

File a criminal complaint

Learn how to request a criminal complaint when police aren't involved.

CONTACT

**Boston Municipal Court Department and District Court Department
Online**

[Boston Municipal Court Locations](https://mass.gov/orgs/boston-municipal-court/locations) (https://mass.gov/orgs/boston-municipal-court/locations)

[District Court Locations](https://mass.gov/orgs/district-court/locations) (https://mass.gov/orgs/district-court/locations)

THE DETAILS

What you need

In order to start a criminal case against someone when the police aren't involved, you must:

- Go to the police station in the city/town closest to where the incident/offense took place.
- Get a Police Incident Report form and fill out the form.
- Submit the form to the police.

You'll then need to take a copy of the completed Incident Report form to the court that's closest to where the incident/offense occurred and complete an application for criminal complaint.

Fees

Name	Application for criminal complaint fee
Fee	\$15

Unit

each

How to request

In person

Take a copy of the completed Incident Report form to the [District Court \(/orgs/district-court/locations\)](/orgs/district-court/locations) or [Boston Municipal Court \(BMC\) \(/orgs/boston-municipal-court/locations\)](/orgs/boston-municipal-court/locations) that's closest to where the incident/offense occurred. At the court, you must complete an application for criminal complaint and pay the application fee.

Next steps

Attend the hearing

After the application form is filed with the court, a hearing will be scheduled, and the defendant (the person being complained about) will be notified by mail. Both parties are required to attend the hearing. The application must include the correct address of the defendant so that they can be summonsed to appear at the correct courthouse. If a correct address isn't provided, the hearing won't proceed. If the complainant (the person who filed the application) doesn't appear at the hearing, the application may be denied.

The defendant may or may not hire an attorney for the hearing. An attorney isn't appointed for this proceeding.

At the hearing, if the clerk-magistrate finds probable cause (sufficient evidence), the criminal complaint will issue. If the clerk-magistrate doesn't find probable cause, no criminal complaint will issue.

Downloads

[District Court Standards of Judicial Practice: The Complaint Procedure](https://www.mass.gov/doc/district-court-standards-of-judicial-practice-the-complaint-procedure/download)

(<https://www.mass.gov/doc/district-court-standards-of-judicial-practice-the-complaint-procedure/download>)

(English, PDF 310.19 KB)

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