ADMINISTRATIVE DIRECTIVE NO. 03-1

SUPERIOR COURT BUSINESS LITIGATION SESSION EXTENSION AND EXPANDED VENUE

The Business Litigation Sessions of the Superior Court (BLS) are hereby extended as permanent Sessions of the court, following the completion of its successful two-year pilot program. Further, the reach of the BLS, at the option of litigants, will be expanded on a pilot basis to include those cases that would otherwise have venue in the counties or judicial districts of Essex, Middlesex and Norfolk, as well as, at present, those cases with venue in Suffolk County.

The venue expansion will become effective with cases filed on or after March 3, 2003.

Juries, in cases that demand them, will be drawn from the Suffolk County venire. This will be pursuant to the presumed waiver of venue in other than Suffolk County by the party choosing to file there, and by the concomitant waiver by all other parties if they participate without challenging the Suffolk County venue. If such a challenge to venue is made, however, it will be presented for consideration to the BLS Justice to whom the case is first assigned. If the challenge is allowed, the case will be transferred to the county or judicial district appropriate under present venue statutes.

The site of both BLS Sessions will remain in the Suffolk Superior Court's current location, presently in the J.W. McCormack Post Office and Courthouse, 90 Devonshire Street, Boston, MA 02109. Justices van Gestel and Botsford will continue in their present roles.

The Suffolk County Civil Clerk's Office will continue as the clerk's office for the Sessions.

The BLS Sessions will remain discretionary, with the kinds of cases presumptively acceptable therein also remaining unchanged. Complexity and the need for case management will continue to be the principal criteria for acceptance.

Suzanne V. DelVecchio
Chief Justice of the Superior Court

DATED: February 12, 2003