HOUSE DOCKET, NO. FILED ON: 1/14/2009

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

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The Commonwealth of Massachusetts

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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 relative to the appointment of a Guardian Ad Litem to institute contempt proceedings involving the care, custody or maintenance of minor children. .

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

PETITION OF:

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

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1647 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

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

An Act relative to the appointment of a Guardian Ad Litem to institute contempt proceedings involving the care, custody or maintenance of minor children. .

*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 215 of the General Laws, as appearing in the 1996 Official Edition, is hereby amended by striking section 56B and inserting in place thereof the following section:—  
            Section 56B. Any judge of a probate and family court may appoint a guardian ad litem to institute contempt proceedings under the provisions of section thirty-four A against any party for failure to obey judgements of the probate and family court involving care, custody or maintenance of minor children, and said guardian ad litem may personally serve throughout the commonwealth any summons or capias incidental to the enforcement of this section. The compensation of such guardian ad litem together with any expenses shall be determined by the court and paid as it may order by the defendant or by the commonwealth, upon certification by the judge to the state treasurer. The state police, local police and probation officers shall assist the guardian ad litem so appointed, upon his request.