family.

ii. The moving party shall be told to follow through with filing original documents for later filing and docketing.

- f. Team member shall determine procedurally, in conjunction with the Judge, whether the case shall go forward with or without notice. If the case is going to proceed without notice, the Team member shall contact Chief Probation Officer, Amy Koenig.
- g. If Probation is able to resolve the matter with an agreement and it would be beneficial to have the parties' agreement become an Order, Probation shall contact the Team member, who in turn will contact Judge Simons.
- h. Amy shall request from one of her colleagues that CARIs be run for the parties. If DCF is involved, Amy shall arrange with DCF to have the appropriate social worker available to testify in the emergency hearing. Amy shall ensure the CARI information and DCF contact information is forwarded to the Team member.
- i. Prior to any hearing, all information, including the moving parties' telephone number, the opposing parties' telephone number, DCF contact information, CARI information, and any pleadings/emails shall be forwarded to Judge Simons by email.
- j. If Judge Simons deems the matter to be an emergency requiring a hearing, all reasonable attempts shall be made to conduct a telephonic hearing. The Team member shall communicate the conference line number to the litigants, attorneys, Probation and DCF and instruct them to call at a designated time. Judge Simons shall ensure the hearing is recorded using the portable ZOOM H4nPro Recorder. This recording shall later be transferred to FTR when practical. Judge Simons shall administer an oath to all parties who testify.
- k. The Team member shall assist the Judge with processing any resulting Order. The Order shall be saved and distributed as an un-editable PDF and the typed signature of the Judge shall suffice for the entry of the Order until such time as the Order may be signed and docketed.

I. At no time shall the private contact information for any Registry, judicial or Probation staff be disclosed to any litigant, attorney or other individual.

II. EMERGENCY JUDGE

a. In absence of unforeseen circumstances, Judge Richard A. Simons shall be the emergency judge for the Berkshire Division.

I. Contact Information

Emergency phone number	(413) 442-6941 ext 7200
Emergency email address	berkshireprobate@jud.state.ma.us
Registry phone number	(413) 442-6941
Probation contact	Amy A. Koenig, amy.koenig@jud.state.ma.us (413) 443-9469
Judicial Case Manager	Lisa M. McCormack lisa.mccormack@jud.state.ma.us (413) 442-6941
Sessions clerk: Judge Simons	Joan Oggiani joan.oggiani@jud.state.ma.us (413) 442-6941, ext 7241
Sessions clerk: Judge Dacyczyn	Lisa Marcotte lisa.marcotte@jud.state.ma.us (413) 442-6941, ext 7238
Judicial Assistant	Carolyn Lines Carolyn.lines@jud.state.ma.us (413) 442-6941, ext 7251

Operating Procedure for the Bristol Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register's office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

1. It is strongly recommended that you utilize the virtual Registry that will soon be available. The Registry website will be updated when that is available.
2. It is strongly recommended that you make an appointment to speak with Registry staff in person. You can set up an appointment by emailing us at bristolprobate@jud.state.ma.us.
3. Records requests from our archive or storage location may still be made. Rather than come to the courthouse in person, we strongly recommend that you email your request to: bristolprobate@jud.state.ma.gov. Registry representatives will scan and email the plain copies to you at the email address used to make your initial request. Any fees for copies provided in this manner must be paid by credit card charge to be made by court cashier over the phone.
4. For the actions listed in Section D below, parties may file by email, mail, in person, e-filing where available, or utilizing the MassAccess filing procedure where available. Otherwise, new filings may not be emailed, except as outlined below.

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some courts will not be able to safely increase staffing levels in the same way as other locations.** To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

Unless you have been specifically notified by a member of the Judicial Staff to appear in person, all hearings will continue to be heard remotely.

C. New Filings

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.
2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

There is a Probate and Family Court forms rack available in the Taunton Trial Court lobby. These forms are available before going through security.

D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B, although hearings under G. L. c. 209A are presumptively virtual (See Section G below);
2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;
3. Petitions seeking appointment of a temporary guardian or conservator;
4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
9. All requests for injunctive relief;
10. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated; and

11. Contempt actions where exceptional/exigent circumstances have been demonstrated.

E. In-Person Matters Starting on July 13, 2020

On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and
2. Trials.

Unless you have been specifically notified by a member of the Judicial Staff to appear in person, please do not appear at the courthouse.

F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings;
2. Trials;
3. Motions for temporary orders involving custody/parenting time; and
4. Contempt actions.

Unless you have been specifically notified by a member of the Judicial Staff to appear in person, please do not appear at the courthouse.

G. Abuse Prevention Orders

Proceedings pursuant to G. L. c. 209A (abuse prevention orders) shall be conducted virtually unless otherwise ordered by the court. Virtual hearings shall be conducted by videoconference, unless it is not practicable to conduct the hearing by videoconference, in which case the hearing may be conducted by telephone.

An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing to occur, the judge should take into consideration all relevant factors, including but not limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

Cases that are already scheduled for hearing shall proceed remotely as scheduled to the extent possible. In the event a matter is rescheduled, parties will be notified.

All new pleadings shall be filed via U.S. mail or through E-filing. Routine/non-emergency filings will be processed when the court re-opens.

The emailed/Efiled pleadings in **emergency** cases will be reviewed by Registry for completeness and then sent to an AJCM and screened for either immediate hearing or hearing with notice.

Telephone inquiries concerning emergencies shall be made to the HELP LINE at mass.gov or 508-977-6040 and messages answered by staff and referred to AJCM who shall then review matter with the assigned Judge if appropriate.

If the assigned Judge deems the matter to be an emergency, all reasonable efforts shall be made to conduct a telephonic/video hearing. Absent exigent circumstances, the hearing shall be recorded. All parties shall be sworn in. CARI's shall be requested of CPO and scanned to hearing judge. At no time shall the private contact information for any Judge, JCM/AJCM or other support staff be disclosed to any litigant, attorney or other individual.

*All staffing models and rotations assume all staff are physically able to work. Changes to staffing and rotations shall be made as needed.

I. Contact Information

Emergency phone number	508-977-6040
Emergency email address	bristolprobate@jud.state.ma.us
Registry phone number	508-977-6040
Chief Probation Officer	Michele Mullin 508-977-4970
Judicial Case Manager	Lesley Goldsmith 508-977-6156
Assistant Judicial Case Manager	Camille Chang, camille.chang@jud.state.ma.us 508-977-4988 (Field,J)
Assistant Judicial Case Manager	Miriam Babin, miriam.babin@jud.state.ma.us 508-999-5249 x224 (McMahon, J.)
Assistant Judicial Case Manager	Tricia Poole, tricia.poole@jud.state.ma.us 508-672-1751x240 (Jacobs,J.)
Assistant Judicial Case Manager	Diane Beaulieu, diane.beaulieu@jud.state.ma.us 508-672-1751x240 (Jacobs,J.)
Assistant Judicial Case Manager	Christopher Carey, christopher.carey@jud.state.ma.us 508-999-5249 x226 (Smola, J.)
Sessions clerk	Irene Jusseaume, irene.jusseaume@jud.state.ma.us 508-977-4995 (Field, J.)
Sessions clerk	Michael Taylor, michael.taylor@jud.state.ma.us 508-999-5249 x224 (McMahon, J.)
Sessions clerk	Debra Kravitz, debra.kravitz@jud.state.ma.us 508-999-5249 x226 (Smola, J.)
Sessions clerk	Sarah Serpa, sarah.serpa@jud.state.ma.us 508-672-1751x240 (Jacobs,J.)

Judicial Secretary	Mary Martel, mary.martel@jud.state.ma.us 508-977-4995 (Field, J)
HAA	Flo Kitchen, florentina.kitchen@jud.state.ma.us 508-999-5249 x226 (Smola, J.)
Operations Supervisor	Linda Andrade, linda.andrade@jud.state.ma.us 508-999-5249 x224 (McMahon,J)
Register of Probate	Thomas Hoye, thomas.hoye@jud.state.ma.us 508-977-6040

J. Additional Information

Due to staffing protocols, the Registries in Fall River and New Bedford will remain closed until August 10, 2020.

Operating Procedure for the Dukes Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register's office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

1. It is strongly recommended that you utilize Masscourts.org for locating docket numbers, filings, and scheduling of cases.
2. Appointments: It is strongly recommended that you make an appointment to speak with Registry staff in person. You can set up an appointment by calling the Probate and Family Court office at 508-627-4703. Any business that can be conducted over the phone or virtually will be done so.
3. Record Requests: Records requests may still be made. Rather than come to the courthouse in person, we strongly recommend that you email your request to: dukesprobate@jud.state.ma.us. Registry representatives will scan and email the plain copies to you at the email address used to make your initial request. Any fees for copies provided in this manner must be paid by check to be mailed in prior to receiving copies.

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some courts will not be able to safely increase staffing levels in the same way as other locations.** To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

All cases will be heard by Zoom. You will receive a Zoom invitation via email to attend said hearing.

C. New Filings

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.
2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

We will use a drop-box as needed and will be made available upon request.

Please call the Probate and Family Court office at 508-627-4703 and we will facilitate getting you the forms you need by email or helping you navigate www.mass.gov to print the forms and instructions.

D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B, although hearings under G. L. c. 209A are presumptively virtual (See Section G below);
2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;
3. Petitions seeking appointment of a temporary guardian or conservator;
4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
9. All requests for injunctive relief;
10. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated; and
11. Contempt actions where exceptional/exigent circumstances have been demonstrated.

E. In-Person Matters Starting on July 13, 2020

On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and
2. Trials.

F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings;
2. Trials;
3. Motions for temporary orders involving custody/parenting time; and
4. Contempt actions.

G. Abuse Prevention Orders

Proceedings pursuant to G. L. c. 209A (abuse prevention orders) shall be conducted virtually unless otherwise ordered by the court. Virtual hearings shall be conducted by videoconference, unless it is not practicable to conduct the hearing by videoconference, in which case the hearing may be conducted by telephone.

An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing to occur, the judge should take into consideration all relevant factors, including but not limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

In the event access to the courthouse is restricted to both the public and employees, email Daphne DeVries, daphne.devries@jud.state.ma.us . Email will be monitored remotely.
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I. Contact Information

Emergency phone number	508-627-4703
Emergency email address	Daphne.devries@jud.state.ma.us
Registry phone number	508-627-4703
Probation contact	Donna Feinberg, donna.rachwal@jud.state.ma.us , 508-375-6734

Operating Procedure for the ESSEX Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register's office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

While our courthouse doors will be open to the public, we will continue to hold as many virtual hearings as are deemed appropriate by Judges, the Register and Security. To the extent there are in person hearings, they will be by appointment with start and end times scheduled. Please plan to be kept to the time allotted for your hearing. Please do not arrive more than 15 minutes early for your hearing. The courthouse has a social distancing capacity so admittance will be limited. It is **strongly recommended** that you bring your own pen as well as a cell phone (in the event you needed to be contacted remotely).

