



TESTIMONY OF APPEALS COURT CHIEF JUSTICE MARK V. GREEN

H4499: An Act to improve and modernize the information technology systems and capacities of the judiciary

JOINT COMMITTEE ON BONDING, CAPITAL EXPENDITURES AND STATE ASSETS

MARCH 29, 2022

Chair Gregoire, Chair Collins, and members of the Joint Committee on Bonding, Capital Expenditures and State Assets, thank you for the opportunity to submit testimony in support of House 4499: An Act to improve and modernize the information technology systems and capacities of the judiciary. Thank-you as well to Judiciary Chair Day and former Representative Harrington for their sponsorship of this important legislation. I particularly appreciate your willingness to accept my testimony in written form, and want to express my deep disappointment that I am unable to appear before you due to pre-existing out-of-state travel plans.

I know that you will hear detailed testimony on this bill from Supreme Judicial Court Chief Justice Kimberly Budd, Trial Court Chief Justice Jeffrey Locke, Trial Court Administrator John Bello and Judicial Chief Information Officer Steven Duncan. I simply want to convey briefly my deep personal support for this bill, on behalf of the Appeals Court and all court leaders.

For over twenty years, I have participated in efforts to improve our use of technology. I have been a member of the appellate courts' technology steering committee since my appointment to the Appeals Court in 2001, and served as chair of that committee from 2012 until my appointment as Chief Justice in December of 2017. Despite extremely limited financial resources, we made a series of strategic investments over the years, in a document management system, electronic filing, WiFi service in the John Adams Courthouse, VPN connectivity to support remote access to network resources, and hardware and software to allow judges and staff to access and work with case materials in wholly digital form.

The past two years have taught us many things, but atop that list they have demonstrated the importance of having the necessary technology to support the courts' essential service to the public. As the result of our pre-pandemic investments in technology and training, the appellate courts were able to continue their work essentially

without interruption, with all judges and staff converting to fully remote operations in a few days' time and continuing in that form until it was safe to return to the building.

But our systems were built on a shoestring and will require further investment to ensure their sustainability. Case management systems, bandwidth, security, server capacity and other infrastructure all are in need of critical upgrades. Of greater significance to the branch as a whole, scaling out and adapting even the appellate courts' current technology to the seven trial court departments, in their myriad locations across the Commonwealth, simply cannot be accomplished without the targeted and strategic investment this legislation will allow. And, as you will hear from Court Administrator Bello and CIO Duncan, merely replicating what the appellate courts now have is only a starting point toward what we need to do.

I want to close with a personal note and appeal. I stepped aside from my role as chair of the appellate courts' technology steering committee when I was appointed Chief Justice. But not long after that, my longtime friend, former SJC Chief Justice Ralph Gants, conscripted me to assist him in the planning for this request. The last conversation I had with him, on the Saturday night before his death, we discussed the search processes for a new CIO (the person who turned out to be Steven Duncan) and for a new Court Administrator (the person who turned out to be John Bello), and the path toward passage of this bill. This investment is critical to the future of the courts and our service to the public; the work it will make possible will continue after I retire, and its transformational effects will continue long beyond that. But for me it is also deeply personal – to complete my own career-long efforts to improve court technology and to carry out the vision and legacy of my friend, Chief Justice Gants. I urge you to pass this bill as quickly as possible.

Thank you.