

Land Court Standing Order 3-20: Supplement to Emergency Measures in Response to Coronavirus Outbreak

This Order supplements (and does not replace) Land Court Standing Order 2-20 “Emergency Measures in Response to Coronavirus Outbreak” and is issued in compliance with the Order, OE-144, issued March 17, 2020 by the Supreme Judicial Court, “In re: COVID-19 (Coronavirus) Pandemic.”

This Order takes effect March 18, 2020 and will continue in force unless and until modified by further order of the court.

I. Directives Limiting Access.

Until further notice issued by the court: Access to the Recorder’s office at the Suffolk County courthouse will be limited in accordance with the directives attached to this Order. As set forth in those more detailed directives, no in-person access by members of the bar, litigants, and other members of public to the Recorder’s office, courtrooms, or any public or non-public areas of the court will be permitted, and all business will be conducted remotely by telephone, email, mail and similar methods. As long as the courthouse remains accessible to sufficient court staff, the court will endeavor to conduct as much court business as is practical, with all contact with the bar, litigants, and the public handled remotely, by telephone, email, mail and similar methods. As long as the courthouse remains accessible to sufficient court staff, the court will instead conduct telephonically its hearings (and other events which otherwise would be held in the courtroom), as set forth in Standing Order 2-20 and the directives attached to this Order.

II. Insufficient Court Staffing; Only Emergency Business.

Should the courthouse not be accessible to sufficient court staff, the court will issue a notice to that effect. The court will endeavor to provide limited judicial and non-judicial personnel, all non-emergency business will be suspended, and only matters which are emergency in nature will be processed and acted on by the court. The directives attached to this Order will no longer be in effect. Emergency matters are those in which a significant risk of irreparable and serious harm to a party is imminent, should the court not act, and encompasses temporary restraining orders, preliminary injunctions, and urgent requests for judicial endorsement of memoranda of lis pendens.

III. Courthouse Not Accessible to Court Personnel.

Should the courthouse not be accessible to any court staff, the court will issue a notice to that effect. The court will provide a telephone voice mail box where those in need of immediate action by the court on an urgent emergency matter will be able leave for the court messages to that effect. The Recorder’s office will monitor as closely as feasible the messages left, and endeavor to provide a response as timely as practical. If indicated, the court will direct filings in connection with the urgent emergency matters be made by email or other means, will in most circumstances act without further hearing on those submissions without any hearing and, in exceptional cases, will if possible conduct a telephonic hearing in connection with that urgent emergency matter.

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IV. Certain Deadlines Extended.

A. Case Management Deadlines Extended.

Unless the court in a particular case discerns a matter of great urgency and on that basis specifically orders otherwise (either on the court's own motion or that of any party), all dates and deadlines previously or hereafter established by the court in a particular case which are in the nature of a case management deadline, including, for example, dates and deadlines for: the conduct and conclusion of discovery, relating to the filing of a status or similar report, concerning settlement or alternative dispute resolution, are hereby extended to April 6, 2020. This date may be extended, as circumstances warrant, by further order of the court.

B. Additional Deadlines May Be Extended.

Should (a) the courthouse not be accessible to sufficient court staff, and the court issues a notice to that effect, as set forth in paragraph II of this Order, or (b) the courthouse not be accessible to any court staff, and the court issues a notice to that effect, as set forth in paragraph III of this Order, then all non-emergency business will be suspended, and only matters which are emergency in nature will be processed and acted on by the court. If and when that takes place, then, unless the court in a particular case discerns a matter of great urgency and on that basis specifically orders otherwise (either on the court's own motion or that of any party) all deadlines previously or hereafter established by the court in a particular case for the making of any particular filings in any case, including, for example, answers to complaints, citations, orders of notice, or other responsive pleadings; the filings of dispositive and non-dispositive motions and supporting briefs and papers; replies to motions; responses to orders to show cause, etc., will thereupon, without further order, be extended to April 6, 2020. This date may be extended, as circumstances warrant, by further order of the court.

Adopted March 17, 2020; effective March 18, 2020.