On Thursday, May 21, 2020 we began serving our customers through a Virtual Registry. Customers can connect and conduct business with Registry Personnel remotely in real time with virtual face-to-face interaction with court staff. The Virtual Registry will operate from 8:00am to 4:30pm Monday through Friday.

It is strongly recommended that you utilize the services of our virtual registry.

Please connect with us at:

<https://www.zoomgov.com/j/1613549831>

Additional information along with the log-in address can be found at:

<https://edit.mass.gov/service-details/essex-probate-and-family-court-virtual-registry>

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some courts will not be able to safely increase staffing levels in the same way as other locations.** To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

IT IS IMPORTANT TO HAVE ALL OF YOUR PLEADINGS FILED AT LEAST THREE BUSINESS DAYS IN ADVANCE OF THE HEARING so that the pleadings may be processed in advance and available to the Judge prior to the hearing.

C. New Filings

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.
2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

The drop-box will be located in the vestibule at the courthouses in Salem and Lawrence.

D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B, although hearings under G. L. c. 209A are presumptively virtual (See Section G below);
2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;
3. Petitions seeking appointment of a temporary guardian or conservator;
4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
9. All requests for injunctive relief;
10. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated; and

11. Contempt actions where exceptional/exigent circumstances have been demonstrated.

E. In-Person Matters Starting on July 13, 2020

On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and
2. Trials.

Adoptions will be scheduled in person if so requested.

F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings;
2. Trials;
3. Motions for temporary orders involving custody/parenting time; and
4. Contempt actions.

Adoptions will be scheduled in person if so requested.

G. Abuse Prevention Orders

Proceedings pursuant to G. L. c. 209A (abuse prevention orders) shall be conducted virtually unless otherwise ordered by the court. Virtual hearings shall be conducted by videoconference, unless it is not practicable to conduct the hearing by videoconference, in which case the hearing may be conducted by telephone.

An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing to occur, the judge should take into consideration all relevant factors, including but not limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

**Essex Probate and Family Court
Protocol in the event of an Emergency Court Closure**

1. Notification to the Public
If either the Salem or the Lawrence courthouse must close but the other courthouse is able to remain open, all efforts will be made to handle all cases from the other courthouse.

In the event one Court is closed, a sign will be posted on the front door of the courthouse indicating the telephone numbers for emergencies and the email for filing as follows:

- a. SALEM 978-740-4143
- b. LAWRENCE 978-686-9692
- c. Email for both courts essexcorrespondences@jud.state.ma.us

The above telephone numbers will be monitored on a regular basis. Court staff will take calls/screen messages and arrange for emergency hearings as needed.

To the extent possible, the main telephone greeting for both Court locations shall be changed to indicate the emergency numbers as well as the email for filing. The courthouse that is open shall handle all cases for the courthouse that is closed by following the procedures set forth below. In the event both Courts are closed, the following procedures shall be followed.

2. Staff

All Essex Probate and Family Court Judges will serve as Emergency Judges on a rotating basis provided they are able to do so and provided a teleconference or videoconference line is available. All AJCMs and/or Session's Clerks shall serve on a rotating basis to assist with the emergency matters. The assignment of judicial staff shall be made by the First Justice and may change day to day. The Registry staff team is scheduled by the Register in teams who are working one week at a time.

3. Abuse Prevention Orders

- a. Between the hours of 4:30PM and 8:00AM

Please contact your local police station and your request will be addressed by the after-hours/on-call judge through the Judicial Response system.

- b. Between the hours of 8:00AM and 4:30PM

If you need an Emergency Restraining Order from the Probate and Family Court between the hours of 8:00AM and 4:30PM, you should call the emergency numbers listed in paragraph 1 above. If you need to leave a message, please speak slowly and clearly and leave a telephone number where you can be reached. Court staff will arrange for your hearing to be held as soon as possible.

4. All other Emergencies

Court staff will take calls for all other emergency matters and will arrange for hearing to be held as soon as possible. Court staff shall request necessary paperwork be forwarded to the email address for the court listed above.

5. Submission of Pleadings/ Initiating a New Case

All pleadings shall be submitted by efile or email to the extent possible.

In exigent circumstances, paperwork may be submitted by text number given to the litigant and mailed thereafter or filled out by Court staff as necessary. Any pleading completed by the Court staff shall indicate that it was read to the litigant and that the litigant assented to having the pleading submitted on the litigant's behalf. If a new case needs to be filed, the Administrative Office of the Probate and Family Court will initiate the case and provide a docket number.

6. CARI record requests

The Chief Probation Officer shall coordinate with one or more Chief Probation Officer(s) from other counties to obtain CARI records as needed for any emergency hearings.

7. Conducting the Hearing

All Essex Probate and Family Court Judges will serve as Emergency Judges on a rotating basis provided they are able to do and provided they have teleconference or videoconference capabilities.

All pleadings, any CARI and the litigant's telephone number shall be forwarded by email to the Judge conducting the hearing.

Court Staff may be conferenced in on the hearing.

All hearings shall be held by telephone or videoconference and recorded. All recordings shall be played into the Court's recording system, For the Record, as soon as possible. Any open and operational Probate and Family Court may assist in recording through FTR, if necessary.

Under no circumstances shall the private contact information of a Judge or Court staff be provided to a litigant or attorney.

The hearing shall proceed in normal fashion and all litigants shall be sworn in at the beginning of the hearing.

8. Issuance of Orders

To the extent possible, all Orders issued shall be prepared and signed by the Emergency Judge with an actual signature or, if not possible, with an electronic or typed signature. The Order shall be emailed by Court Staff to the litigant and docketed.

I. Contact Information

Emergency phone number	SALEM: 978-740-4143 LAWRENCE: 978-686-9692
Emergency email address	essexcorrespondences@jud.state.ma.us
Registry phone number	978-744-1020
Probation contact	Patrice O'Brien 978-744-1020 ext. 6018 patrice.obrien@jud.state.ma.us

TITLE	CONTACT	PHONE & EMAIL	JUDGE
Judicial Case Manager	Michelle Yee	978-744-1020 ext. 6057 michelle.yee@jud.state.ma.us	Judges Ulwick Judge Armstrong
Asst. Judicial Case Manager	Ralph Finck	978-686-9692 ext. 2208 ralph.finck@jud.state.ma.us	Judge Bisenius

Asst. Judicial Case Manager	Maria Dunn	978-744-1020 ext. 6056 maria.dunn@jud.state.ma.us	Judge Black
Asst. Judicial Case Manager	Jeanne Condurelli	978-744-1020 ext. 6054 jeanne.coyne@jud.state.ma.us	Judge Ross
Sessions clerk	Tara Kiley	978-744-1020 ext. 6059 tara.kiley@jud.state.ma.us	Judge Armstrong
Sessions clerk	Zona Sharfman,	978-686-9692 ext. 2201 zona.sharfman@jud.state.ma.us	Judge Bisenius
Sessions clerk	Kristen Davis	978-744-1020 ext. 6058 kristen.davis@jud.state.ma.us	Judge Black
Sessions clerk	Amy Lessard	978-744-1020 ext. 6067 amy.lessard@jud.state.ma.us	Judge Ross
Sessions clerk	Shelby Phillips	978-744-1020 ext. 6060 shelby.phillips@jud.state.ma.us	Judge Ulwick
Judicial Assistant	Carol Blanchette	978-744-1020 ext. 6061 carol.blanchette@jud.state.ma.us	Judge Bisenius Judge Armstrong Judge Ross
Judicial Assistant	Rosanna Espinal	978-744-1020 ext. 6062 rosanna.espinal@jud.state.ma.us	Judge Black Judge Bisenius Judge Ulwick

Operating Procedure for the Franklin Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register's office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

To protect the health and safety of the public and our staff, litigants, attorneys and members of the public are encouraged to conduct business remotely to the greatest extent possible. Therefore, even once the court is open to the public users are encouraged to continue to use the following methods:

To get paperwork:

Most court forms are available on-line at <https://www.mass.gov/guides/probate-and-family-court-forms>. The most commonly used court forms are also available for pick up directly outside the entrance to the courthouse at the Forms Center.

To file paperwork:

All pleadings may be mailed to: Franklin Probate Court, P.O. Box 590, Greenfield MA 01302. Paperwork may also be dropped off at a table directly inside the court entrance.

For questions about filing or scheduling:

Please call the Registry of Probate at (413) 775-7464. Questions may also be emailed to franklinprobate@jud.state.ma.us. The Court Service Center is also an excellent resource for questions; it may be reached at (413) 775-7483 or greenfieldcsc@jud.state.ma.us.

For document requests:

Please submit requests by phone to (413) 775-7464 or by email to franklinprobate@jud.state.ma.us. All reasonable requests will be processed expeditiously. Documents will be sent to the requestor by regular mail.

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some**

courts will not be able to safely increase staffing levels in the same way as other locations. To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

At this time, the Franklin Division is hearing motions, contempts and uncontested hearings remotely. All pre-trial conferences are being converted to status conferences until further notice, unless a pre-trial conference is specifically ordered in a particular matter. Parties filing motions are encouraged to review the Motions Protocol attached to the end of this document.

All parties filing new actions that will require a hearing are requested to serve a Notice of Remote Hearing along with the summons or citation (a copy is attached to the end of this protocol).

C. **New Filings**

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.
2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

There will be a table in the lobby of the courthouse with a tray for filing documents with the Probate and Family Court. Court users will be able to leave documents for filing in this tray without having to come through security. Staff will periodically retrieve documents left in this tray.

As of this time, the court does not have a secure drop-box. Filing by mail remains the preferred method.

The following forms are available immediately outside the courthouse at the Forms Center:

1. Affidavit of Indigency
2. Notice of Appearance

3. 209A Complaint Package
4. Plaintiff's Motion to Modify/Terminate 209A
5. Defendant's Motion to Modify/Terminate 209A
6. Short Form Financial Statement
7. General Motion form
8. Complaint for Modification
9. Complaint for Custody-Support-Parenting Time
10. Complaint for Contempt
11. Complaint for Mod w/Motion for TO ("Co-Motion")
12. Complaint to Establish Paternity
13. Guardianship Petition

D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B, although hearings under G. L. c. 209A are presumptively virtual (See Section G below);
2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;
3. Petitions seeking appointment of a temporary guardian or conservator;
4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
9. All requests for injunctive relief;
10. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated; and
11. Contempt actions where exceptional/exigent circumstances have been demonstrated.

E. In-Person Matters Starting on July 13, 2020

On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and
2. Trials.

