

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Rodrigues

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 expedite the transfer of cases to the permit session of land court .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael J. Rodrigues	8th Bristol

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO EXPEDITE THE TRANSFER OF CASES TO THE PERMIT SESSION OF LAND COURT .

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.** The fourth paragraph of section 3A of chapter 185 of the General Laws is hereby
2 deleted in its entirety and the following substituted therefor:

3

4 Notwithstanding any other general or special law to the contrary, any action not commenced in
5 the permit session, but within the jurisdiction of the permit session as provided in this section, shall be
6 transferred to the permit session, upon the filing by any party of a notice demonstrating compliance
7 with the jurisdictional requirements of this section filed with the court where the action was originally
8 commenced with a copy to the permit session. Unless the court where the action was originally
9 commenced receives notice within 10 days from the permit session that the case to be transferred does
10 not meet the jurisdictional requirements of this section, the court shall transfer the case file to the
11 permit session within 20 days of its receipt of the notice of transfer from the party. If a party to an
12 action commenced in or transferred to the permit session claims a valid right to a jury trial, then the
13 action shall be transferred to the superior court for a jury trial.