

**2016 Report of the Court Management Advisory Board  
on the Management and Administration  
of the Massachusetts Trial Court**

**PERFORMANCE IMPROVEMENTS  
DURING A TIME OF TRANSITION**



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(June 2016)**

# **2016 Report of the Court Management Advisory Board on the Management and Administration of the Massachusetts Trial Court**

## **PERFORMANCE IMPROVEMENTS DURING A TIME OF TRANSITION**

### **I. INTRODUCTION AND EXECUTIVE SUMMARY**

The Court Management Advisory Board (CMAB) is pleased to present its annual report on the management and administration of the Massachusetts Trial Court for 2016. This report is respectfully submitted to the members of the Massachusetts General Court's Joint Committee on the Judiciary, Joint Committee on State Administration, and House and Senate Committees on Ways and Means, to the Justices of the Massachusetts Supreme Judicial Court (SJC), and to the Chief Justice and the Court Administrator of the Massachusetts Trial Court.

The CMAB's work over the past year has yielded three main observations about the condition of the Trial Court, which is methodically building on its progress over the last five years while also pursuing a newly updated strategic plan and preparing for a major leadership transition. These three observations are summarized below.

- **The Trial Court is working to consolidate and reinforce its operational improvements of the past five years.**

A number of key management and administration improvements have been achieved over the past five years, and the Trial Court is working to strengthen and further embed those advances in its structure and culture. Reinforcement of the progress of the past five years is especially important now, and this is also an opportune time to take stock of that progress. The end of the first Court Administrator's five-year term of service is fast approaching, and the Trial Court's multi-year 2013 Strategic Plan was recently superseded by an updated 2016 Strategic Plan. The Trial Court must continue to strengthen the systemic operational improvements it has achieved over the past several years, even as it focuses on its ambitious goals for the future.

- **The Trial Court is implementing an updated strategic plan that will guide and shape continuing system improvements over the next three years, including further progress in three areas previously highlighted by the CMAB: (1) knowledge management and data analytics, (2) the court user**

**experience, and (3) talent development. Achievement of the Trial Court's updated goals will require substantial new capital funding, however, for both court facilities and information technology.**

During 2016, the Trial Court engaged in a significant effort to plan and prepare for a strong future by updating its Strategic Plan. That effort produced "Strategic Plan 2.0," which the Supreme Judicial Court approved and the Trial Court began to implement in October 2016. This updated plan (discussed in Section IV of this report) provides the essential conceptual guide to the goals, strategies and tactics by which the Trial Court will pursue its core mission over the next three years. The plan is organized in terms of six domains and articulates nine goals, with the aim of providing focused direction and clarifying immediate priorities for the Trial Court's ongoing efforts to improve its operations. Strategic Plan 2.0 is responsive to the CMAB's 2014 recommendations concerning knowledge management and data analytics, the court user experience, and talent development, among other things. (See the CMAB's Annual Report for 2014, "Management Excellence for the 21<sup>st</sup> Century Massachusetts Trial Court: Facing Challenges and Embracing Change," at <http://www.mass.gov/courts/docs/sjc/docs/cmab-report-2014.pdf>.) Significantly, Strategic Plan 2.0 also reflects the need for substantial capital funding for court facilities and technology infrastructure that are essential to the Trial Court's articulated goals. Strategic Plan 2.0 is included as **Appendix A** to this report.

The CMAB's principal project during 2016 (discussed in Section V of this report) was the formation and support of a Visiting Committee of information technology (IT) management experts. These experts conducted an independent assessment of the Trial Court's IT resources, and made factual findings and recommendations for improvements with respect to IT strategy, execution, structure, and culture. The results of the Visiting Committee's analysis further demonstrate the need for capital investments in information technology. The 2016 Report of the Massachusetts Court Technology Visiting Committee is included as **Appendix B** to this report.

- **The Trial Court currently faces a major leadership transition that presents new challenges and opportunities.**

As of the end of 2016, the Trial Court is facing the first major transition in its administrative leadership since the Judicial System Reorganization Act of 2011, chapter 93 of the Acts of 2011, established the novel leadership structure of judicial and administrative co-heads of the Trial Court. This upcoming leadership transition, which will entail the SJC's appointment of a new Court Administrator during the first part of 2017, presents new challenges and new opportunities. The readiness of the Trial Court to embrace these challenges and seize these opportunities will reveal

much about the progress of the past several years and the health and strength of the Trial Court.