Land Court Directives Implementing Emergency Measures in Response to Coronavirus Outbreak

Effective immediately, pursuant to **STANDING ORDER 2-20 AND 3-20**, the Land Court is implementing the following directives and instructions applicable to all proceedings and to all cases pending or to be filed in the Land Court, until further notice.

I. Court Events

A. In-Person Non-Evidentiary Court Events to Be Held Telephonically

1. Until further notice, all court events other than trials or other evidentiary hearings, which otherwise would take place in courtrooms at the Land Court shall be conducted by telephone conference call.
2. In advance of an event held by telephone conference, all counsel and parties with scheduled events who have filed notices of appearance will be contacted by the Sessions Clerk for the presiding Judge with instructions for how to participate in the conference by telephone. All counsel and parties should maintain a current notice of appearance on file in each case that includes a current phone number and email address. Sessions Clerk contact information for each Judge is listed below.
3. Any new non-evidentiary court events scheduled during the period in which these directives are in effect will be scheduled to be conducted by telephone conference in accordance with instructions included with the event notice.
4. Any party seeking in urgent circumstances involving an emergency matter approval to conduct an in-person court event must file a motion with the presiding Judge setting forth good cause for such request. Exceptions, in whole or in part, to the requirement that a court event be held telephonically, may be ordered by the court upon a showing of extraordinary circumstances, and only provided that it appears that the conduct of the event with persons present in the courtroom will take place in a manner that will sufficiently reduce the health risks to all concerned.

B. Tax Session to Be Held Telephonically

5. Until further notice, all tax sessions of the Land Court (held every Thursday) will be conducted by telephone conference.
6. All counsel and parties with scheduled tax session events who have filed notices of appearance will be contacted by the Case Coordinator for the tax session with instructions for how to participate in the conference by telephone. All counsel and parties should maintain a current notice of appearance on file in each case that includes a current phone number and email address. The tax session Case Coordinator's contact information is listed below.

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7. Any tax session events scheduled during the period in which these directives are in effect will be scheduled to be conducted by telephone conference included with the event notice.

II. Filings

A. Limitations on In-Person Filings

8. Until further notice, the submission of all Land Court filings shall be made **by use of electronic means** (including eFiling in Servicemembers cases, or by email where authorized by the presiding Judge or Recorder) **or by mail** (including USPS, UPS, FedEx or other delivery services), rather than by in-person delivery. Whenever filings are made by mail, counsel and parties are encouraged to send an email courtesy copy of the filing to the Sessions Clerk for the presiding Judge.
9. Until further notice, Land Court staff will not sign for any deliveries or provide stamped copies or receipts. To minimize person-to-person contact, courier deliveries and other in-person deliveries should be avoided. In those instances where couriers (or other types of in-person deliveries) are used, the courier or delivering party will be instructed to leave the delivery in a designated receptacle in the Recorder's Office or in the first floor courthouse entrance lobby.

B. New Case Initiations

10. **Except for eFiling in Servicemembers cases**, parties or counsel filing a new Land Court case shall submit all case initiating documents **by mail** in accordance with applicable statutes and the Rules of Civil Procedure (or courier delivery) **along with a check for the applicable filing fees**. No new case initiations can be made by email (eFiling through efilema.com is available for Servicemembers cases).

C. Filings in Pending Cases

11. For any pending case in which a presiding Judge or the Recorder has authorized counsel and the parties to submit some or all filings by email, the date of email receipt will be used as the filing date, provided the email is received during regular court business hours (8:30 a.m. to 4:30 p.m.), otherwise the filing date will be the next date the court is open for regular business hours.
12. For all filings submitted by email, the signed original of the filing must thereafter be sent to the Land Court by mail (or courier delivery) with a notation that the filing was previously submitted by email (with the presiding Judge's authorization).

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D. Limited Recorder's Office Counter Service

13. Until further notice, all business and transactions to be conducted with the Land Court Recorder's Office shall be conducted **over the phone, or by email, mail, or delivery**.
14. Until further notice, all requests for certified or attested copies of court records shall be submitted **by phone, email, mail, or delivery**. Court staff will review the request, determine the applicable costs, and notify the requester of the amount due. All applicable costs must be paid by the requestor (by mailing a check made out the Land Court or the Commonwealth of Massachusetts) prior to the provision of services or copies.

