

**Operating Procedure for the Worcester Division of the Probate and Family Court  
Under Standing Order 2 – 20, as amended May 4, 2020**

A. General Information

Until at least June 1, 2020, the Worcester Division of the Probate and Family Court will be open to conduct business, but courthouses will continue to be closed to the general public, except where entry is required to address emergency matters that cannot be resolved virtually (i.e., by telephone, videoconference, email, or comparable means, or through the electronic filing system), because it is not practicable or would be inconsistent with the protection of constitutional rights.

The Registry shall continue to conduct court business in all emergency matters and in non-emergency matters as designated herein, including accepting the filing of pleadings and other documents, scheduling and facilitating hearings, issuing orders, answering questions from attorneys, litigants, and the general public, and conducting other necessary business of the respective court. All such business will be conducted virtually, except when the filing of pleadings and other documents in emergency matters cannot be accomplished electronically/virtually.

B. Emergency Matters:

The emergency matters listed below are included in Section B, Section C (2), Section E, and Section G (1), (2), and (3) of Standing Order 2 – 20, as amended May 4, 2020, and shall be handled pursuant to the Standing Order.

Emergency matters – no screening:

1. Restraining Orders Pursuant to G. L. c. 209A/Orders to Vacate Pursuant to G. L. c. 208, § 34B
2. Petitions/motions seeking a Do Not Resuscitate/Do Not Intubate/Comfort Measures Only (DNR/DNI/CMO) order, authorization for medical treatment order, or order for antipsychotic medication;
3. Petitions seeking appointment of a temporary guardian or conservator;
4. Petitions pursuant to G. L. c. 19A, § 7 and G. L. c. 19C, § 20 – protective services;
5. Health Care Proxy actions;
6. Petitions/Motions for Appointment of Special Personal Representative;
7. Petitions for marriage without delay;
8. Complaints for Dependency (SIJS) and any related motions; and
9. All requests for injunctive relief.

Emergency matters – screening allowed:

1. Motions for temporary orders where exceptional/exigent circumstances have been demonstrated.
2. Contempt actions where exceptional/exigent circumstances have been demonstrated.
3. Upon a showing of exceptional/exigent circumstances, a party whose trial or evidentiary hearing is postponed by Standing Order 2 – 20 may seek an exception from

Standing Order 2 – 20 by motion which shall be heard on the pleadings or telephonically. No exception shall be granted except with the approval of the assigned judge and the Chief Justice of the Probate and Family Court.

4. Sua sponte custody orders to the Department of Children and Families pursuant to G. L. c. 119A, § 23 (a) (3) that expire between March 18, 2020 and June 1, 2020 will be administratively extended for 45 days from the expiration date. A party may, for good cause shown, seek to bring the matter forward earlier upon a demonstration of exigent circumstances. The request may be decided on the pleadings
5. Treatment plan orders that expire between March 18, 2020 and June 1, 2020 will be administratively extended for 60 days from the expiration date. A party may, for good cause shown, seek to bring the matter forward earlier upon a demonstration of exigent circumstances. The request may be decided on the pleadings.
6. Temporary orders of appointment in guardianship and conservator cases that expire between March 18, 2020 and June 1, 2020 will be administratively extended for 60 days from the expiration date. A party may, for good cause shown, seek to bring the matter forward earlier upon a demonstration of exigent circumstances. The request may be decided on the pleadings.

All emergency matters shall be E-filed, if possible, or emailed to [wpfc@jud.state.ma.us](mailto:wpfc@jud.state.ma.us). Please include “Emergency” in the subject line so that these matters may be given priority and docketed immediately. We also suggest that you email our JCM and the AJCM for the assigned Justice informing them that an emergency matter has been filed so that it may be reviewed promptly.

For domestic matters, a motion for telephonic/virtual hearing along with a supporting affidavit of emergency is required to be filed along with the email addresses and telephone numbers of all interested parties, if known.

For Guardianships of IP’s and Conservatorships, please email JCM, Kathleen Brown and AJCM, Susan Walton, to inform them that a matter has been filed so that an appointment of counsel, if necessary, may be processed as soon as possible. If you are seeking an immediate hearing, you must file a motion for shortened time for service or a motion seeking a waiver of notice, along with your supporting affidavit.

Please include all email addresses and telephone numbers for all counsel and interested parties, if known, with your submissions to the Court.