The following sections of this report address the CMAB's membership and activities during 2016 (Section II), notable recent operational improvements within the Trial Court (Section III), the Trial Court's updated Strategic Plan 2.0 (Section IV), and the work of the Massachusetts Court Technology Visiting Committee (Section V), and provide the CMAB's concluding remarks (Section VII).

## **II. CMAB MEMBERSHIP AND ACTIVITIES DURING 2016**

The SJC appoints 10 of the 12 members of the CMAB, and the other two members serve *ex officio*.<sup>1</sup> The appointed members serve for three-year terms. The SJC's use of staggered and overlapping terms of membership on the CMAB ensures a balance of continuity and new ideas.

The CMAB experienced a significant change in its membership during 2016, as four of its members completed their second three-year terms and five new members were appointed by the SJC.<sup>2</sup> It seems fitting for this transition to have occurred

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<sup>1</sup> The CMAB exists pursuant to General Laws chapter 211B, section 6A, which provides as follows:

There shall be an advisory board to assist the justices of the supreme judicial court, the chief justice of the trial court, and the court administrator. The board shall consist of the attorney general, or his designee, the executive director of the Massachusetts office of victim assistance and the following 10 additional members appointed by the supreme judicial court: 2 persons who have significant experience in public administration, 2 persons who have significant experience in business administration, 1 lawyer with significant experience in the practice of criminal law, 1 lawyer with significant experience in the practice of civil law, 1 lawyer with significant experience in the practice of probate and family law, 1 lawyer with significant experience in the representation of juveniles in the courts, 1 lawyer with significant judicial experience but not a current justice of the commonwealth or a retired justice serving the commonwealth pursuant to judicial recall, and 1 person who has significant experience in information technology. The board shall choose its chair. The appointed members of said board shall serve for a term of 3 years. The maximum amount of time that said members may serve on said board shall be 2 such terms. The chief justice of the trial court shall be the executive secretary of the board.

The board shall advise the justices of the supreme judicial court, the chief justice of the trial court, and the court administrator on all matters of judicial reform including, but not limited to, a proposal for the allocation of resources based on the demonstrated workload of each court.

<sup>2</sup> Due to an earlier resignation, the CMAB member seat for a lawyer with substantial experience in criminal law was vacant during the first part of 2016, prior to the new appointments.

during 2016, as the importance of moving forward through a time of change is an essential theme of this year's CMAB report on the Trial Court's management and administration.

The CMAB members who completed their service on the Board in June 2016 are:

- **Glenn Mangurian** (former CMAB Chair) – Consultant, FrontierWorks LLC
- **The Honorable John J. Curran, Jr. (ret.)** – Former First Justice of the Leominster District Court
- **Ruth Ellen Fitch** – Former President and Chief Executive Officer of The Dimock Center, and retired Partner, Palmer & Dodge
- **John A. Grossman** – Partner and General Counsel, Third Sector Capital Partners

The CMAB members who were newly appointed to the Board in July 2016 are:

- **Randy S. Chapman** – Partner, Chapman and Chapman (filling the CMAB seat for a lawyer with significant experience in the practice of criminal law)
- **Kathleen M. Donovan** – Senior Vice President & Global RPO President, Manpower Solutions Group (filling one of the two CMAB seats for persons with significant experience in business administration)
- **The Honorable James F. McHugh, III (ret.)** – Former Associate Justice of the Appeals Court (filling the CMAB seat for a lawyer with significant judicial experience but not a current justice of the commonwealth or a retired justice serving the commonwealth pursuant to judicial recall)
- **Donald Oppenheimer** – Chief Information Officer, John F. Kennedy School of Government (filling the CMAB seat for a person with significant experience in information technology)
- **Kenneth Turner** – Director, Diversity and Inclusion/Compliance, Massachusetts Port Authority (filling one of the two CMAB seats for persons with significant experience in public administration)