F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings;
2. Trials;
3. Motions for temporary orders involving custody/parenting time; and
4. Contempt actions.

G. Abuse Prevention Orders

Proceedings pursuant to G. L. c. 209A (abuse prevention orders) shall be conducted virtually unless otherwise ordered by the court. Virtual hearings shall be conducted by videoconference, unless it is not practicable to conduct the hearing by videoconference, in which case the hearing may be conducted by telephone.

An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing to occur, the judge should take into consideration all relevant factors, including but not limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

If the Franklin County Justice Center is temporarily closed due to COVID19, no scheduled nonemergency hearings will take place. Prior to any scheduled hearing, all parties are encouraged to check the status of the Franklin County Justice Center by visiting www.mass.gov/info-details/temporarycourt-closures-due-to-covid-19.

During closure of the Justice Center, only emergency matters will be addressed. If an emergency arises during any closure, please contact the court at franklinprobate@jud.state.ma.us or 413 775 -7464.

I. Contact Information

Emergency phone number	(413) 775-7464
Emergency email address	franklinprobate@jud.state.ma.us
Registry phone number	(413) 775-7464
Probation contact	franklinprobate@jud.state.ma.us ; (413) 775-7452
Judicial Case Manager	Alexa Flanders; alexandra.flanders@jud.state.ma.us (413) 775-7464

J. Additional Information

1. Please see attached Motions Protocol and Notice.

2. The following Notice of Remote Hearing shall be served with new complaints and petitions and being sent by the court with orders:

FRANKLIN PROBATE AND FAMILY COURT MOTIONS PROTOCOL

Effective July 13, 2020

Until further notice, and unless ordered otherwise, the Franklin Division will conduct motion hearings remotely, using Zoom (parties can participate in a Zoom hearing by telephone). Because of this, the following procedures apply to motions until further notice:

A. *Filing the motion*

- Because the court can hear fewer motions remotely than in person, effective July 13, 2020, the motion list shall be capped at twelve contested matters (not including hearings on petitions for guardianship of incapacitated persons and citation dates for petitions for guardianship of a minor). **Any party or counsel seeking to file a motion shall call the Registry of Probate at (413) 775-7464 prior to scheduling a hearing to determine the next available date.**
- Once available dates have been determined, parties and counsel are encouraged to consult with the other party/counsel to coordinate a mutually convenient date for the motion to be heard.
- Motions that are served by mail to the other party require at least 10 days' notice (unless the court allows a motion for short order of notice in advance).
- All motions should be marked for 9:00 a.m., however, not all motions will be heard at that time.
- All motions should be filed by regular mail or e-filed (if available), or may be dropped off at the courthouse. Motions may only be filed by email in emergency situations and as authorized by Standing Order 2-20 (For emergency procedures, see section D below). The court's mailing address is P.O. Box 590, Greenfield, MA 01302.
- Filers should include their email address on the motion, or send a separate appearance that includes their email address. A notice of appearance is available at <https://www.mass.gov/doc/notice-of-appearance/download>.

- Filers should include the other party's phone number and email address in the motion if this information is known to them. Please print legibly.
- If the subject of the motion is a financial issue, the filer should file a financial statement with the court along with the motion, and should mail a copy of his or her financial statement to other party along with the motion. Failure to file a financial statement may result in the motion hearing being postponed. The filer is also requested to include with the motion a notice notifying the other party of his or her obligation to file a financial statement. (See attached notice at the end of this protocol).
- A motion for temporary orders filed with a Complaint for Modification of Child Support (sometimes referred to as a "co-motion") should be marked for hearing on a regular motion day, not a DOR block day, unless DOR is filing the complaint.
- Parties who had motions scheduled for hearing in March and April that were not heard due to the current pandemic can re-notice their motions on an available motion date with proper notice to the other party/parties.

B. Upon receiving a motion

- If a party receives a motion that is scheduled for hearing, they should confirm that the contact information listed for them in the motion is correct. If it is incorrect, the party should file a notice of appearance right away (by mail or by filing at the courthouse). The party may also call the probation office at (413) 775-7452 to provide correct/updated contact information.
- If the motion involves financial issues, the party receiving the motion must file a financial statement. The financial statement should be mailed to the court at P.O. Box 590, Greenfield, MA 01302 as soon as possible or may be delivered to the courthouse.

C. On the day of the hearing

- Do not come to court. All hearings will take place remotely unless there is a further court order.
- Unless both parties are represented by counsel, the Probation Office will conduct a dispute intervention. The parties should expect a call from the Probation Office

at any time during the morning the motion is scheduled, and in some cases the Probation Office may reach out prior to the date of the hearing.

- If after the dispute intervention a hearing is still needed, the Probation Officer will let the parties know how to participate in the hearing. In most cases the parties will be emailed a link to a Zoom hearing. If a party cannot participate in a video hearing using a computer or phone, the party will be provided a phone number, meeting code and password to participate in the Zoom hearing by telephone.
- If both parties are represented by counsel, the sessions clerk will email counsel prior to the hearing to provide a specific hearing time and a Zoom link.
- The court typically will not conduct evidentiary hearings during motion sessions. If the court after hearing concludes evidence must be taken, the matter will be scheduled for a further date.
- If the court is unable to hold a hearing on a particular motion, the court will contact the parties and let them know when the hearing will take place. The court will make every effort to hold that hearing within a few days of the original date.

D. Emergency situations

- Certain matters have been designated by the Administrative Office of the Probate and Family Court as emergency matters, and once filed shall be scheduled for hearing by the court, with notice as directed by the court. These matters include restraining order applications, requests for Do Not Resuscitate orders, motions for the appointment of a temporary guardian or conservator, motions for the appointment of a special personal representative, and other urgent matters (see Standing Order 2-20, as amended, for additional detail). These matters may be filed by email; pleadings should be sent to franklinprobate@jud.state.ma.us. (E-filing is also available for some matters). Please do not mail original documents to the court if they are filed by email.
- Motions for temporary orders and Complaints for Contempt where there are exigent circumstances may be filed by email with the permission of the Judicial Case Manager. The party seeking permission to file the documents by email shall email them to franklinprobate@jud.state.ma.us and should indicate in the subject line of the email "Request for permission to file by email." The Registry of Probate shall not docket the pleadings until the Judicial Case Manager has reviewed them. The Judicial Case Manager shall either direct that the pleadings

be accepted for docketing or shall notify the filer that the pleadings must be filed by mail or e-file (if applicable) or delivered to the court. If pleadings are accepted for filing by email, no original documents should be mailed to the court. If short notice/ex parte hearing is requested, a motion for short order of notice is expected to be filed.

- If there is a filing fee, it must be paid at the time of filing. Checks may be hand-delivered or mailed to the Franklin Probate Court, P.O. Box 590, Greenfield MA 01302. Where filing by email is permitted, affidavits of indigency may be filed by email, or for the time being the Registry of Probate can also accept credit card payments by phone (the filer must include contact information and should expect a call).

FRANKLIN PROBATE AND FAMILY COURT

NOTICE

The attached motion involves a financial issue. Therefore, as governed by Rule 401 of the Supplemental Rules of the Probate and Family Court, a financial statement must be filed. The financial statement should be mailed as soon as possible to the Franklin Probate and Family Court, P.O. Box 590, Greenfield MA, 01302 or may be filed at the Registry of Probate, 43 Hope Street, Greenfield. A copy must be mailed to the other party in the case. You should keep a copy for your records.

Financial statements are available on-line by visiting <https://www.mass.gov/info-details/probate-and-family-court-forms-for-child-support-guidelines>. You may also pick up a financial statement at the courthouse. The financial statement and other documents are available outside the building at the Forms Center.

For additional assistance, you may contact the Court Service Center at (413) 775-7483 or at greenfieldcsc@jud.state.ma.us.

**** Serve this notice with the summons or citation in this matter****

FRANKLIN PROBATE AND FAMILY COURT NOTICE OF REMOTE HEARING

Until you are informed otherwise, **all hearings in this matter will be held remotely** using the platform Zoom. You can participate in Zoom hearings by video, using a smartphone or webcam, or by telephone using a cellphone or a landline.

- In order for the court to communicate with you about upcoming hearings in this case, **please file an appearance** form including your telephone number and email address. A blank appearance form can be found at <https://www.mass.gov/doc/notice-of-appearance/download>. Please mail it to Franklin Probate Court, PO Box 590, Greenfield MA 01302. Please include the docket number of your case on the appearance.
- For all hearings in this matter (including motions if scheduled), do not come to court unless you are ordered to do so. You will either receive a phone call from our probation office on the date of the hearing or you will receive an email prior to the hearing containing a Zoom link and call-in information.
- **If your case involves a financial issue**, you will be expected to file a financial statement prior to the hearing. Financial statements are available online at <https://www.mass.gov/info-details/probate-and-family-court-forms-for-child-support-guidelines> or may be picked up at the courthouse.

Questions? If you have questions about this notice or about how to participate in court hearings remotely, call the Registry of Probate at 413-775-7464. You can also contact the Court Service Center at 413-775-7483 or our Probation Office at 413-775-7452.

Operating Procedure for the Hampden Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register’s office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

1. Appointments: If you cannot accomplish your court business with the Registry by telephone, it is strongly recommended that you make an appointment to speak with Registry staff in person. You can set up an appointment by calling (413 748-7758) for an appointment. Please provide your name, email address, telephone number, docket number, if available, the issue you want to meet about ,and days and times you are available to come in. We will send you an email with a suggested appointment time. You must confirm your appointment by responding to our email.
2. Records/Copy Requests: Records requests from our archive or storage location may still be made. Rather than come to the courthouse in person, we strongly recommend that you call: (413) 748-7758. Please be sure to provide all requested information, including your email address. Registry representatives will scan and email the plain copies to you at the email address used to make your initial request. Any fees for copies provided in this manner must be paid by credit card charge to be made by court cashier over the phone.
3. Virtual Registry: We hope to have a Virtual Registry available for interaction between our court users and Registry staff soon on Zoom. Once this is available, we will provide information about how to access it. You can find information about virtual registries at: <https://www.mass.gov/info-details/remote-court-services>.

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some**

courts will not be able to safely increase staffing levels in the same way as other locations. To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

Currently, all non-emergency matters, with the exception of the In-Person Matters Starting on July 13, 2020, as described in Paragraph E below, shall be heard by Zoom or telephone conference. It is important that all parties provide their email address whenever communicating with a staff member.

C. **New Filings**

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.
2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

We hope to have a drop-box available outside the front door of the courthouse soon.

In the meantime, please mail non-emergency pleadings to Hampden Probate and Family Court, 50 State Street, PO Box 559, Springfield, MA 01102.