If you need further assistance in determining the specific pleadings to be filed, you may email our JCM or the AJCM for the assigned Justice at the contact information provided below or contact the Court Service Center at (508)831-2565 or (508)831-2566.

C. Virtual non-emergency matters:

Beginning on May 11, 2020, the Worcester Division of the Probate and Family Court will attempt to gradually hear all case types/events, excluding trials and evidentiary hearings, virtually, in whole or in part, where it is practicable to do so. **The number and volume of cases to be heard will be determined collectively by the Register and First Justice and will be based upon staffing availability, technological support and training as needed to conduct virtual hearings. Because of the unique characteristics of each physical location, some**

**courts will not be able to safely increase staffing levels as much as others.** To facilitate the hearing of so many cases, each division of the Probate and Family Court may relax the requirements of the individual calendar so that cases assigned to a specific judge may be heard by that judge or other judges.

Whether it is practicable to address certain case types/events will differ for each division of the Probate and Family Court, and will be based on a variety of considerations. However, the Probate and Family Court is committed to hearing as many case types/events as is possible.

Each Justice shall be scheduled to hear cases telephonically/virtually two days each week. Please understand that not every matter currently scheduled may be reached telephonically/virtually on its originally scheduled date. Parties and Counsel shall be notified by the Court in the event their matter will be heard telephonically/virtually or shall otherwise be notified of the rescheduled date when the matter shall go forward. The Court will attempt to assign specific times for the hearing however, Parties and Counsel need to be available between the hours of 9:00 am and 1:00 pm on the date scheduled. Unless otherwise instructed, the Court will contact the Parties and Counsel at the telephone numbers listed on the pleadings. Parties and Counsel may also contact the assigned Justice's Sessions Clerk to make sure they have the correct contact information. Please see the contact information below. Matters involving custody and parenting time shall be given priority, although it remains in the assigned Justice's discretion to determine the scheduling of their cases. Please direct all inquiries about the status of your case to the assigned Justice's Sessions Clerk. Parties and Counsel may continue to mail to the Court original, signed stipulations for entry of temporary orders and/or agreements for entry of judgments, along with a supporting affidavit of each party for administrative allowance, if appropriate. Please direct these pleadings to the Judicial Assistant for the assigned Justice. Please see the contact information below.

D. Deadlines that are not tolled

Paragraph H of Standing Order 2 – 20, as amended May 4, 2020 states that certain deadlines between March 16, 2020 and June 1, 2020 are not tolled. These include:

1. Findings required by G. L. c. 208, § 1A;
2. Objection period in G. L. c. 208, § 21 so that judgment absolute may enter in divorce cases;
3. Time period to file an answer or any other responsive pleading to a contempt summons;
4. Time period to file an appearance or affidavit of objections pursuant to G. L. c. 190B, § 1-401; and
5. Time period to request a motion for a new trial or to amend findings and/or judgments in Rule 59.

Questions about deadlines should be directed to:

Monday: [fionnuala.girard@jud.state.ma.us](mailto:fionnuala.girard@jud.state.ma.us) (508)831-2223

Tuesday:	<a href="mailto:Jeanne.angers@jud.state.ma.us">Jeanne.angers@jud.state.ma.us</a> (508)831-2203
Wednesday:	<a href="mailto:Alicia.doherty@jud.state.ma.us">Alicia.doherty@jud.state.ma.us</a> (508)831-2241
Thursday:	<a href="mailto:Kathleen.brown@jud.state.ma.us">Kathleen.brown@jud.state.ma.us</a> (508)831-2208
Friday:	<a href="mailto:susan.walton@jud.state.ma.us">susan.walton@jud.state.ma.us</a> (508)831-2254

E. Protocol in the event of a court closure by the Trial Court:

During a full court closure there are no on-site Judges or support staff. If you are requesting a restraining order (209A), contact the AJCM listed above who will assist you with your request. Other emergency pleadings should be emailed to the staff as listed above, or e-filed, where available. Questions should be emailed to the “on call” AJCM for that particular day. Where a hearing on an emergency matter is held, the ability to record telephonic hearings is limited to hand-held devices and other electronic means. Once the court reopens, the hearing will be downloaded to FTR.

During an emergency closure, all scheduled non-emergency telephonic/virtual hearings will, unless notified by an AJCM, be postponed until the court reopens, preferably on the assigned Judge’s designated on-site day which generally coincides with their motion day. Upon the court re-opening, if not sooner, you will be contacted by an AJCM to set up the new date and time of the telephonic/virtual hearing with every effort made to schedule it within the first 48 hours of the court re-opening.