The CMAB members who were reappointed for a second three-year term on the Board in July 2016 are:

- **Lisa C. Goodheart** (CMAB Chair) – Partner, Sugarman, Rogers, Barshak & Cohen, P.C. (filling the CMAB seat for a lawyer with significant experience in the practice of civil law)
- **The Honorable Gail Garinger** (ret.) – Director of Child and Youth Protection Unit, Office of the Attorney General and former First Justice of

the Middlesex County Juvenile Court (filling the CMAB seat for a lawyer with significant experience in the representation of juveniles in the courts)

- **Scott Harshbarger** – Senior Counsel, Casner and Edwards, and former Massachusetts Attorney General (filling one of the two CMAB seats for persons with significant experience in public administration)
- **Allen B. Kachalia, M.D., J.D.** – Chief Quality Officer, Vice President Quality and Safety, Brigham & Women’s Hospital, Boston; Associate Professor, Harvard Medical School (filling one of the two CMAB seats for persons with significant experience in business administration)
- **Denise R. Squillante** – Solo practitioner, Denise R. Squillante P.C. (filling the CMAB seat for a lawyer with significant experience in the practice of probate and family law)

Rounding out the Board’s membership, the following *ex officio* members continue their service on the CMAB, going into the 2016-2019 term:

- **Liam Lowney** – Executive Director, Massachusetts Office for Victim Assistance
- **Richard Johnston** – General Counsel, Office of the Attorney General, designee of Attorney General Maura Healey.

The CMAB’s most significant undertaking during 2016 was its development and sponsorship of the **Massachusetts Court Technology Visiting Committee**. This Visiting Committee represents a successful experiment with a new model for the CMAB’s provision of support to the Trial Court. It entailed an independent external review and assessment of the Trial Court’s information technology infrastructure and operations, by a small team of recognized experts recruited by the CMAB. The purposes of the assessment were to identify strengths and weaknesses, and to develop and present recommendations for enhancing the current IT operations, in light of the existing state of affairs and the Trial Court’s current strategic goals. The development of the Visiting Committee and the Committee’s conclusions and recommendations are discussed in more detail in Section V, below.

In the fall of 2016, the CMAB developed the charter for a **second Visiting Committee**, on the subject of “**Managing With Data.**” This Visiting Committee is expected to provide a focused, independent assessment of the state of the Trial Court’s use of data analytics in its management and administration, and to offer recommendations for improvements in this area. The CMAB believes that this is a worthy undertaking because the Trial Court’s decisions in many core administrative areas such as budgeting, human resources, security, and support services, as well as in the development and implementation of judicial policies and practices, should be

increasingly evidence-based and data-driven. Former CMAB member David G. Fubini, a senior lecturer in the Organizational Behavior Unit at Harvard Business School and director emeritus of McKinsey & Company, Inc., is the chair of the Managing With Data Visiting Committee. The CMAB expects that this Visiting Committee will complete its work and present its findings and recommendations in the spring of 2017.

The CMAB has also recently formed an internal **CMAB Working Group on Trial Court Hiring and Promotion Practices**. This group will follow up on the recommendations set forth in the 2010 and 2011 reports of the SJC Task Force on Hiring Practices in the Judicial Branch, led by Scott Harshbarger, that proposed a comprehensive overhaul of the Trial Court's hiring and promotion practices. The Working Group will assess the extent to which the Task Force's recommendations have been implemented within and across the Trial Court, and with what results. In addition, the group will seek to identify current opportunities for the Trial Court to improve its hiring and promotion practices. CMAB member Scott Harshbarger is leading this effort, and is joined by several other CMAB members who also previously served on the SJC Task Force on Hiring Practices. The Working Group on Trial Court Hiring and Promotion Practices is expected to deliver its report in 2017.