Once the drop-box is available, we will accept pleadings and payments by check or money order in the drop-box. Please secure your submissions in an envelope or by staple so nothing will be lost. The drop-box will be checked several times a day Monday through Friday, between 8:30 a.m. and 3:45 p.m.

Please submit your pleadings in advance of any court hearings to assure they are received and processed in time.

The Hampden Probate and Family Court will not be responsible for any lost items.

D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B, although hearings under G. L. c. 209A are presumptively virtual (See Section G below);
2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;
3. Petitions seeking appointment of a temporary guardian or conservator;
4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
9. All requests for injunctive relief;
10. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated; and
11. Contempt actions where exceptional/exigent circumstances have been demonstrated.

E. In-Person Matters Starting on July 13, 2020

On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and
2. Trials.

F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings;
2. Trials;
3. Motions for temporary orders involving custody/parenting time; and
4. Contempt actions.

G. Abuse Prevention Orders

Proceedings pursuant to G. L. c. 209A (abuse prevention orders) shall be conducted virtually unless otherwise ordered by the court. Virtual hearings shall be conducted by videoconference, unless it is not practicable to conduct the hearing by videoconference, in which case the hearing may be conducted by telephone.

An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing to occur, the judge should take into consideration all relevant factors, including but not limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

1. All new 209A requests shall go to the on-call District Court judge.
2. The Registry of Probate will offer a JRS phone number (857-972-3205) for all emergency calls. The Registry number is on the front door of the courthouse and with the local PD. The number shall be published on www.mass.gov/courts.
3. All paperwork shall be sent to the mailbox: hampdenprobate@jud.state.ma.us This email address shall be available on the Registry call in line, on the front door of the courthouse and with the local PD. The address shall be published on www.mass.gov/courts
4. Each day there shall be one assigned judge and AJCM to handle emergencies. This may change day to day. The assignments shall be made by the First Justice in the division.
5. The on call AJCM shall answer all emergency calls on the emergency number.
6. The AJCM shall screen the emergency and request necessary paperwork to be forwarded to the general email address for the court above. Paperwork may, in exigent circumstances, also be submitted by text and mailed in later or filled out by court staff, if necessary.
7. The AJCM shall request CORI/CARI, if necessary. This request shall be submitted to the closest Probate and Family Court which is open and operational. At this time the request shall go to Hampshire.
8. The paperwork, CARI and the litigant's phone number shall be forwarded to the on-call judge.
9. The on-call judge shall, using the JRS phone, or an anonymous number, shall contact the litigant and record the hearing using a portable recorder, zoom capabilities or their phone, if necessary*. An open and operational Probate and Family Court may assist in recording with FTR, if necessary. Under no circumstances shall the private contact information of a judge or AJCM be provided to a litigant or attorney.
10. All litigants shall be sworn.
11. Any orders issued shall be prepared by the AJCM on call, electronically signed, a typed signature for a judge may suffice, mailed or emailed, and docketed when signed by the issuing judge.
12. The recorded hearing shall be played back to FTR when practicable.

*Google voice also allows a recording feature, if a recorder is not available.

I. Contact Information

Emergency phone number	(413) 735-6043
Emergency email address	hampdenprobate@jud.state.ma.us
Registry phone number	(413) 748-7758
Probation contact	Staff Probation Officer (413) 748-7797
Assistant Judicial Case Manager	Kristina Bordieri, Esq., (413) 748-7786, for Judge Hyland
Assistant Judicial Case Manager	Jocelyn Axelson, Esq., (413) 748-7749, for Judge Wyner
Assistant Judicial Case Manager	Kelly Zawistowski, Esq., (413) 748-7784, Judge Randle
Assistant Judicial Case Manager	Melissa Campana, Esq., (413) 735-6054, for Judge Sandman
Assistant Judicial Case Manager	Any AJCM above for the Courtroom #2 list (formerly Judge Sacks' list)
Sessions clerk	Patricia Silk, (413) 748-7772 for Judge Randle
Sessions clerk	Patricia Guay, (413) 748-7785 for Judge Hyland
Sessions clerk	Carmen Zamorski, (413) 748-7782 for Judge Sacks' list)
Sessions clerk	Mary Sawyer, (413) 748-7781 for Judge Sandman
Judicial Secretary	Chanda Miller, (413) 748-7988

J. Additional Information

All court visitors to the Probate and Family Court must wear a mask at all times.

It is recommended that only the party to the case come to the court and that all friends, family, and children remain home whenever possible, for the safety of everyone.

Litigants are encouraged to accomplish your business as quickly as possible, as the number of people allowed in the building at one time is limited.

Please bring your own pen and hand sanitizer and other materials you may need relative to the case and any other protective equipment you wish to have, such as gloves.

Operating Procedure for the Hampshire Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register's office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

To insure everyone's safety we encourage court users, to the greatest extent possible, to take advantage of available alternative means of interacting with court staff, rather than by your physical presence at the courthouse. Entering the courthouse building should be considered an option of last resort. For example, consider these choices:

1. VIRTUAL REGISTRY

Beginning on July 13, 2020, court staff will be able to answer your questions and provide information virtually, through Hampshire's Virtual Registry. If you have a question about an existing case, or if you are seeking information on how to file a new case, it is strongly recommended that you utilize the virtual Registry. To participate in the Virtual Registry go to:

www.zoomgov.com/my/hampshirepf

2. SCHEDULE AN APPOINTMENT

If you must speak with Registry staff in person, it is strongly recommended that you make an appointment. To schedule an appointment, send an e-mail to hampshireprobate@jud.state.ma.us with "Appointment" in the subject line. Your e-mail should include the date(s) and time(s) that work best for you and a very brief description (just a few words, like 'child support,' 'adoption,' or 'probate estate') of the subject matter. If your question concerns an active case, please provide the court docket number. If you don't know the docket number, go to masscourts.org for a case index.

3. DOCUMENT COPIES

Rather than come to the courthouse in person, we strongly recommend that you email your request for copies of court documents to hampshireprobate@jud.state.ma.us. Registry representatives will copy the requested documents from the file and either mail or email the documents to you. Court fees for copies may be made by check, money order, or paid by credit card charge to be made by court cashier over the phone.

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some courts will not be able to safely increase staffing levels in the same way as other locations.** To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

The Hampshire Division will conduct most scheduled matters, including motions, reviews, pre-trial conferences, and status conferences, as well as joint petitions and agreements for temporary orders and judgment, and some trials and evidentiary hearings, telephonically or by Zoom. Court staff will schedule each hearing and contact attorneys and litigants prior to the scheduled Court events to notify them of when their case will be heard and the instructions for participating in the hearing. All pleadings, including financial statements, must be filed at least 48 hours prior to the hearing. If all documents have not been submitted prior to the hearing, the matter may be continued to another date.

The telephonic or Zoom hearings will be recorded and the parties will be sworn. The Court expects that attorneys will arrange for their clients' remote participation.

Attorneys and litigants who have a question about when a case can and will be heard remotely (by telephone or Zoom) should contact the Court at 413-586-8500.

If a case remains on the Court calendar and the attorney or litigant is unable to participate, he or she should seek the assent of opposing counsel or the other litigant and submit by email an assented-to Motion to Continue with a new date obtained from the Registry. If he or she is unable to obtain assent to continuing the matter, the attorney or litigant may submit a Motion to Continue with a supporting affidavit setting forth the reasons why a continuance is needed.

C. New Filings

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.

2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

Documents may be personally delivered to the court and left on the table located at the courthouse vestibule area located inside the first set of automated doors. Security officers will either notify Registry staff that the documents have been delivered and are available for pickup, or will hand deliver the documents to Registry staff.

Also located in the vestibule area are many of the court's most requested forms. Additionally, if you call the Registry (413-586-8500) or send us an email (hampshireprobate@jud.state.ma.us) identifying the specific forms that you are in need of, we will have the forms on the table in the vestibule area and available for pickup.

D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

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4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
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On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and
2. Trials.

F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

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An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing to occur, the judge should take into consideration all relevant factors, including but not limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

1. Emergency Contact Information:

Registry phone number: 413-586-8500

Court email address: hampshireprobate@jud.state.ma.us

SafePlan Advocate phone number: 413-266-9968

2. Emergency contact information (the telephone number of the Registry (413-586-8500), the telephone number for the SafePlan advocate (413-266-9968), and the court email address, hampshireprobate@jud.state.ma.us) will be posted on the Courthouse doors. Registry staff will access Registry messages and emails regularly.

3. In emergency matters, the Registry will contact the JCM/AJCM. Whenever possible, the Registry will work with the attorney or litigant to complete the appropriate paperwork online and email it to the Court. If a self-represented person is unable to fill out the paperwork online, the litigant will be asked to

describe the situation and relief sought in an email. If the litigant does not have email, the Registry will ask the person to state what the issue is, the relief sought, and how urgent it is, and transmit this information to the JCM/AJCM.

4. The Registry will forward this email, with or without attached filings, to the JCM/AJCM. If the person does not have email, the Registry will call the JCM/AJCM and explain the situation.
5. The Registry will try to obtain the following information from the litigant:
 - a. The name, phone number, email address, and residential address of the parties;
 - b. The docket number of any open or closed case;
 - c. Whether it is a Hampshire case, and if not, the division in which the case is filed;
 - d. If the case is open, the status of the case, including the date and terms of the last order and the next event;
 - e. Whether there is an active 209A and, if so, the court that issued it and the terms; and
 - f. Whether DCF is involved.
6. The petitioner will be told to mail originals to the Court for later filing and docketing.
7. The JCM/AJCM shall determine if the case is appropriate for dispute intervention with Probation. If not, the matter will be directed to a Judge.
8. If the case is sent to Probation for dispute intervention and Probation is able to resolve the matter with an agreement, and it would be beneficial to have the parties' agreement become an Order, Probation will contact the JCM/AJCM who will contact the Judge, and the agreement will be reported on the record through a telephonic or Zoom hearing. An order will be processed and sent out at such time as the Registry is able to perform those functions again.
9. Also, if necessary for the case, either Probation or the JCM/AJCM will obtain the full name and date of birth of all necessary individuals and will request that Probation find another Probation Office to run a CARI record to be shared with the Judge.
10. If the situation suggests that a 51A may need to be filed, the JCM/AJCM will arrange for Probation to participate during any hearing.
11. Prior to any hearing, all information, including the Petitioner's telephone number, the Respondent's telephone number, DCF contact information, the CARI, and any pleadings/emails shall be forwarded to the Judge.

