

**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 relative to insubstantial, frivolous or bad faith claims in district and municipal courts.

PETITION OF:

NAME:

Eugene L. O'Flaherty

DISTRICT/ADDRESS:

2nd Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1665 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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AN ACT RELATIVE TO INSUBSTANTIAL, FRIVOLOUS OR BAD FAITH CLAIMS IN DISTRICT  
AND MUNICIPAL COURTS.

*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 1. Section 6E of chapter 231 of the General Laws, as appearing in the 2006 Official  
2 Edition, is hereby amended by striking out the second paragraph and inserting in place thereof  
3 the following paragraph:-

4 "Court," the supreme judicial court, the appeals court, the Boston municipal court, the  
5 district court, the housing court, the land court, and the superior court, and any judge or justice  
6 thereof;

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8 SECTION 2. The first paragraph of section 6G of chapter 231 of the General Laws, as so  
9 appearing, is hereby amended by inserting after the second sentence thereof the following  
10 sentence:- If the matter arises in the district court or in the Boston municipal court, the appeal  
11 shall be to a single justice of the appellate division thereof.

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13 SECTION 3. The second paragraph of section 6G of chapter 231 of the General Laws, as  
14 so appearing, is hereby amended by inserting after the fourth sentence thereof the following  
15 sentence:- Any appeal to the appellate division of the district court or of the Boston Municipal

16 court shall proceed in accordance with the District/Municipal Courts Rules for Appellate  
17 Division Appeal.