During 2016, in addition to the meetings of committees and working groups, the CMAB held ten plenary meetings at which its members discussed a range of issues pertaining to the management and administration of the Trial Court. The CMAB's meetings were regularly attended by Trial Court Chief Justice Paula M. Carey, Court Administrator Harry Spence, and SJC Associate Justice Margot Botsford. In addition, the CMAB met with the full SJC, was joined at selected meetings by the Departmental Chief Justices and Deputy Court Administrators, and occasionally met in executive session. Through its meetings, the CMAB engaged in dialogue with court leaders about the subjects of the above-described initiatives and a range of other issues, including the Trial Court's emergency response and disaster preparedness plans, and media coverage of the Trial Court and its impact on public trust and confidence in the judiciary. These are important subjects, and the CMAB expects to consider them further in the coming year, as it continues to develop its evolving agenda. All of the CMAB's activities over the past year have shaped and informed the discussion of the Trial Court accomplishments, opportunities, challenges and needs which follows.

The CMAB greatly benefited from and sincerely appreciates the assistance it received from many court staff members during 2016. The CMAB particularly wishes to thank Carol R. Lev, the Acting Executive Director of the SJC, and Mary F. Rafferty, the Senior Assistant for Administration & Communications of the Executive Office of the Trial Court, and Trial Court Executive Office Administrative



Assistants Jennifer LaRocque MacBeth and Donna A. Hall, for their substantial and reliable support.

### **III. RECENT OPERATIONAL IMPROVEMENTS WITHIN THE TRIAL COURT**

To appreciate the state of the Trial Court in 2016, a brief recap of recent court history is useful. The Judicial System Reorganization Act of 2011 created two Trial Court leadership positions: the Chief Justice of the Trial Court and the Court Administrator. The Chief Justice is responsible for all matters of judicial policy, including the appointment of departmental chief justices, the creation of policies for case flow management and the metrics for determining their effectiveness, and the creation of policies and procedures for ensuring effective access to justice by all segments of the Commonwealth's population. The Court Administrator is responsible for "[g]eneral superintendence of the administration of the trial court, including, without limitation, the improvement of the administration of [the trial court departments] and the securing of their proper and efficient administration."

When this dual leadership structure was announced and enacted five years ago, many court observers wondered whether the two "co-heads" of the Trial Court would inevitably find themselves bogged down with endless exercises of "line-drawing" aimed at clarifying exactly where matters of "judicial policy" end, and matters of "administration" begin. It is readily apparent, after all, that the respective responsibilities of the Chief Justice and the Court Administrator of the Trial Court are inextricably intertwined to a substantial degree and in many practical respects.

But the dysfunctional gridlock that some had feared simply did not happen. To the contrary, the current Chief Justice of the Trial Court, Paula M. Carey, and the first Court Administrator, Harry Spence, have built a strong and productive working partnership. Their collaborative leadership is characterized by frequent consultation and mutual support, not by turf battles. The result has been a clear enhancement of the Trial Court's ability to take collective action toward real and defined goals, along with a greater drive toward efficiency and professionalization.

From the CMAB's perspective, perhaps the most important operational accomplishment of the Trial Court in the last five years has been the daily demonstration by Chief Justice Carey and Court Administrator Spence that the unprecedented leadership structure of the Trial Court can and does operate effectively to support substantial organizational transformation. The value of these leaders' joint achievement in "proving the model" cannot be overstated. The CMAB considers it particularly appropriate to recognize this achievement in this 2016 report, since the end of Court Administrator Spence's term and the beginning a new

partnership between Chief Justice Carey and the next Court Administrator are now just a few months away.

There have been a number of other Trial Court accomplishments and benchmarks of success within the last five years, as well. Notable examples include the following:

- The resources committed to staff training and the level of participation in professional development programs have increased significantly. Between FY13 and FY16, the annual training hours offered by the Trial Court's Judicial Institute increased from 341 to 982 hours, and registrations increased from 2,560 to 6,030. Labor contracts made effective in 2014 include a commitment to a minimum of 22.5 annual training hours per union employee by the end of FY16.
- The National Center for Access to Justice recently ranked Massachusetts second overall in the country for its work in the areas of attorney access, assistance to self-represented litigants, language and disability assistance, and self-help information.
- The Trial Court's total case clearance rate has risen from 96.4% to 101.8%, demonstrating an increasing ability to resolve cases and reduce its backlog.
- All of the seven Trial Court Departments (the Boston Municipal Court, District Court, Housing Court, Juvenile Court, Land Court, Probate and Family Court, and Superior Court) have now migrated to a unified case management system, MassCourts. This unified system, which replaced 14 legacy systems, provides a platform for better data reporting, standardizes many practices and processes, and allows for easier access to information for employees and users.
- Six new Court Service Centers have improved information services in courthouses, especially for self-represented litigants, and made it easier for users to access the courts.
- The Security Department, in accordance with its 2014 strategic plan, has reformed its hiring, promotion, and training practices to better prepare the Department's front line staff to address today's court security threats. The Security Training Academy received national accreditation in July 2016.

