

State of the Judiciary
Chief Justice Roderick L. Ireland, Massachusetts Supreme Judicial Court
Message to the Massachusetts Bar Association Meeting
October 16, 2013

Thank you, President Sheff, for that wonderful introduction. Members of the Judiciary, members of the Executive and Legislative Branches, officers and members of the Massachusetts Bar Association, colleagues, and friends, thank you all for taking time from your busy schedules to be here. I will use this occasion to make some brief general remarks and then give a quick update on progress toward the goals I set when I became Chief Justice. I will then introduce you to the new Chief Justice of the Trial Court, who also will make a few remarks.

When I gave my first address to this group two years ago, I was a new Chief Justice in a period of major difficulty and transition. Although I am an optimist by nature, it was hard to be upbeat with all that we faced. As I stand here today, I can report that, although we are not fully out of the woods, the picture today is much brighter than it was when I began. This is an exciting time for our court system, and many of you in this community have contributed to this improvement.

We all know the difficulties that confronted us. The nation's great recession led to dramatic budget cuts that devastated our workforce and hurt our ability to provide service to our constituents. We could not hire to replace employees leaving the courts, and struggled to cope with a 17% shrinkage in the workforce. In these tough times, judges had both to perform their judicial duties and manage the system with rapidly diminishing resources.

What a difference just a few years, and many dedicated people, can make! We emerge from that period as a stronger branch of government because of the leadership, dedication, and commitment of the public and private sector leaders. First, there is the leadership within our system. Recent legislation, sponsored by Speaker DeLeo, led to the creation of a new Executive Office of the Trial Court, ready to support the judges and employees who work hard to meet the needs of the people of Massachusetts. We now have a strategic plan that promotes justice with dignity and speed, and we have a structure in place for the efficient, innovative delivery of justice in a Twenty-First Century environment.

And we have a great leadership team. Chief Justice Paula Carey and Court Administrator Harry Spence bring fresh perspectives and new ideas to the Judicial Branch. They work in partnership with each other to lead the courts. We are fortunate that they are bringing their talents, vision, and energy to the management of the court system. But they also are fortunate because skilled and knowledgeable Chief Justices, Judges, Deputy Court Administrators, Clerks, Probation Officers, and other court staff make their jobs more manageable. Of course, leadership within the system only goes so far, and as I will touch on in a few minutes, we would not be emerging from the fiscal crisis without the support of the Legislative and Executive Branches, the bar, and the business community. Thanks to Governor Patrick, Senate President Murray, Speaker DeLeo, and members of the Legislature, we now have a budget that has allowed us during this past year to rehire for critical positions and restore services to the public.

I am optimistic about the direction and state of the courts. We still have challenges to be sure, but we have a structure, a leadership team, and a strategic plan that will allow us to meet those challenges and continually improve the delivery of justice to the people of the Commonwealth.

Now when I addressed this group in the past, I have spoken about my three priorities as Chief Justice. I am proud to say that, after nearly three years, I can report progress on every front. One of my most important goals was to build bridges to the constituencies essential to the court's long-term health -- and here we have had great success. We have a strong relationship with our colleagues in the other two branches of government. Our interactions with the Governor and the Legislature are based on cooperation, understanding, and mutual respect.

A good illustration of the strength of those relationships is the Fiscal Year 2014 budget. Court leaders communicated frequently and frankly with the other branches to make the case for adequate court funds. Not only did the Governor and Legislature increase our budget to the point where we have been able to restore some of the many positions lost during the past recession, but they also approved a long overdue judicial pay raise which, when fully implemented, will more fairly compensate judges. Once again, I thank Governor Patrick, Senate President Murray, and in particular, Speaker Bob Deleo, for their support.

They have been extraordinary friends to the court system during my time as Chief Justice, and I am very grateful for their leadership and for all of their support for the Judicial Branch. I also want to thank the many members of the Legislature I visited with this past year, all of whom were kind and gracious and attentive to my message.

But, our bridge building did not stop at the State House. In producing our new strategic plan for the Trial Court, we collaborated closely with DCAM, other state agencies, district attorneys, sheriffs, bar associations, as well as a dedicated team of court employees from all ranks of the workforce, including judges, clerks, court officers, and probation officers. The plan that emerged from our planning process is a roadmap for the Trial Court's future. I am pleased to say that many of its recommended action items are already underway.

Building connections within the judiciary to improve morale also has been my priority. I have made a point of trying to get out to the various courts of the Commonwealth to recognize the valuable work done by our court staff. My visits have spanned our system, including courts in Bristol, Essex, Hampden, Middlesex, Plymouth, Suffolk, and Worcester counties.

I cannot overstate how impressed I am with the dedication of our workforce. It has truly been an inspiration for me to meet many of these hardworking and talented employees.

Our bonds with members of the bar are especially solid. To the Massachusetts Bar, Boston Bar, county bars, and affinity bars - you were staunch advocates of our needs throughout our darkest financial days. And, this past year, your support for our budget was essential to our success. I thank President Sheff, former Presidents Holloway and Campbell, and all of your membership.

The business community also has been tremendously supportive of the courts during this period. We are appreciative of the effective advocacy by the business leaders and their general counsels,

in particular Boston Bar Association President Paul Dacier, who rallied their colleagues on behalf of our interests.