12. If an immediate hearing is required, it will be conducted telephonically or by Zoom. The JCM/AJCM shall provide the hearing information to the attorneys and litigants and, if applicable, Probation, and DCF. The hearing will be recorded and all participants will be sworn.
13. The JCM/AJCM will assist the Judge with the processing of any resulting order. The order will be saved and distributed as an un-editable PDF, and the typed signature of the Judge will suffice for the entry of the order.
14. At no time will the private contact information for any Justice, JCM/AJCM, or other staff member be disclosed to any litigant, attorney, or other individual.

I. Contact Information

Emergency phone number	413-586-8500
Emergency email address	hampshireprobate@jud.state.ma.us
Registry phone number	413-586-8500
Probation contact	413-586-8503
Judicial Case Manager	Noelle Barrist Stern, noelle.stern@jud.state.ma.us , 413-587-5259
Assistant Judicial Case Manager	Corey M. Carvalho, corey.carvalho@jud.state.ma.us , 413-587-5213

J. Additional Information

Probation: The Probation Department is available to assist attorneys and litigants with dispute intervention telephonically for all pending matters. If parties jointly seek the Probation Department’s assistance, the attorneys or litigants should contact Chief Probation Officer R.J. Waskiewicz or Assistant Chief Probation Officer Jo-Ana Lopez at (413) 586-8503.

“Seek Work” Orders: All seek-work orders remain in effect, but report reviews will be conducted electronically until further order.

Drug and Alcohol Screens: Drug and alcohol screens supervised by Probation are suspended until further order.

Lawyer for the Day: The Lawyer for the Day program is operating via telephone. Individuals seeking assistance should contact the Registry (413-586-8500) for more information.

Mediation/Conciliation: Mediation and conciliation sessions are operating by telephone or Zoom on a limited basis. Individuals seeking assistance should contact the Registry (413-586-8500) for more information.

CHD: CHD Liaison Stephanie Delano, MSW, LCSW is available to counsel families by phone. She may be contacted at sdelano@chd.org.

Family Resolution Specialty Court: The Court is conducting FRSC Court Conferences by Zoom. FRSC's Family Consultants remain available to counsel parents by phone. They can be reached by email at deborah.rothhowe@jud.state.ma.us and patrick.fleming@jud.state.ma.us. FRSC mediators are performing virtual mediations. Please direct all other FRSC questions to Noelle Barrist Stern at noelle.stern@jud.state.ma.us.

Staffing: Until further notice or expiration of this Standing Order, the Court is continually operating at reduced staffing levels to decrease the likelihood that the entire Court would be required to shut down for 14 days if a staff member tests positive for COVID-19. This may impact our ability to schedule, hear, and process cases within our customary timeframes. We ask for your patience as we try to protect the health and safety of the public, the bar, and the staff during these extraordinary times.

Operating Procedure for the Middlesex Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register's office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

The Middlesex Division is operating out of two locations:

Middlesex-South - 208 Cambridge Street, Cambridge, MA 02141
Middlesex-North - Lowell Justice Center, 370 Jackson Street, 5th Floor, Lowell, MA 01852

Both locations are staffed daily with minimal Registry and Probation personnel on staggered rotations. The Lobby is staffed to hold virtual hearings on a regular schedule and begin to hold in-person hearings as specified in Sections E and F of this protocol and in Standing Order 2-20, as amended.

Cases will be initiated and heard virtually or in-person in the location as determined by the Catchment Area established for the division of the county and by the judge assigned to the case pursuant to the individual calendar system for each location (See Attachments).

Masks will be required for entry and must be worn at all times while in the courthouse. There will be a COVID screening for each person before admittance is allowed, which may include asking questions and taking temperatures. Entry into the Registry for assistance will be limited to the litigant only or the attorney on a case, with their client. Do not forget to bring your own pen. If an individual does not have business with the court, they will not be allowed entry.

The Middlesex Division is working to manage our caseload with limited personnel on-site at each location which may further reduce our ability to handle all in-person business and we will be limiting the number of people allowed into the building to conduct court business to that allowed by occupancy limits and safe staffing levels.

We hope that you take advantage of our recommended remote processes to limit in-person contact which will reduce wait times at both locations and allow registry staff to complete work timely.

Recommended Court Access Now Available:

Emergency Hotline 617-768-5906 and middlesexfilings@jud.state.ma.us for filing pleadings in any emergency matter under Section D which may or may not require screening. Since in-person hearings are limited to Trials and Evidentiary Hearings until August 10th, we recommend using this service so that the whole matter may be handled remotely. Use of the emergency hotline and middlesexfilings@jud.state.ma.us will avoid a trip the court house and the potentially waiting in line for entry due to required screening and occupancy limits. In short, the fastest way to file a pleading is to use one of the remote options (mail, e-file, etc.)

The Middlesex Virtual Registry is available Monday through Friday from 8:00 am to 4:00 pm. This is the primary point of contact recommended for **any** non-emergency Registry activity. This platform is staffed by employees to answer questions, provide forms, take copy requests and make payments, among other services. There will be a Lawyer of the Day available at specified times to assist income-eligible litigants in completing forms. You can find us at: www.zoomgov.com/my/middlesexprobate

Record Requests from our archive or storage location may still be made remotely. Rather than come to the courthouse in person, we strongly recommend that you email your request to middlesex.filerequest@jud.state.ma.us. Registry personnel will scan and email the plain copies to you at the email address used to make your initial request. Any fees for copies provided in this manner must be paid by credit card to the court cashier over the phone.

Copy Requests are recommended to be made via the virtual registry at www.zoomgov.com/my/middlesexprobate

Drop Boxes are available at the entrance of each location to submit completed paperwork and payment for filing without requiring entrance into the building.

Appointments may be made to view GAL Reports and this is the preferred method. Once an appointment is made, we will insure personnel are available to monitor the handling of the report and that a location is available to view the report. You may email middlesexprobate@jud.state.ma.us to make this appointment. Please provide "GAL Report" with the docket number in the subject line.

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some**

courts will not be able to safely increase staffing levels in the same way as other locations. To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

All judges are currently scheduling hearings via the Zoom application for a virtual courtroom while they gradually increase the number hearings that require in-person hearings. *All hearings will be conducted virtually, unless parties and counsel have been specifically contacted by the judge's AJCM/Sessions Clerk that a hearing will take place in-person. Do not come to the Middlesex courthouses unless you have received that specific notice.*

C. New Filings

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.
2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

Cambridge: A drop box marked "Probate Court Filings" will be located outside of the building entrance at 208 Cambridge Street and documents will be retrieved every 2 hours.

Lowell: A drop box marked "Probate Court Filings" will be located in the vestibule of the Lowell Justice Center at 370 Jackson Street and documents will be retrieved every 2 hours.

1. Forms: Anyone seeking forms may visit our virtual registry at www.zoomgov.com/my/middlesexprobate for electronic transfer or email of any court forms.

2. Regular Mail: Pleadings may be submitted via regular, expedited or express mail to both the North or South locations. Please see the attached Memorandum on the Division of the Middlesex Probate and Family Court and Middlesex Probate and Family Court Catchment Areas for information on the appropriate location to file which will prevent delays. Our mailing addresses are:

Middlesex Probate and Family Court – South
208 Cambridge Street
Cambridge, MA 02141

Middlesex Probate and Family Court – North
Lowell Justice Center
370 Jackson Street – 5th Floor
Lowell, MA 01852

3. E-File: www.efilema.com is available to initiate and file pleadings in 1B Divorce Complaints, Petitions for Guardianship of an Incapacitated Person, Voluntary Administration Statements, Informal Probate Petitions and Formal Probate Petitions. Currently, new Modification and Contempt Complaints cannot be e-filed, however any other subsequent pleading (even those under a pending modification or contempt) may be e-filed. E-filing is not available for any other case type.

4. Filings prior to Hearing Date: Please submit any documents needed for hearing at least two (2) business days prior to the hearing date so they may be filed and docketed for remote access by the Court at the time of hearing. Only limited pleadings (i.e., financial statement, proposed orders) may be filed in the virtual courtroom on the date of hearing.

5. Scheduling: Hearings on new non-emergency matters will be scheduled in the regular course to the first available date only if a Motion or other pleading which requires a court date has been filed with the Court. These matters will be heard virtually and a webpage will be provided on each notice to access the virtual courtroom on the date of the hearing. In-person hearings will be scheduled in accordance with Sections E and F of these protocols.

6. Administrative Uncontested Matters: To the extent we are able, the Middlesex Division is handling uncontested matters, submitted jointly, and with an affidavit waiving an in-person hearing administratively (without any hearing).

If a stipulation for Temporary Orders on a Motion or Contempt, or an Agreement for Judgment on a 1B Divorce, Complaint for Modification or a Contempt is filed, the Temporary Order or Judgment will be forwarded to the assigned judge for review. If all necessary papers are in order and the following are submitted:

1. A stipulation for Temporary Order or Agreement for Judgment signed by both Parties and counsel of record and updated financial statements, if the matter involves a financial matter;

2. For all unrepresented parties, an Affidavit that the party:

1. acknowledges they understand the issues presented;

2. understands and agrees with all terms of the stipulation or agreement;
3. understands that counsel represents the other Party only;
4. understands they are waiving their right to an in-person hearing as to this matter only;
5. if applicable, has submitted an accurate financial statement;
and
6. has reviewed the opposing party's financial statement and believes it to be true and accurate.

Upon receipt and review, the judge will enter an order/judgment administratively, or contact you to inform you that a hearing is required.

All matters that are permitted by law or standing order to be allowed administratively (for example, an Informal Probate Petition), will be reviewed, approved or denied by a magistrate and any subsequent letters, copies or notices will issue as is customary.

D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B, although hearings under G. L. c. 209A are presumptively virtual (See Section G below);
2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;
3. Petitions seeking appointment of a temporary guardian or conservator;
4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
9. All requests for injunctive relief;
10. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated; and
11. Contempt actions where exceptional/exigent circumstances have been demonstrated.

Since all matters are now allowed entry to the building and occupancy limits are in place, it is strongly recommended that any of the actions listed above utilize the emergency hotline (617-768-5906) for filing purposes to prevent unnecessary wait times you may experience for in-person filings. Emergency pleadings may be submitted via e-filing or email.

E. In-Person Matters Starting on July 13, 2020

On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and
2. Trials.

F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings;
2. Trials;
3. Motions for temporary orders involving custody/parenting time; and
4. Contempt actions.

G. Abuse Prevention Orders

Proceedings pursuant to G. L. c. 209A (abuse prevention orders) shall be conducted virtually unless otherwise ordered by the court. Virtual hearings shall be conducted by videoconference, unless it is not practicable to conduct the hearing by videoconference, in which case the hearing may be conducted by telephone.