- Clerks and registers state-wide now work in much closer collaboration with one another, with the judges and administrative offices within their respective Trial Court Departments, and with Trial Court leadership, and exercise important leadership in the ongoing change process within the Trial Court.
- Meaningful data, including performance reviews of staff, is now more widely collected and acted upon across the system.
- Drug courts have been greatly expanded and improved, in accordance with nationwide best practices, as an alternative pathway for defendants whose crimes stem from drug addiction, and other specialty courts (e.g., mental health courts, veterans' courts, etc.) have been established.<sup>3</sup>

Looking ahead, the Trial Court must not only celebrate these gains; it must also take steps to maintain and reinforce them. These gains have been hard won only recently, and they are not necessarily embedded permanently and deeply throughout the structure and culture of the Trial Court. The Trial Court must take deliberate steps to consolidate and shore up these recent achievements against the threat of erosion, even as it pursues further improvements according to a newly updated strategic plan (discussed in Section IV, below). The challenge that lies immediately ahead for the Trial Court is to succeed in these twin aims, without losing any ground or suffering any loss of momentum, through a major transition in its leadership. In the coming months, Harry Spence will complete his service as the first Court Administrator of the Trial Court, his successor will be appointed by the SJC, and Chief Justice Carey and the new Court Administrator will begin to build their new working partnership, in service of the Trial Court.

#### **IV. THE TRIAL COURT'S STRATEGIC PLAN 2.0**

In October 2016, the Trial Court finalized its updated and reframed Strategic Plan 2.0. This plan provides the structure by which the Trial Court is continuing its pursuit of the ambitious reform agenda it adopted in 2013, pursuant to Strategic Plan 1.0. The updated Strategic Plan 2.0 provides the game plan for the Trial Court's efforts to

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<sup>3</sup> With the exception of the data in the first bulleted point, which was obtained directly from Trial Court administrative staff, this list of selected Trial Court accomplishments is drawn from the Court Administrator position description prepared by Isaacson, Miller, the executive recruiting firm engaged by the SJC to assist with the search for the next Court Administrator of the Trial Court. CMAB leadership met with Isaacson, Miller in the summer of 2016, to assist in the development of its understanding of the Trial Court's accomplishments and current challenges.

improve its operations over the next three years, through 2019. A copy of Strategic Plan 2.0 is attached to this report as **Appendix A**.

The development and adoption of Strategic Plan 2.0 provided a natural occasion for reflection by the Trial Court leaders on the accomplishments achieved by the Trial Court through its pursuit of Strategic Plan 1.0. Significant milestones highlighted by the Trial Court's Chief Justice and Court Administrator include the completion of the MassCourts deployment across all locations and all departments of the Trial Court, the creation of more than 40 specialty court sessions, the introduction of a new Trial Court website, a substantial increase in the provision of professional development and training opportunities, and the initial launch of electronic case filing and electronic applications for criminal complaints. Strategic Plan 2.0 builds upon these developments, and establishes a new set of strategies, goals, and tactics based on the Trial Court's demonstrated capacity for deliberate change and improved performance.

Four over-arching themes characterize the Trial Court's current approach to operational improvement. First, the Trial Court is working to establish a culture of continuous improvement, marked by constant evaluation and efforts to improve upon its operations. Second, the Trial Court is focusing on addressing issues of race and implicit bias, which are natural challenges to high-quality justice. Third, the Trial Court is striving to improve the user experience for all individuals within the court system. And fourth, the Trial Court is endeavoring to strengthen public trust and confidence in the Trial Court and its ability to deliver justice with dignity and speed.

