

By Mr. Mandile of Waltham, petition of Anthony M. Mandile for legislation to provide for the preservation of testimony by electronic means in the Probate Court. The Judiciary.

The Commonwealth of Massachusetts

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

**AN ACT PROVIDING FOR THE PRESERVATION OF TESTIMONY IN THE
PROBATE COURTS BY ELECTRONIC MEANS.**

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

1 Section 217 of the General Laws is hereby amended by inserting
2 after section 8A the following new section: —

3 Section 8B. The chief judge of the probate courts shall provide
4 for the preservation of a record of testimony by electronic means
5 in proceedings in said courts, and for making said record available
6 in such form as he may prescribe.

7 The chief judge of the probate courts may enter into such
8 contracts as he deems appropriate and necessary for the purchase,
9 installation and maintenance of recording devices, related
10 equipment, accessories and supplies, the cost of which shall be
11 borne by the Commonwealth, and may promulgate such rules and
12 regulations as are necessary and desirable for the uniform
13 implementation of this system in the probate courts.

14 A record made pursuant to this section shall be the official
15 record of the proceeding. Said record, a copy thereof certified by
16 the chief judge of the probate courts to be an electronic
17 reproduction of said record, or a typewritten transcript of all or
18 part of said record certified to be accurate by the trial court, shall
19 be admissible as evidence of testimony given whenever proof of
20 such testimony is otherwise competent.