An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing to occur, the judge should take into consideration all relevant factors, including but not limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

If the Court is temporarily closed for any reason related to the COVID 19 pandemic, our virtual registry will be available daily at www.zoomgov.com/middlesexprobate

Emergencies may be submitted to the Court at middlesexfilings@jud.state.ma.us or to the email address of the Sessions Clerk/AJCM working with the Judge to whom the matter is assigned with subject line "EMERGENCY" and the docket number. The emergency hotline 617-768-5906 will also provide information on how to address your matter while the court is closed.

Filings may still be submitted through our e-filing site, www.efilema.com. Questions may be sent to middlesexprobate@jud.state.ma.us which will be directed to the appropriate party for a response.

I. Contact Information

The best way to contact court personnel continues to be through email. Please be mindful that staff has been inundated with email communication during the pandemic and filings. Other than those limited documents permitted to be filed on the date of hearing, pleadings should **NOT** be emailed to judicial staff. Additionally, whenever possible, please communicate with the opposing party/counsel about scheduling issues prior to initiating email contact with court personnel.

JUDGE	AJCM/Session Clerk*	EMAIL ADDRESS
Judge Allen	Colin McKinnon	colin.mckinnon@jud.state.ma.us
Judge Barbar	Joanne O'Donnell	joanne.odonnell@jud.state.ma.us
Judge Burchill	Renee Khan	renee.khan@jud.state.ma.us
Judge Cafazzo	Colin McKinnon	colin.mckinnon@jud.state.ma.us
Judge Gargas	Krishna Butaney	krishna.butaney@jud.state.ma.us
Judge McSweeny	Alison McCrone	alison.mccrone@jud.state.ma.us
Judge Monks	Alison McCrone	alison.mccrone@jud.state.ma.us
Judge Tetreau	Renee Khan	renee.khan@jud.state.ma.us

***Given the volume of emails, please do not attach pleadings unless specifically requested to do so by the AJCM/Session Clerk.**

Additional Contacts:

Emergency Hotline	617-768-5906
Emergency email address	middlesexfilings@jud.state.ma.us
Registry phone number*	Cambridge: 617-768-5800 / Lowell: 978-656-7700
Virtual Registry	www.zoomgov.com/my/middlesexprobate
Email Inquiries	middlesexprobate@jud.state.ma.us
Copy Requests	617-768-5905 or visit the virtual registry
Record Retrieval	Middlesex.filerequest@jud.state.ma.us

* Phone lines are very busy. Preferable method of contact is the virtual registry.

MIDDLESEX COUNTY DIVISION

CATCHMENT AREAS

MIDDLESEX - NORTH			MIDDLESEX - SOUTH	
<u>City/Town</u>			<u>City/Town</u>	
Ashby	Littleton		Arlington	
Acton	Lowell		Belmont	
Ashland	Marlboro		Cambridge	
Ayer	Maynard		Everett	
Bedford	Natick		Lexington	
Billerica	North Reading		Malden	
Boxboro	Pepperell		Medford	
Burlington	Reading		Melrose	
Carlisle	Sherborn		Newton	
Chelmsford	Shirley		Somerville	
Concord	Stow		Stoneham	
Dracut	Stow		Wakefield	
Dunstable	Sudbury		Waltham	
Framingham	Tewksbury		Watertown	
Groton	Townsend		Weston	
Holliston	Tyngsboro		Winchester	
Hopkinton	Wayland		Woburn	
Hudson	Westford			
Lincoln	Wilmington			

Middlesex Probate and Family Court
Divisional Rules of Judicial Assignment Chart

<u>City or Town Plaintiff/Petitioner</u>	<u>City or Town of Subject</u>
Complaint for Divorce (1A and 1B)	Estate Cases (Informal and Formal)
Complaint for Separate Support	Voluntary Administration
Complaint for Custody	Public Administration
Registration or Modification of a Foreign Decree	Guardian of Minor
Complaint for Annulment/Affirmation of Marriage	Guardian of an Incapacitated Person
Complaint to Establish Paternity	Conservator
Complaint for Custody/Support/Parenting Time	Conservator for a Single Transaction
Complaint for Contempt	Confirmation of a Health Care Proxy or Other Special Proceeding on HCP
Complaint for Modification	UAGPPJA Registration
Petition for Change of Name	Elder Abuse
Petition for Adoption	General Petitions
39M Petitions (SIJS)	General Trust Petition
Complaints/Petitions in Equity (except Petitions to Partition)	Petitions to Partition (Equity)
209A Abuse Prevention Petition	Testamentary Guardianship (The city of the decedent, or, if admitted, the facility)
Grandparent Visitation	Wills for Safekeeping
Marriage without Delay	
Marriage of a Minor	

Operating Procedure for the Nantucket Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register's office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

1. Nantucket does not have a virtual registry set up at this time. Remote filings are encouraged and can be done by e-mail. Please email susan.beamish@jud.state.ma.us or sarah.maxwell@jud.state.ma.us.
2. It is strongly recommended that you make an appointment to speak with Registry staff in person. You can set up an appointment by: calling the Registry at 508-228-2669 or by e-mail: susan.beamish@jud.state.ma.us OR sarah.maxwell@jud.state.ma.us.
3. Records requests from our archive or storage location may still be made. Rather than come to the courthouse in person, we strongly recommend that you email your request to: sarah.maxwell@jud.state.ma.us or call the Registry at 508-228-2669 so arrangements can be made. Registry representatives will scan and email the plain copies to you at the email address used to make your initial request.

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some courts will not be able to safely increase staffing levels in the same way as other locations.** To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

C. New Filings

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.
2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

The drop-box is located on the Broad Street side of the building, is brown, and is locked. This box is checked throughout the day for new filings.
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D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B, although hearings under G. L. c. 209A are presumptively virtual (See Section G below);
2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;
3. Petitions seeking appointment of a temporary guardian or conservator;
4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
9. All requests for injunctive relief;
10. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated; and
11. Contempt actions where exceptional/exigent circumstances have been demonstrated.

E. In-Person Matters Starting on July 13, 2020

On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and

2. Trials.

F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings;
2. Trials;
3. Motions for temporary orders involving custody/parenting time; and
4. Contempt actions.

G. Abuse Prevention Orders

Proceedings pursuant to G. L. c. 209A (abuse prevention orders) shall be conducted virtually unless otherwise ordered by the court. Virtual hearings shall be conducted by videoconference, unless it is not practicable to conduct the hearing by videoconference, in which case the hearing may be conducted by telephone.

An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing to occur, the judge should take into consideration all relevant factors, including but not limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

Telephone messages and e-mails will be remotely monitored.
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I. Contact Information

Emergency phone number	508-228-2669
Emergency email address	Susan.Beamish@jud.state.ma.us
Registry phone number	508-228-2669

Operating Procedure for the Norfolk Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register’s office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

- 1) An “operator” is stationed in the courthouse lobby, outside of the Registry to screen and to assist individuals seeking access to the Registry/Courthouse. The “operator” shall ascertain the nature of the visit and direct people accordingly as to how they will be assisted, either by way of Virtual Registry, phone, email or in person if necessary.
- 2) Virtual Registry: All persons seeking access to the Registry will be strongly encouraged to utilize the Virtual Registry which will be open from 8:30 a.m. to 4:00 p.m. The link to the Virtual Registry is - <https://www.zoomgov.com/j/16178466497> - which is posted on the Trial Court webpage.
- 3) Access to records and records requests: It is strongly recommended that you make an appointment using the signup genius which will be posted on the Trial Court webpage if you are requesting access to Registry records..

You may also request records by emailing: NCPFC@jud.state.ma.us.

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some courts will not be able to safely increase staffing levels in the same way as other locations.** To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

All matters have been and continue to be scheduled for telephonic or zoom hearings whenever practical.

C. New Filings

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.
2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

A drop-box is located outside of the Courthouse during normal business hours *i.e.* 8:30 a.m. to 4:30 p.m. Documents should be delivered at least 48 hours before any scheduled hearing. Please put all documents in an envelope and clearly mark the envelope with the date and time of hearing as well as the Judge assigned to the case. All documents shall contain each Party's or Counsels' phone number and emails.

A table will be physically located in the front lobby before being required to go through security, which shall contain forms and instructions for commonly requested types of cases, as well as financial statement forms.

D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B, although hearings under G. L. c. 209A are presumptively virtual (See Section G below);
2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;
3. Petitions seeking appointment of a temporary guardian or conservator;

4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
9. All requests for injunctive relief;
10. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated; and
11. Contempt actions where exceptional/exigent circumstances have been demonstrated.

E. In-Person Matters Starting on July 13, 2020

On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and
2. Trials.

F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings;
2. Trials;
3. Motions for temporary orders involving custody/parenting time; and
4. Contempt actions.

G. Abuse Prevention Orders

Proceedings pursuant to G. L. c. 209A (abuse prevention orders) shall be conducted virtually unless otherwise ordered by the court. Virtual hearings shall be conducted by videoconference, unless it is not practicable to conduct the hearing by videoconference, in which case the hearing may be conducted by telephone.

An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing to occur, the judge should take into consideration all relevant factors, including but not limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

<p><i>Emergency Protocol for the Norfolk Probate and Family Court During Temporary Closure by the Executive Office</i></p>

1. All initial 209A matters shall be brought to the local District Court that is still operational or to the attention of the assigned Judicial Response Service, "JRS", Justice. In the event a Probate and Family Court matter is brought to the attention of the JRS Justice, he/she shall contact our JCM, Kim LaDue or First Assistant Michael Barbadoro who will then contact the assigned Probate and Family Court Justice.
2. All continuance or modification issues of a 209A issued by this Court shall be brought to the attention of the JCM or First Assistant Register for our Court.
3. Emergency Contact Information as set out below shall also be posted on the entry doors of our building and shall be available on the voice greeting to the Registry telephone number.

Emergency Contacts:

781-830-1278 or michael.barbadoro@jud.state.ma.us

4. If required, the JCM and/or First Assistant shall request that a CARI record be run by our Probation Department to be shared with the assigned Justice. The First Justice of Bristol County Probate and Family Court, Katherine Field, has also offered the assistance of their Probation Department in the event it is needed.
5. All information, including the Petitioner's telephone number, shall be forwarded to the assigned Justice. If the assigned Justice is unavailable for any reason, the matter shall be brought to the attention of the assigned emergency Justice for that day.
6. If the Court is closed all reasonable efforts shall be made to conduct a telephonic hearing. Absent exigent circumstances, the hearing shall be recorded. If possible, a telephonic hearing shall be arranged by one of the other Divisions and recorded on their FTR. Any other method of recording of the hearing shall later be transferred to FTR when practical. All parties shall be sworn in.
7. The JCM and/or First Assistant Register shall assist the assigned Justice with the processing of any resulting Order. A typed-written signature of the assigned Justice shall suffice for the entry of the Order until such time as the Order may be signed and docketed.