III. Meetings with Court Personnel

A. Limitations on In-Person Meetings with Survey Department Staff

15. Until further notice, all requests for approval of deed description language by the Land Court Survey Department must be submitted **by email** to the Survey Department staff member assigned to the matter or, if no staff member has been assigned, to Chief Surveyor Stephen LaMonica.
16. Until further notice, all requests for copies of registered land plans shall be submitted **by phone, email, or mail**. Court staff will review the request, determine the applicable costs, and notify the requestor of the amount due. All applicable costs must be paid by the requestor (by mailing a check made out the Land Court or the Commonwealth of Massachusetts) prior to the provision of services or copies.
17. Until further notice, Surveyors should send any mylars to the Land Court Survey Department **by mail or courier delivery**.

B. Limitations on In-Person Meetings with Title Examiner Staff

18. Until further notice, all requests for approvals by a Land Court Title Examiner (including, but not limited to deed approvals, bankruptcy and probate document approvals, and affidavit approvals) are to be mailed to the Land Court with a return, postage-paid envelope or FedEx label and envelope.
19. All filings of Subsequent Complaints, supplemental materials, title reports, and condominium documents (including plans) are to be mailed to the attention of the Chief Title Examiner of the Land Court. All Subsequent Complaints must include the necessary filing fee (\$50.00), supporting documentation, an attested copy of the outstanding Certificate of Title (or if not prepared, the last prepared Certificate of Title and an attested copy of the current, and all intervening, deeds), and the Subsequent to Registration Complaint Cover Sheet (available on the Land Court website under "Registered land and related forms and instructions").

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20. All court orders and condominium approvals will be mailed to the submitter at the address provided for on the docket.
21. Counsel and parties shall submit paper copies of any condominium plans rather than submitting the mylar plans to the Court.
22. All questions directed to Title Examiners regarding registered land policies, guidelines and procedures, and pending subsequent or tax cases will be answered by telephone between the hours of 11 a.m. and 4:30 p.m., or by electronic mail. In case of an emergency before 11 a.m., please contact the Land Court Front Counter at (617) 788-7497 or (617) 788-7450, and you will be transferred to an available title examiner.

IV. Land Court Contact Information

Recorder's Office Contact Information		
Address	Phone	Online Information
Land Court Recorder's Office 3 Pemberton Square Boston, MA 02108	Main: (617) 788-7450 (617) 788-7497 TTY: (617) 788-8956 Fax: (617) 788-8951	https://www.mass.gov/orgs/land-court Land Court docket information: https://www.masscourts.org/eservices/

Judge/Session/Department	Contact information
Chief Justice Piper	Mary Armstrong, Sessions Clerk Phone: (617) 788-7442 Mary.Armstrong@jud.state.ma.us
Justice Long	Corey Pontes, Sessions Clerk Phone: (617) 788-7495 Corey.Pontes@jud.state.ma.us
Justice Foster	Corey Pontes, Sessions Clerk (temporary coverage) Phone: (617) 788-7495 Corey.Pontes@jud.state.ma.us

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Judge/Session/Department	Contact information
Justice Speicher	Emily Rosa, Sessions Clerk Phone: (617) 788-7419 Emily.Rosa@jud.state.ma.us
Justice Vhay	Jennifer Masello, Sessions Clerk Phone: (617) 788-7406 Jennifer.Masello@jud.state.ma.us
Justice Rubin	Jennifer Noonan, Sessions Clerk Phone: (617) 788-7513 Jennifer.Noonan@jud.state.ma.us
Justice Roberts	Kathleen Hayes, Sessions Clerk Phone: (617) 788-7425 Kathleen.Hayes@jud.state.ma.us
Tax Session	Panoraia Naseli, Case Coordinator Phone: (617) 788-7492 Panoraia.Naseli@jud.state.ma.us
Survey Department	Stephen LaMonica, Chief Surveyor Phone: (617) 788-7434 Stephen.Lamonica@jud.state.ma.us
Title Examination Department	Christina Geaney, Chief Title Examiner Phone: (617) 788-7498 Christina.Geaney@jud.state.ma.us