F. Contact Information:

Emergency phone number	(508)831-2200
Emergency email address	<a href="mailto:wpfc@jud.state.ma.us">wpfc@jud.state.ma.us</a>
Registry contact	Stephanie Fattman, <a href="mailto:Stephanie.fattman@jud.state.ma.us">Stephanie.fattman@jud.state.ma.us</a> , (508)831-2200
Probation Department contact	Lisa Wong, <a href="mailto:lisa.wong@jud.state.ma.us">lisa.wong@jud.state.ma.us</a> , (508)831-2277
Judicial Case Manager	Kathleen Brown, <a href="mailto:kathleen.brown@jud.state.ma.us">kathleen.brown@jud.state.ma.us</a> , (508)831-2208
Assistant Judicial Case Manager (Guardianship of IP’s/Rogers Reviews)	Jeanne Angers, <a href="mailto:Jeanne.angers@jud.state.ma.us">Jeanne.angers@jud.state.ma.us</a> , (508)831-2203
Head Administrative Assistant	Elaine Henderson, <a href="mailto:Elaine.henderson@jud.state.ma.us">Elaine.henderson@jud.state.ma.us</a> , (508)831-2231

**Lobby Contact Information**

**Judge Keamy Case:**

AJCM: [Susan.walton@jud.state.ma.us](mailto:Susan.walton@jud.state.ma.us) (508)831-2254  
Sessions Clerk: [Sharon.kelley@jud.state.ma.us](mailto:Sharon.kelley@jud.state.ma.us) (508)831-2234  
Judicial Assistant: [Eleanor.bianca@jud.state.ma.us](mailto:Eleanor.bianca@jud.state.ma.us) (508)831-2206  
Docket Clerk: Jackie (508)831-2217

**Judge Bailey Case:**

AJCM: [Fionnuala.girard@jud.state.ma.us](mailto:Fionnuala.girard@jud.state.ma.us) (508)831-2223  
Sessions Clerk: [Christian.kobel@jud.state.ma.us](mailto:Christian.kobel@jud.state.ma.us) (508)831-2235  
Judicial Assistant: [Moir.Dacey@jud.state.ma.us](mailto:Moir.Dacey@jud.state.ma.us) (508)831-2215

Docket Clerk: Tina (508)831-2207

**Judge Sushchyk:**

AJCM: [Alicia.doherty@jud.state.ma.us](mailto:Alicia.doherty@jud.state.ma.us) (508)831-2241

Sessions Clerk: [Amy.sliwoski@jud.state.ma.us](mailto:Amy.sliwoski@jud.state.ma.us) (508)831-2251

Judicial Assistant: [martha.hidenfelter@jud.state.ma.us](mailto:martha.hidenfelter@jud.state.ma.us) (508)831-2233

Docket Clerk: Anna (508)831-2226

**Judge Melia:**

AJCM: [Fionnuala.girard@jud.state.ma.us](mailto:Fionnuala.girard@jud.state.ma.us) (508)831-2223

Sessions Clerk: [Ann.porcaro@jud.state.ma.us](mailto:Ann.porcaro@jud.state.ma.us) (508)831-2249

Judicial Assistant: [Moira.Dacey@jud.state.ma.us](mailto:Moira.Dacey@jud.state.ma.us) (508)831-2215

Docket Clerk: Tatsuka (508)831-2224

**Judge Tierney:**

AJCM: [Susan.walton@jud.state.ma.us](mailto:Susan.walton@jud.state.ma.us) (508)831-2254

Sessions Clerk: [Kelly.amaral@jud.state.ma.us](mailto:Kelly.amaral@jud.state.ma.us) (508)831-2211

Judicial Assistant: [Eleanor.bianca@jud.state.ma.us](mailto:Eleanor.bianca@jud.state.ma.us) (508)831-2206

Docket Clerk: Kim (508)831-2228

**Judge German**

AJCM: [Alicia.doherty@jud.state.ma.us](mailto:Alicia.doherty@jud.state.ma.us) (508)831-2241

Sessions Clerk: [Lana.simmons@jud.state.ma.us](mailto:Lana.simmons@jud.state.ma.us) (508)831-2202

Judicial Assistant: [martha.hidenfelter@jud.state.ma.us](mailto:martha.hidenfelter@jud.state.ma.us) (508)831-2233

Docket Clerk: Lee (508)831-2212