HOUSE . . . . . No. 5819

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 28, 1986.

The committee on Public Service to whom were referred the petition (accompanied by bill, House, No. 1168) of Michael F. Flaherty relative to the appointment and removal of court officers of certain superior courts; the petition (accompanied by bill, House, No. 2694) of Thomas F. Brownell relative to certain court officers to attend upon the sessions of the Supreme Judicial, Appeals or Superior courts; the petition (accompanied by bill, House, No. 2838) of Theodore J. Aleixo, Jr., that provision be made for an additional court officer in the Barnstable County Probate Court; and the petition (accompanied by bill, House, No. 4185) of Raymond A. Jordan, Jr., Linda J. Melconian, and Gloria L. Fox relative to the appointment and removal of court officers of certain Superior Courts, reports recommending that the accompanying bill (House, No. 5819) ought to pass.

For the committee,

ROGER R. GOYETTE.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Six.

AN ACT RELATIVE TO THE APPOINTMENT OF CERTAIN OFFICERS OF THE COURTS OF THE COMMONWEALTH.

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

SECTION 1. Section 70 of chapter two hundred and twenty-one is hereby amended by striking out said section in its entirety, and inserting in place thereof the following new section: —

Section 70. Subject to appropriation, the chief administrative justice may appoint for attendance upon the several sessions of the trial court such officers as he deems necessary for the efficient operation of said court.

SECTION 2. As of the effective date of this act, any per diem court officer, so-called, scheduled to work at least one thousand nine hundred and fifty hours in the fiscal year ending June 30, nineteen hundred and eighty-six, shall be deemed to have been appointed as of said effective date under the provisions of section 70 of chapter two hundred and twenty-one of the General Laws, as amended by section one of this act, and shall be deemed to have been permanently appointed under said section upon the completion of a six-month probationary period. For the purposes of determining the seniority of such officers with regard to promotion, demotion, transfer, assignment, reduction in force, recall, or removal, and for the purposes of determining the step-in-range in which such officers are to be placed in the job group to which they are allocated in the job classification and pay plan of the trial court, such officers shall be deemed to have been appointed as of the effective date of this act; provided, however, that in determining the relative seniority of two or more per diem court officers appointed pursuant to this act, seniority shall be determined from the earliest date on which such officers first began continuous service to the effective date of this act, provided that "continuous

21 service" shall mean service as a per diem court officer of at least
22 twelve hundred hours actually worked per fiscal year. All other
23 matters related to the employment status and rights of such officers
24 shall be determined by the chief administrative justice of the trial
25 court.

1 SECTION 3. The provisions of section one shall not impair the
2 employment status or rights in effect pursuant to section 70 of
3 chapter 221 or to any other general or special law or rule or
4 regulation immediately prior to the effective date of this act for any
5 officer serving pursuant to said section prior to said effective date.

1 SECTION 4. This act shall take effect on July first, nineteen
2 hundred and eighty-six.