8. At no time shall the private contact information for any Justice, JCM, First Assistant or other support staff be disclosed to any litigant, attorney or other individual

I. Contact Information

Emergency phone number	781-830-1278
Emergency email address	Michael.barbadoro@jud.state.ma.us
Registry phone number	781-830-1278
Probation contact	Danielle Slaney - Danielle.slaney@jud.state.ma.us - 781-830-4352
Judicial Case Manager	Kim LaDue - kim.ladue@jud.state.ma.us - 781-830-1229
Assistant Judicial Case Manager	Kim LaDue - kim.ladue@jud.state.ma.us - 781-830-1229 - Judge Cronan
Assistant Judicial Case Manager	Clare Gamberoni - clare.gamberoni@jud.state.ma.us - First Justice Gorman
Assistant Judicial Case Manager	Kathryn Hannon - kathryn.hannon@jud.state.ma.us - Judge Phelan
Assistant Judicial Case Manager	Jennifer Maggiacomo - jennifer.maggiacomo@jud.state.ma.us - Judge Peterson
Sessions clerk	Myisha Cesar-Louissaint - myisha.cesar@jud.state.ma.us - Judge Peterson
Sessions clerk	Pauline Alexopoulos - pauline.alexopoulos@jud.state.ma.us - Judge Cronan
Sessions clerk	Goro Matsuo - goro.matsuo@jud.state.ma.us - Judge Phelan
Judicial Assistant	Dianne Rowland - dianne.rowland@jud.state.ma.us - First Justice Gorman and Judge Peterson
Judicial Assistant	Olivia George - olivia.george@jud.state.ma.us - Judge Cronan
Judicial Assistant	Tracy Morin - tracy.morin@jud.state.ma.us - Judge Phelan

J. Additional Information

Please review your notice of hearing - any information regarding virtual hearing log in/call in information will be contained in the notice. Please call in on time and not before you assigned time as prior hearings may still be in progress.

All previously scheduled trials are being continued to allow trials that were in progress or scheduled pre COVID-19 to be scheduled in the order in which they were previously scheduled.

If dropping off Agreements, please write clearly (and boldly) on the envelope that an Agreement is enclosed and the name of the Judge to whom it should be directed. Modification and Contempt Agreements can be allowed administratively. Separation Agreements (complete packets), if approved will be scheduled for hearing within seven (7) days in most cases.

If dropping off paperwork for an upcoming hearing, please write clearly (and boldly) on the envelope that the paperwork is needed for a hearing scheduled on X date at X time before X Judge.

If Counsel agree, contested matters may be submitted to be decided on the pleadings/submissions in accordance with Rule 78. All such filings shall contain a coversheet indicating the Judge to whom the papers should be directed.

All filings must contain a valid phone number and email address for counsel and each Party.

Please limit the number of filings to only necessary documents

If you fail to file a Pretrial Memo or financial statements, fail to have a meeting prior to Pretrial Conference or fail to complete discovery prior to the Pretrial Conference sufficient to allow the Court to engage in a meaningful discussion regarding possible resolution, your matter may not be heard.

Operating Procedure for the Plymouth Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register's office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

1. It is strongly recommended that you make an appointment to speak with Registry staff in person. You can set up an appointment by calling Brockton at (508) 897-5400 or Plymouth at (508) 747-6204; or email plymouthprobate@jud.state.ma.us
2. Records requests from our archive or storage location may still be made. Rather than come to the courthouse in person, we strongly recommend that you email your request to: plymouthprobate@jud.state.ma.us. Registry representatives will scan and email the plain copies to you at the email address used to make your initial request. Any fees for copies provided in this manner must be paid by credit card charge to be made by court cashier over the phone.

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some courts will not be able to safely increase staffing levels in the same way as other locations.** To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

C. New Filings

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.

2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

A drop-box will be located in both the Plymouth and Brockton locations.

D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B, although hearings under G. L. c. 209A are presumptively virtual (See Section G below);
2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;
3. Petitions seeking appointment of a temporary guardian or conservator;
4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
9. All requests for injunctive relief;
10. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated; and
11. Contempt actions where exceptional/exigent circumstances have been demonstrated.

E. In-Person Matters Starting on July 13, 2020

On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and
2. Trials.

F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings;
2. Trials;
3. Motions for temporary orders involving custody/parenting time; and
4. Contempt actions.

G. Abuse Prevention Orders

Proceedings pursuant to G. L. c. 209A (abuse prevention orders) shall be conducted virtually unless otherwise ordered by the court. Virtual hearings shall be conducted by videoconference, unless it is not practicable to conduct the hearing by videoconference, in which case the hearing may be conducted by telephone.

An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing to occur, the judge should take into consideration all relevant factors, including but not limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

If the Court is temporarily closed for any reason during the Covid 19 pandemic, messages can be left on 508-747-8522. This line shall be monitored on an hourly basis during regular business hours during a closure. Messages shall be directed to the appropriate party for a response.

Email inquiries can be forwarded to plymouthprobate@jud.state.ma.us.

Emergency Filings if the Court is Temporarily Closed:
 Emergency filings can be forwarded to the Court at plymouthprobate@jud.state.ma.us or to the Sessions Clerk/AJCM working with the Judge to whom the matter is assigned.

I. Contact Information

Emergency phone number	(508) 747-8522
Emergency email address	plymouthprobate@jud.state.ma.us
Registry phone number	Plymouth (508) 747-6204 and Brockton (508) 897-5400
Probation contact	Richard Giaquinto richard.giaquinto@jud.state.ma.us Renee Ceglie (508) 897-5423
Judicial Case Manager	Benjamin Harley benjamin.harley@jud.state.ma.us (508) 747-6204
Assistant Judicial Case Manager	Claudia Magnus claudia.magnus@jud.state.ma.us Hon. Edward G. Boyle, III
Assistant Judicial Case Manager	David Nolan david.nolan@jud.state.ma.us Hon. Lisa A. Roberts
Assistant Judicial Case Manager	Mary Looney mary.looney@jud.state.ma.us Hon. Patrick W. Stanton

Assistant Judicial Case Manager	Caitlin Sullivan caitlin.sullivan@jud.state.ma.us Hon. Kevin R. Connelly
Sessions clerk	Ashley Corrigan ashley.corrigan@jud.state.ma.us Hon. Edward G. Boyle, III
Sessions clerk	Kaitlin Murray kaitlin.murray@jud.state.ma.us Hon. Lisa A. Roberts
Sessions clerk	Kitty Chung kitty.chung@jud.state.ma.us Hon. Kevin R. Connelly
Sessions clerk	Karen Milero karen.milero@jud.state.ma.us Hon. Denise L. Meagher
Judicial Assistant	Michelle Lanoue michelle.lanoue@jud.state.ma.us Hon. Edward G. Boyle, III and Hon. Denise L. Meagher (Docket No. 00-24)
Judicial Assistant	Kimberly Foley kimberly.foley@jud.state.ma.us Hon. Lisa A. Roberts and Hon. Denise L. Meagher (Docket No. 25-49)
Judicial Assistant	Karen Mussari karen.mussari@jud.state.ma.us Hon. Patrick W. Stanton and Hon. Denise L. Meagher (Docket No. 50-74)
Judicial Assistant	Juawana Bostic-Jones juawana.bostic-jones@jud.state.ma.us Hon. Kevin R. Connelly and Hon. Denise L. Meagher (Docket No. 75-99)

J. Additional Information

Pre-Trial Memorandum, a fully completed typed Financial Statement, and Child Support Guidelines shall be emailed to the appropriate AJCM no later than 72 hours in advance of the scheduled Pre-Trial.

The parties shall participate in a 4-way telephone conference no later than 48 hours prior to the Court hearing.

The Court reserves the right to limit the length of the hearing so as to accommodate as many cases as possible.

Exhibits shall be delivered to the Judicial Lobby no later than 72 hours prior to an Evidentiary Hearing or Trial. Counsel/parties shall make arrangements with the appropriate Sessions Clerk or Assistant Judicial Case Manager for the delivery.

Operating Procedure for the Suffolk Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register's office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

1. It is strongly recommended that you utilize the Virtual Registry to connect with court staff while remaining in the safety of your own home.

As of July 13, 2020, the Suffolk Virtual Registry will be available from 8:30 a.m. to 4:00 p.m., Monday through Friday.

Additional information about the Virtual Registry can be found at:

<https://www.mass.gov/service-details/suffolk-probate-and-family-court-virtual-registry> or at <https://www.mass.gov/info-details/remote-court-services>.

2. Record requests from our archive or storage location may still be made. Rather than come to the courthouse in person, we strongly recommend that you email your request to: (tanya.brussa-pagan@jud.state.ma.us). Registry representatives will scan and email the plain copies to you at the email address used to make your initial request. Any fees for copies provided in this manner must be paid by credit card charge to be made by court cashier over the phone.

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some courts will not be able to safely increase staffing levels in the same way as other locations.** To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of

considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

Most cases in Suffolk County will be heard virtually and you will receive a notice with unique Zoom or call in instructions.

C. New Filings

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.
2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

New filings can be made utilizing a drop-box located inside the courthouse on the first floor near security. Please complete the form with your contact information. If a telephone number is included, you will be contacted within the hour by a Registry Staff Member who will confirm receipt of your pleadings and advise as to whether they are acceptable.

Requests for Divorce Certificates and additional Letters of Appointment and/or Letters of Authority can also be made utilizing this box. Please be sure to include contact information as payment will need to be submitted prior to the documents being released for pick up at the drop-box location.

There will be a table in the lobby near the drop-box where commonly used forms can be obtained. Kindly note: these forms should be retrieved and then brought back to the drop-box when completed. These forms are not meant to be completed at the table.

D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B, although hearings under G. L. c. 209A are presumptively virtual (See Section G below);
2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;

3. Petitions seeking appointment of a temporary guardian or conservator;
4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
9. All requests for injunctive relief;
10. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated; and
11. Contempt actions where exceptional/exigent circumstances have been demonstrated.

E. In-Person Matters Starting on July 13, 2020

On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and
2. Trials.

All matters in which the assigned judge has determined that an in-person hearing is required in the interests of justice will be heard in person.

F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings;
2. Trials;
3. Motions for temporary orders involving custody/parenting time; and
4. Contempt actions.

All matters in which the assigned judge has determined that an in-person hearing is required in the interests of justice will be heard in person.

G. Abuse Prevention Orders

Proceedings pursuant to G. L. c. 209A (abuse prevention orders) shall be conducted virtually unless otherwise ordered by the court. Virtual hearings shall be conducted by videoconference, unless it is not practicable to conduct the hearing by videoconference, in which case the hearing may be conducted by telephone.

