

HOUSE No.

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 to clarify the review of actions of the chief justice for administration and management.

PETITION OF:

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

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO CLARIFY THE REVIEW OF ACTIONS OF THE CHIEF JUSTICE FOR ADMINISTRATION AND MANAGEMENT.

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

1 AN ACT TO CLARIFY THE REVIEW OF ACTIONS OF THE CHIEF JUSTICE FOR ADMINISTRATION AND
2 MANAGEMENT

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4 SECTION 1. Section 17 of chapter 211B is hereby amended by adding the following phrase at the end of
5 the first sentence "subject to the superintendence power of the supreme judicial court."

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7 SECTION 2. Said Section 17 of chapter 211B is hereby further amended by inserting, after the first
8 sentence in the second paragraph, the following 3 sentences:-

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10 In carrying out the duties established by this section, the chief justice for administration and
11 management shall be subject to review exclusively under section 3 of chapter 211. In accordance with
12 section 2 of chapter 213A, the actions of the chief justice for administration and management under this
13 section shall be exempt from review in an action for declaratory relief. Clause (3) of subsection (j) of
14 section 10 of chapter 258 shall not constitute or be construed as a waiver of any immunity applicable to
15 the chief justice for administration and management.

