HOUSE DOCKET, NO. 2866 FILED ON: 1/18/2013

HOUSE . . . . . No. 1221

The Commonwealth of Massachusetts

PRESENTED BY:

Garrett J. Bradley

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:

An Act relative to exclusive probate court jurisdiction regarding abuse prevention orders affecting minors.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Garrett J. Bradley	*3rd Plymouth*

HOUSE DOCKET, NO. 2866 FILED ON: 1/18/2013

HOUSE . . . . . No. 1221

By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 1221) of Garrett J. Bradley relative to probate court jurisdiction regarding abuse prevention orders affecting minors. The Judiciary.

The Commonwealth of Massachusetts

An Act relative to exclusive probate court jurisdiction regarding abuse prevention orders affecting minors.

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. Section 2 of chapter 209A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word "residence", in line 4, the following words:- ; provided, however, that in any proceeding under this chapter, if the person suffering from abuse resides in a household containing a household member who is a minor child, the probate and family court having venue over the plaintiff's residence shall have exclusive jurisdiction to hear the proceeding; provided, further, that exclusive jurisdiction shall not apply if the plaintiff has alleged a substantial likelihood of immediate danger of abuse.

SECTION 2. Section 4 of said chapter 209A, as so appearing, is hereby amended by inserting after the word "three", in line 3, the following words:- ; provided, however, that in any proceeding under this chapter, if the person suffering from abuse resides in a household containing a household member who is a minor child, the probate and family court having venue over the plaintiff's residence shall have exclusive jurisdiction to hear the proceeding; provided, further, that exclusive jurisdiction shall not apply if the plaintiff has alleged a substantial likelihood of immediate danger of abuse.