In developing Strategic Plan 2.0, the Trial Court leadership sought input from across the court system and identified six subject areas, called "domains," which it used to organize and focus the work outlined in the updated plan. The six domains are as follows:

1. Access to Justice and the User Experience
2. Caseflow Management
3. The Judicial Experience
4. Next Generation Technology
5. Organizational Decision-Making and Support
6. Talent & Career Development

Consistent with these domains, the Trial Court has identified nine goals to be pursued through Strategic Plan 2.0. These goals (in no particular order) are to:

- Preserve and enhance the quality of judicial decision-making.

- Deliver justice with effectiveness, efficiency, and consistency in court operations and services.
- Ensure fair access to the court system.
- Respect the dignity of the judicial process and all participants and provide a safe environment.
- Support a high-performance organization with a well-trained, engaged, collaborative, and diverse workforce.
- Increase the transparency and accountability of court operations.
- Strengthen relations with the Legislative and Executive branches.
- Explore and expand collaborative and innovative approaches to delivering justice.
- Enhance public trust and confidence in the judicial branch.

The CMAB is pleased to note that the domains and goals of Strategic Plan 2.0 are responsive to the recommendations in the CMAB's 2014 Annual Report. In particular, the CMAB welcomes the Trial Court's forward-looking emphasis on "access to justice and the court user experience," as one of the six organizing domains used to define and shape the goals of Strategic Plan 2.0. This domain is well-aligned with the CMAB's 2014 recommendation that **"the Trial Court should focus leadership responsibility and overall accountability for the experience of court users, and orient innovative practice strategies toward improvement of the court user experience."**

Similarly, the CMAB appreciates the Trial Court's organization of Strategic Plan 2.0 around the domains of "Caseflow Management," "The Judicial Experience," "Next Generation Technology," and "Organizational Decision-Making and Support." These four domains are well-aligned with the CMAB's 2014 recommendation that **"the Trial Court should focus leadership responsibility and overall accountability for knowledge management and decision analytics, and orient technology enhancements and work practices toward improvements in this area."** The CMAB hopes that the upcoming work of the new Visiting Committee on Managing with Data will be useful to the Trial Court as it works to enhance evidence-based administrative decision-making and resource allocation. Certainly, the importance of gathering data, measuring performance in terms of data, learning from data, and adjusting operations based on data cannot be overstated. To take just one example, the rigorous, evidence-based assessment of the Trial Court's specialty court sessions (which include adult drug courts, juvenile drug courts, mental health courts,

veterans' treatment courts, and homeless courts) is increasingly important as these sessions expand across the state and touch the lives of more and more people.

The Strategic Plan 2.0 domain of "Talent and Career Development" also picks up on a third CMAB recommendation from 2014, which was that **"the Trial Court should focus leadership responsibility and overall accountability for talent development, and orient workforce development strategies toward cultivation of leadership talent."**<sup>4</sup> The CMAB is encouraged by the Trial Court's focus on its workforce diversity, and notes that the Trial Court continues to make progress on talent development in the areas of career advancement, individual performance improvement, coaching and mentoring, and court employee engagement. As discussed in Section II above, the CMAB is now looking more closely at many of these issues, through its Working Group on the Trial Court's Hiring and Promotion Practices.

Strategic Plan 2.0 reflects the Trial Court's appropriate pride in the accomplishments of the past five years, as well as an energetic confidence about its ability to successfully meet the challenges that lie ahead. One notable exception to this encouraging picture reflects an important and increasingly urgent concern, however, which the CMAB shares. Specifically, Strategic Plan 2.0 includes a frank acknowledgement of the clear and direct connection between the degraded condition of many of the Commonwealth's courthouse facilities and the practical limitations of the Trial Court's current ability to provide an appropriately dignified legal process to all of the users of its facilities. As stated in the plan:

Strategic Plan 1.0 identified court facilities as a primary obstacle to a dignified legal process. In many instances, courthouses were in disrepair, lacking cleanliness, failing to provide disability access, using failing building HVAC systems, mixing user populations that should be kept separate, and did not provide a conducive working environment. Consequently, as part of its strategic planning efforts, the Trial Court developed a long-term