Together we have shown that there is a constituency for the delivery of justice, and I believe that the collaborative spirit we have fostered is both solid and lasting.

We are always on the lookout for new opportunities to make connections. Currently we are exploring convening a meeting of the deans of all of the law schools in Massachusetts to provide a forum for discussion of the major transitions occurring in the legal profession.

We also have made significant strides in the second of my priorities -- broadening access to justice and making the courts more responsive and transparent. The Judicial Branch is working very hard to make our courts more welcoming and accessible to the public, and especially to those who historically have been underserved. Several projects are addressing this issue in a very direct way. We expect to set up a pilot program to establish court service centers in two separate locations -- at the Greenfield and the Brooke Courthouses. These information desks will provide assistance to members of the public who come to courthouses unfamiliar with how things work. The centers will be especially helpful to self-represented litigants, guiding them with forms and directions, often in different languages.

We are close to launching a new integrated judicial website that will be easy for the public to navigate. The website will include easy-to-access information about court procedures. It will eliminate many trips to the courthouse by having court forms available online for downloading and printing.

We expect that an e-filing initiative will begin soon, with pilots in both the trial and appellate courts. This will allow litigants and lawyers to file court papers from their home, office, or publicly accessible computers. It will be a convenience and reduce time-consuming tasks of busy staff.

Another successful initiative at the Brooke Courthouse has been offering extended court hours to provide more convenient access for those who cannot easily make it to courthouses during normal business hours. We plan extended court hours at other locations this coming year.

And, perhaps the most awaited improvement of all in terms of access is that, as of Labor Day, we restored full hours in all the clerks' offices that were forced to close during the middle of the day because of staff shortages. The Access to Justice Commission and the Access to Justice Initiative continue to examine additional ways to eliminate barriers to full participation for all.

My third goal -- educating the public, especially our youth, about the role and functions of the Judicial Branch -- is dear to me. If we are to continue to have a strong court system in the future, the public needs a better understanding of how critically important it is to have an independent Judicial Branch of government. It is the Judicial Branch that is charged with protecting the rights of the people of the Commonwealth. It is to the courts where all of us -- including those most vulnerable -- go to secure safety, welfare, and liberty. We need to do all we can to inform the public of the important role of the courts.

As I have often said, the long running Judicial Youth Corps, now in its 24th year, is a model for the kind of educational programs we need. Students not only learn the history of the courts and the importance of the rule of law, but they also experience the inner working of the system by interacting directly with judges, clerks, and court staff. I am so proud of this program. Each year it continues to inspire new generations of young supporters of the Judicial Branch. Many of the more than 500 alums of the program are now in colleges and graduate schools across the nation. Many are practicing law, and our graduates have gone on to become prosecutors, defense attorneys, and even a judge. I am convinced that the JYC played an important role in their success.

I want to give special thanks to the Massachusetts Bar Association for its support over the years of the JYC program in Worcester, and for recently agreeing to support a Springfield JYC program next summer.

Everyone involved in the Judicial Youth Corps program, including court staff, who volunteer their time to supervise the students without getting one extra cent in compensation, can take satisfaction in saying that we made a difference in the life of a child.

We have other programs that provide educational outreach to the public and to school children in particular. This beautiful John Adams Courthouse is a center for civic education in the Commonwealth, a place where school and adult groups come to increase their knowledge of the work of the Judicial Branch of government. In addition to contributing to the public's understanding of the courts, these educational activities are a way to build support for the resources we need to continue to provide justice to all who seek redress in our courts.

If I have made any progress on the goals I set, it is because I learned from my early days in legal services to listen to, and learn from, those with whom I work. Of course, back then, never in my wildest dreams did I imagine I would be a judge, never mind the Chief Justice of the Supreme Judicial Court. Next month I will begin my 37th year on the bench, and last month I began my 17th year on this court. It has been the highest honor and privilege to serve with my wonderfully talented colleagues on the SJC. I have learned a lot from them, and from the many gifted judges and employees in the other courts and from leaders in the other branches.

But as some of you may know, I am required to leave this great job within the next year as I am approaching mandatory retirement. As I think about leaving the court system after many, many years on the bench, it is comforting to know that it is in capable hands, and it will continue its essential mission of justice for everyone who comes to its doors. I thank all of you who work hard each day to ensure that mission never falters.

And with that, I will conclude my remarks and introduce our next speaker. Last year, I presented our new Court Administrator. This year, it is my pleasure to present the other half of the leadership team, the new Chief Justice of the Trial Court, Paula M. Carey.

Chief Justice Carey was first appointed to serve as a judge in the Probate and Family Court in 2001 by Governor Paul Cellucci. In 2007, Chief Justice Carey was selected by then Chief Justice

Robert Mulligan to be Chief Justice of the Probate and Family Court, and reappointed in 2012. She did an outstanding job. During her tenure there, she made substantial improvements, including guardian reform, implementation of the Massachusetts Uniform Probate Code, and training to address changes resulting from alimony reform. Just last month the Boston Bar Association presented Chief Justice Carey with its Haskell Cohn Award for Distinguished Judicial Service.

It is an honor and a pleasure for me to welcome Chief Justice Carey to the podium.

Chief Justice Carey