



**THE COMMONWEALTH OF MASSACHUSETTS  
ADMINISTRATIVE OFFICE OF THE JUVENILE COURT**

One Center Plaza  
Seventh Floor

Tel: (617) 788-6550  
Fax: (617) 788-8965

Boston, Massachusetts 02108

**AMY L NECHTEM**  
Chief Justice

**THOMAS R. CAPASSO**  
Deputy Court Administrator

Transmittal # 20-256

To: Juv. Judges, CMs, HAAs, Judicial Secretaries/Assistants, Office Managers, Court Clinic Directors, Court Investigators and GALs

Re: Update to Transmittal #20-255, Temporary Court Investigator and GAL guidelines and procedures

TO: First Justices  
Associate Justices  
Clerk-Magistrates  
Chief Probation Officers  
Head Administrative Assistants  
Judicial Secretaries/Assistants  
Office Managers  
Court Investigators  
Guardians ad Litem  
Court Clinic Directors

FROM: Amy L. Nechtem, Chief Justice

DATE: June 1, 2020

RE: Update to Transmittal #20-255: Temporary Court Investigator and GAL Guidelines and Procedures

**NOTE:** This transmittal updates Transmittal #20-255. Please replace Transmittal #20-255 with Transmittal #20-256.

In response to the ongoing COVID-19 pandemic, the Juvenile Court has issued the following temporary changes to the guidelines and procedures contained in the Juvenile Court Department Guidelines for Court Investigations and Reports, effective March 9, 2020, and Guidelines for Guardians Ad Litem Juvenile Court Department, effective July 6, 2015. These temporary guidelines and procedures shall remain in effect until they are rescinded by a subsequent notification.

**Interviews of Relevant Persons:**

Court Investigators and GALs shall interview all necessary and relevant persons pursuant to the scope of their appointment. **Until further notice, all interviews shall be conducted remotely.** Video-type communications are preferred, but telephonic interviews shall be permitted as a last resort. Interviews shall be conducted in a manner that allows the parent's or child's attorney to be virtually present, if so requested. **In-person interviews, home visits, visits to DCF offices, hospitals, schools, etc. are expressly prohibited at this time.**

Court Investigators shall interview parents separately. The written report shall indicate the presence of any additional persons during the interview.

**Review of Documents/Files:**

Court Investigators and GALs shall request access to all documents necessary pursuant to the scope of their appointment, with the understanding that there may be delays in the processing of document requests. Records shall be obtained digitally where possible. Please note, no GAL nor Court Investigator may be reimbursed for costs associated with printing digitally transferred records.

It is anticipated that there may be difficulties obtaining records from certain agencies or entities. If a Court Investigator is unable to obtain a requested record or file, that information shall be noted but shall not be a barrier to submitting a completed report. However, a report may not be filed unless and until the court investigator has reviewed the DCF file.

### **Written Reports:**

Any written report shall clearly identify the source (person, document, etc.) of any information, as well as the type of communication (telephone, Zoom, Webex, Skype, etc.). Any written report shall also describe any outstanding issues that would have been more fully investigated under non-pandemic circumstances.

### **The Use of Interpreter Services for Court Investigators:**

Interpreter services continue to be available, and may be arranged by emailing a completed *Request for Interpreter Form* (Guidelines for Court Investigations and Reports, effective March 9, 2020, Appendix C) as an email attachment to [spanishaccess@jud.state.ma.us](mailto:spanishaccess@jud.state.ma.us) (for Spanish) or [lotsaccess@jud.state.ma.us](mailto:lotsaccess@jud.state.ma.us) (for all other languages).

### **Due Dates:**

Court Investigators: Cases shall be prioritized based on the order in which the case was assigned to the Court Investigator, **unless otherwise directed by the Court**. Notwithstanding the guidance in paragraph 13 of the SJC Second Updated Order Regarding Court Operations Under The Exigent Circumstances Created By The COVID-10 (Coronavirus) Pandemic, effective June 1, 2020, the following due dates shall apply:

Any case assigned **prior to March 16, 2020**, shall have a presumptive due date of June 29, 2020.

Any case assigned **from March 16 through May 1, 2020**, shall have a presumptive due date of July 13, 2020.

Any case assigned **on or after May 4, 2020**, shall have an actual due date as indicated by the notice of appointment.

Court Investigators do not need to file an extension of time to file the report with the court, unless they anticipate being unable to meet the presumptive or actual due dates listed above. It is understood that there may be difficulties in obtaining records or meeting deadlines. If the Court Investigator anticipates being unable to submit their report on time, they shall file a motion with the court requesting additional time and detailing the impediments to timely submission.

Guardians ad Litem: GALs shall prioritize their cases based on the order in which the case was assigned to the GAL, **unless otherwise directed by the Court**. If the appointment requires the production of a written report, then the GAL shall follow the deadlines listed for court investigators, above, with the following

caveat: if the GAL report is necessary for a particular court hearing (e.g. GAL treatment monitor), then the GAL shall inquire with the court as to the actual due date.

**Filing Reports:**

Court Investigators and GALs shall mail one copy of their completed investigation or report to the appropriate court location. Court Investigators and/or GALs shall not fax or email any reports without the express permission of the court.

**Billing:**

There is no change to current billing procedures. All bills shall be submitted via mail to the appropriate court location with an original signature, and with the understanding that there may be a delay in the processing of bills due to limited staff.