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<sup>4</sup> The CMAB's 2014 Annual Report also contained a fourth recommendation, which was addressed to the SJC rather than to the leaders of the Trial Court. Specifically, the CMAB recommended that "the SJC should establish a regular and recurring schedule of strategic and operational oversight meetings with the Chief Justice of the Trial Court and the Court Administrator." The CMAB understands that the SJC has institutionalized the practice of meeting on a regular basis with the Chief Justice of the Trial Court and the Court Administrator. The CMAB considers such meetings to be of special importance in 2016 and 2017, which mark a period of significant transition on the SJC as well as within the Trial Court. (Three Justices [Budd, Gaziano and Lowy, JJ.] joined the SJC in 2016, and in 2017, Governor Baker is expected to appoint two more SJC Justices, and the SJC is expected to appoint a new Trial Court Administrator, as discussed below.)

plan that identifies building deficiencies and priority locations for renovation, new construction, and consolidation.

Under new leadership, the Trial Court Facilities Department has [been] restructured to provide clear career paths within the Department, implemented facility cleanliness standards, created an online facility job request system to better serve courts, and initiated green cleaning practices. These changes, in addition to other successes, have improved the dignity and operation of court facilities.

The Trial Court's ability to address its capital needs, however, is largely dependent upon external government entities, which must balance these needs with similar capital needs in transportation, higher education, corrections, and other priority areas. **At this point, capital budget constraints limit our ability to do more than a minimal level of improvements. This remains a major concern for Court leadership and staff.**

(See Appendix A, pp. 14-15) (boldface added).

There are more than 100 facilities that house Trial Court sessions and the other buildings used by the Trial Court, and they range from very modern, state-of-the-art structures to much older buildings in various and worsening states of disrepair. The irreducible fact of the matter is that the long-term neglect of many of the court system's physical facilities has a real and increasingly negative impact on the Trial Court's ability to accomplish its mission. The Court Capital Projects and Facilities Management Departments of the Trial Court have identified \$85,610,700 in repairs and deferred maintenance projects that are necessary for Trial Court courthouses. The needs include cooling tower and chiller replacements, elevator modernization, prisoner lock-up upgrades, and exterior masonry/building envelope stabilization projects. Most courthouses do not meet today's standards for secure "circulation" pathways to separate prisoners, the public, judges, and jurors. Some locations have severe overcrowding, with tiny, inefficient courtrooms, overflowing record storage spaces, and cramped work areas. Many lack the infrastructure to support the latest information technologies.

The CMAB encourages the leaders and members of the Legislature to give serious and ongoing consideration to an appropriate long-term Capital Funding Plan for the

Trial Court, as well as to the Trial Court's immediate operational needs. An appropriately functional and dignified setting for the delivery of justice is fundamental to the public's trust and confidence in the court system, and to its respect for the rule of law. Moreover, after five years of substantial management improvements in the wake of the Judicial System Reorganization Act, the time is now ripe to address the Trial Court's long-deferred physical infrastructure needs. This conclusion is buttressed by the fair observation made by Court Administrator Spence in his October 20, 2016 State of the Judiciary address, that "[t]he Trial Court's Facilities Management Department was a famously ineffective organization that I believe is now one of the finest building management and maintenance operations in the entire state system." Indeed, on the basis of this and other demonstrated management improvements, the Legislature can be confident, if it chooses to provide the sorely-needed substantial capital funding for the Trial Court's facilities, that the Trial Court is equipped to manage such a precious investment of scarce public resources in a smart, prudent and businesslike manner.

As shown by the work of the Court Technology Visiting Committee (discussed in Section V below), the same can be said with respect to the need for additional capital spending on the court system's information technology. If it is to avoid falling behind, the Commonwealth must make a substantial investment in the long-term technology needs of its court system, including the infrastructure necessary to support e-filing and digitization of court records, which will ultimately yield significant cost savings. In light of the demonstrated improvements in the Trial Court's management and administration since 2011, the promulgation of Strategic Plan 2.0, and the findings and recommendations of the Court Technology Visiting Committee, the time for that investment to be made is now.

