

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

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

**Eugene L. O'Flaherty**  
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*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 to authorize Appellate Division appeals on issues of law in small claims.

\_\_\_\_\_  
PETITION OF:

NAME:	DISTRICT/ADDRESS:
Eugene L. O'Flaherty	2nd Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1667 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT TO AUTHORIZE APPELLATE DIVISION APPEALS ON ISSUES OF LAW IN SMALL CLAIMS.

*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 23 of chapter 218 of the General Laws, as appearing in the 2006 Official  
2 Edition, is hereby amended by striking out the tenth paragraph thereof and inserting in place  
3 thereof the following paragraph:-  
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5 In the Boston municipal court and district court departments, questions of law arising in  
6 the disposition before a judge or a jury of a cause under the procedure may be reported or  
7 appealed to the appellate division pursuant to the District/Municipal Courts Rules for Appellate  
8 Division Appeal.  
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10 SECTION 2. Section 108 of chapter 231 of the General Laws, as so appearing, is hereby  
11 amended by striking out the first sentence thereof and inserting in place thereof the following  
12 sentence:- There shall be an appellate division of each district court for the rehearing of  
13 matters of law arising in civil cases, in claims of compensation of victims of violent crimes, in  
14 civil motor vehicle infractions, and in the disposition before a judge or a jury of a small claim  
15 under section 23 of chapter 218.