



Lynda M. Connolly  
Chief Justice

## Trial Court of the Commonwealth District Court Department

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### MEMORANDUM

TO: District Court Judges, Clerk-Magistrates and Chief Probation Officers  
FROM: Hon. Lynda M. Connolly, Chief Justice  
DATE: December 29, 2011  
SUBJECT: **Revised Mental Health Standards and Administrative Regulation**

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On December 31, 1979, the District Court Committee on Mental Health issued the Standards of Judicial Practice: Civil Commitment, promulgated for use in the District Court by Administrative Regulation No. 4-79. During the 30-plus years since then, the laws and procedures applicable to this subject have undergone significant changes. I am pleased to inform you that the current Committee on Mental Health, ably chaired by Regional Administrative Judge Rosemary B. Minehan, has now issued a revised version of those Standards, and A.R. No. 4-79 has been amended as well. In addition to civil commitments, the revised Standards and regulation cover the related subject of court authorization for medical treatment for mental illness.

The revised Standards and regulation are effective as of January 3, 2012. They can be found on the District Court intranet site under "Law and Standards" at <http://trialcourtweb/courtsandjudges/courts/districtcourt/lawandstandards.html>. As with all Standards of Judicial Practice, these Standards are not mandatory in application. Rather, they represent a qualitative judgment as to best practices in each of the various aspects of the civil commitment procedure. As such, each judge should strive for compliance with the Standards and should treat them as a statement of desirable practice to be departed from only with good cause. In addition, many references are made throughout the Standards to provisions of statutory and case law which, of course, must be observed.

This relatively young area of law is still evolving. Given that these proceedings often result in at least a temporary deprivation of liberty and personal freedom, it is important for judges to familiarize themselves with the substantive and procedural laws that apply. Questions will nevertheless arise from time to time. It is hoped that in such situations, these Standards will assist judges by filling in the gaps that are unaddressed by either statutory or case law or procedure.