HOUSE DOCKET, NO. FILED ON: 1/2/2009

**HOUSE . . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PRESENTED BY:

**Eugene L. O'Flaherty**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General
 Court assembled:*

 The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act allowing a court to appoint counsel before imposition of a jail sentence.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Eugene L. O'Flaherty | 2nd Suffolk |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1656 OF .]

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act allowing a court to appoint counsel before imposition of a jail sentence.

 *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.  Chapter 211D as appearing in the 2004 Official Edition is hereby amended by striking out section 6 subsection b paragraph ii and inserting in place thereof the following:-

Said division shall be assigned to represent an indigent person who is before the probate and family court department or the housing court department in a contempt proceeding before the court imposes upon such person a jail or prison sentence or in such other counsel proceeding in said departments in which a person is entitled to be represented by counsel.