An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing to occur, the judge should take into consideration all relevant factors, including but not

limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

If the Brooke Courthouse is closed, you may call the Trial Court Help Line at 1-833-91COURTfor assistance. You may also email the court at Suffolk.questions@jud.state.ma.us.

I. Contact Information

Emergency phone number	857 972 3058 or 857 972 3599 or 857 330 1938 or 857 330 1261
Emergency email address	Suffolkquestions@jud.state.ma.us
Registry phone number	617 788 8300
Probation contact	Chief Edwin Welch 617 788 8383
Judicial Case Manager	Patrick Yoyo Patrick.yoyo@jud.state.ma.us 617 788 8398
Assistant Judicial Case Manager	Kathy Kavey, Kathy.kavey@jud.state.ma.us 617 788 8300
Assistant Judicial Case Manager	Sharon Blocker, Sharon.blocker@jud.state.ma.us 617 788 8385
Assistant Judicial Case Manager	JohnJoe Hallissey, johnjoe.hallissey@jud.state.ma.us 617 788 8346
Assistant Judicial Case Manager	Maria Rizzo-LaFace, Maria.rizzolaface@jud.state.ma.us 617 788 8364
Sessions clerk	Weber Lyncee, Weber.lyncee@jud.state.ma.us - FJ Dunn
Sessions clerk	Amanda Bourgeois, Amanda.bourgeois@jud.state.ma.us - J. Christopher
Sessions clerk	Kristen Antolini, Kristen.antolini@jud.state.ma.us - J. Giordano
Sessions clerk	Brian Powell, Brian.powell@jud.state.ma.us - J. Rivers
Sessions clerk	Erica Lewis-Bowen, Erica.lewisbowen@jud.state.ma.us - J. Ward
Judicial Assistant	Donna Anderson, Donna.anderson@jud.state.ma.us 617 788 8293
Judicial Assistant	Althea Lewis, Althea.lewis@jud.state.ma.us 617 788 8342

Operating Procedure for the Worcester Division of the Probate and Family Court Under Standing Order 2 – 20, as amended July 1, 2020 and Supreme Judicial Court third updated order regarding court operations under the exigent circumstances created by the COVID-19 (coronavirus) pandemic effective July 1, 2020

Court Operations starting on July 13, 2020

A. Access to Courthouses

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, starting on July 13, 2020, courthouses will reopen for court staff and persons who are present in courthouses for attending in-person court proceedings as described in Sections E and F below; conducting in-person business with a register's office; meeting with a probation officer or probation staff person; or conducting business at other offices that are open to the public and housed in the courthouse.

1. It is strongly recommended that you utilize the Virtual Registry to connect with court staff while remaining in the safety of your own home. You can do that by visiting: <https://www.zoomgov.com/j/1614383173> from 8:30 a.m. to 4:00 p.m. **Monday** through **Friday**.

Additional information about the Virtual Registry can be found at: <https://www.mass.gov/service-details/worcester-probate-and-family-court-virtual-registry>

2. For general inquiries, to request access to a case, or for copy requests, please send us an email at wpfc@jud.state.ma.us. Please note, any fees for copies provided in this manner must be paid by credit card charge to be made by court cashier over the phone.

B. Virtual Proceedings

To continue to limit the number of persons entering courthouses, the Probate and Family Court will continue to conduct most business virtually. **The volume and type of cases to be heard virtually will be determined by the Register and First Justice, collectively, and will be scheduled based upon on-site and remote staffing availability and the availability of technological support and training needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some courts will not be able to safely increase staffing levels in the same way as other locations.** To facilitate the business of each division, in the discretion of the First Justice, the individual assignment of cases may be relaxed so that all cases may be heard as scheduled.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

The Court will continue to conduct remote hearings either telephonically or through Zoom technology, whenever possible. Specific contact instructions will be sent by the Court to Counsel and/or the parties in advance of the hearing. The Judges, with the support of the Lobby Staff, have resumed hearing matters five days per week. Please note that if a case remains scheduled in MassCourts, it does not necessarily mean that it will be heard virtually on that date. For all matters that will be heard virtually, the Court will notify Counsel and/or the parties in advance to confirm the date and time of the hearing and will provide instructions for how to participate virtually. No attorney or litigant may mark up a motion for hearing but shall instead file the motion with a “request for hearing” and it will be scheduled or otherwise addressed by the assigned Judge’s Sessions Clerk. All new 1A Joint Petitions for Divorce are being scheduled as they are filed. Notice with instructions as to the date and time of the 1A hearing will be sent to Counsel and/or the parties.

C. New Filings

1. For the actions listed in Section D below, parties may file by email, mail, in-person, e-filing where available, or utilizing the MassAccess filing procedure where available.
2. For all other matters: Parties may file by the above means, except that email may only be used for filing when done so by a Court Service Center staff member or an attorney volunteering through a Lawyer for the Day program on behalf of a self-represented litigant.
3. Drop-box: Every courthouse location will have a drop-box for filings.

The drop-box is located at the entrance of the building before security.

There is also a designated area at the entrance of the building before security where you will find various forms and instructions for commonly requested case types, including financial statement forms.

D. Occupancy Limits

As outlined in Paragraph 4 of SJC Order OE-144 effective July 1, 2020, entry into a courthouse may be limited to avoid exceeding occupancy limits. In that event, the Probate and Family Court considers the below actions to be emergency proceedings for purposes of entry into a courthouse. This list is not ranked in order of importance.

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B, although hearings under G. L. c. 209A are presumptively virtual (See Section G below);
2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;
3. Petitions seeking appointment of a temporary guardian or conservator;

4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions;
9. All requests for injunctive relief;
10. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated; and
11. Contempt actions where exceptional/exigent circumstances have been demonstrated.

E. In-Person Matters Starting on July 13, 2020

On July 13, 2020, the Probate and Family Court may begin hearing the below actions in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings; and
2. Trials.

Although the Court will physically reopen to the public on July 13th for limited purposes, including some in-person hearings, the Court will continue to conduct most business virtually.

F. In-Person Matters Starting on August 10, 2020

Beginning on August 10, 2020, the Probate and Family Court may hear the actions listed below in person. All other matters will be heard virtually, unless the First Justice and Register of a division determine that additional actions may be heard in person.

1. Evidentiary hearings;
2. Trials;
3. Motions for temporary orders involving custody/parenting time; and
4. Contempt actions.

Although the number of in-person hearings will further expand on August 10th, the Court will continue to conduct most business virtually whenever possible and as may be necessary for the safety of everyone.

G. Abuse Prevention Orders

Proceedings pursuant to G. L. c. 209A (abuse prevention orders) shall be conducted virtually unless otherwise ordered by the court. Virtual hearings shall be conducted by videoconference, unless it is not practicable to conduct the hearing by videoconference, in which case the hearing may be conducted by telephone.

An in-person hearing may be permitted by a judge if requested by one or more of the parties, or as ordered by a judge. In determining whether to permit an in-person hearing

to occur, the judge should take into consideration all relevant factors, including but not limited to the positions of the parties, case scheduling constraints, building and courtroom occupancy limits, and social distancing accommodations.

H. Protocol in the event of a court closure by the Trial Court

During a full court closure there are no on-site Judges or support staff. If you are requesting a restraining order (209A), contact the AJCM listed above who will assist you with your request. Other emergency pleadings should be emailed to the staff as listed above, or e-filed, where available. Questions should be emailed to the “on call” AJCM for that particular day. Where a hearing on an emergency matter is held, the ability to record telephonic hearings is limited to hand-held devices and other electronic means. Once the court reopens, the hearing will be downloaded to FTR.

During an emergency closure, all scheduled non-emergency telephonic/virtual hearings will, unless notified by an AJCM, be postponed until the court reopens, preferably on the assigned Judge’s designated on-site day which generally coincides with their motion day. Upon the court re-opening, if not sooner, you will be contacted by an AJCM to set up the new date and time of the telephonic/virtual hearing with every effort made to schedule it within the first 48 hours of the court re-opening.

Please be prepared for your Zoom hearing to still go forward, even during a Court Closure, provided remote technology is available to Counsel and/or the parties.

I. Contact Information

Emergency phone number	(508)831-2200
Emergency email address	wpfc@jud.state.ma.us
Registry contact	Stephanie Fattman, Stephanie.fattman@jud.state.ma.us , (508)831-2200
Probation Department contact	Lisa Wong, lisa.wong@jud.state.ma.us , (508)831-2290
Judicial Case Manager	Kathleen Brown, kathleen.brown@jud.state.ma.us , (508)831-2208
Assistant Judicial Case Manager (Guardianship of IP’s/Rogers Reviews)	Jeanne Angers, Jeanne.angers@jud.state.ma.us , (508)831-2203
Head Administrative Assistant	Elaine Henderson, Elaine.henderson@jud.state.ma.us , (508)831-2231

Lobby Contact Information

Judge Keamy Case:

AJCM:	Susan.walton@jud.state.ma.us	(508)831-2254
Sessions Clerk:	Sharon.kelley@jud.state.ma.us	(508)831-2234
Judicial Assistant:	Eleanor.bianca@jud.state.ma.us	(508)831-2206
Docket Clerk:	Jackie	(508)831-2217

Judge Bailey Case:

AJCM: Fionnuala.girard@jud.state.ma.us (508)831-2223
Sessions Clerk: Christian.kobel@jud.state.ma.us (508)831-2235
Judicial Assistant: Moirra.Dacey@jud.state.ma.us (508)831-2215
Docket Clerk: Tina (508)831-2207

Judge Sushchyk:

AJCM: Alicia.doherty@jud.state.ma.us (508)831-2241
Sessions Clerk: Amy.sliwoski@jud.state.ma.us (508)831-2251
Judicial Assistant: martha.hidenfelter@jud.state.ma.us (508)831-2233
Docket Clerk: Anna (508)831-2226

Judge Melia:

AJCM: Fionnuala.girard@jud.state.ma.us (508)831-2223
Sessions Clerk: Ann.porcaro@jud.state.ma.us (508)831-2249
Judicial Assistant: Moirra.Dacey@jud.state.ma.us (508)831-2215
Docket Clerk: Tatsuka (508)831-2224

Judge Tierney:

AJCM: Susan.walton@jud.state.ma.us (508)831-2254
Sessions Clerk: Kelly.amaral@jud.state.ma.us (508)831-2211
Judicial Assistant: Eleanor.bianca@jud.state.ma.us (508)831-2206
Docket Clerk: Kim (508)831-2228

Judge German

AJCM: Alicia.doherty@jud.state.ma.us (508)831-2241
Sessions Clerk: Lana.simmons@jud.state.ma.us (508)831-2202
Judicial Assistant: martha.hidenfelter@jud.state.ma.us (508)831-2233
Docket Clerk: Lee (508)831-2212