## **V. THE MASSACHUSETTS COURT TECHNOLOGY VISITING COMMITTEE**

The Massachusetts Court Technology Visiting Committee was established by the CMAB in collaboration with the Trial Court and the SJC because information technology has become integral to mission-critical court operations. Simply stated, all of the departments and offices of the Trial Court depend on excellent IT infrastructure and support in order to operate effectively. The CMAB's particular interest in the quality of the Trial Court's IT functions is also tied to its 2014 recommendation that the Trial Court should focus attention and resources on knowledge management and data analytics, and orient technology enhancements and work practices towards improvements in this area. As the CMAB, the Trial Court and the SJC have recognized, new challenges demand an increasingly evidence-based, data-driven, and user-focused management discipline. Certainly, the ability of the Trial Court to enhance its use of data analytics to drive



administrative decision-making depends in substantial part upon the quality of the IT systems that are deployed across all departments and offices of the Trial Court.

The timing of the Visiting Committee on Court Technology's work this year was not accidental. 2016 marked the completion of the conversion to MassCourts as the common case management system in use across all seven departments of the Trial Court. The roll-out of MassCourts was a challenging and complicated undertaking that took substantially longer than had been originally expected. Its conclusion marks an important milestone in the Trial Court's long-term evolution from the balkanized and inefficient institution described in the 2003 Monan Committee Report<sup>5</sup> to the kind of very well-run organization that the people of the Commonwealth need and deserve. The 2016 completion of the deployment of MassCourts allows for a significant updating of IT priorities and provides a foundation for future IT initiatives. In addition, and more fundamentally, the CMAB believes that the Trial Court's ability to execute its entire, ambitious, updated strategic plan is heavily dependent on a robust IT infrastructure. Accordingly, the CMAB felt that the time was right in 2016 for an independent review of the Trial Court's IT resources.

The CMAB's proposal to establish a Visiting Committee on Court Technology during 2016 was greeted with enthusiasm by the leaders of the Trial Court and the Justices of the SJC. The CMAB, in collaboration with the Trial Court and the SJC, developed a written charter for the Committee's work, to outline the desired focus and scope of the project. To do so, the CMAB solicited input from the court system's Judicial Information Services Department (JISD), and used that input along with its own questions and concerns. The resulting charter asked the Visiting Committee to look into each of the following areas: (1) economics and resource allocation; (2) planning; (3) current operations; (4) data security and disaster recovery plans and procedures; (5) discipline and accountability; (6) MassCourts and the shift towards fully-digitized courthouses; (7) talent and organization; and (8) governance and oversight.

The members of the Visiting Committee on Court Technology were chosen on the basis of their distinguished leadership in the Massachusetts IT community and their substantial experience with the topics and issues identified in the charter for the Committee. The group was led by **Anne Margulies**, Vice President and Chief Information Officer of Harvard University, and previously Assistant Secretary for Information Technology and Chief Information Officer for the Commonwealth of Massachusetts. Ms. Margulies also served as a member of the inaugural CMAB, and as a member of a small committee established by SJC Chief Justice Margaret H.

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<sup>5</sup> The Monan Report is available at <http://www.mass.gov/courts/docs/sjc/docs/report-2003-management-in-the-courts.pdf>.

Marshall to evaluate and make recommendations concerning the initial steps in court-wide technology deployment. She therefore has considerable familiarity with the history of the Trial Court's challenges in the IT area.

The other members of the Visiting Committee were John Letchford and Donald Oppenheimer. **John Letchford** is Chief Information Officer of the MIT Sloane School of Management and Executive Director of Sloan Technology Services, and before that he served as Chief Information Officer for the Commonwealth of Massachusetts, where he chaired the state's IT governing body, the CIO Cabinet. **Donald Oppenheimer** is Associate Dean and Chief Information Officer of Harvard University's Kennedy School of Government, and his background includes 30 years of general management, information technology and organizational strategy experience in the private sector.<sup>6</sup> CMAB member **John Grossman** was tasked with serving as the CMAB liaison to the members of the Visiting Committee, and facilitating the Committee's process.

Based on its investigations in the period from February through May 2016, the Visiting Committee on Court Technology delivered its report in June 2016. (See Report of the Massachusetts Court Technology Visiting Committee, attached as **Appendix B**.) The report presents the Visiting Committee's key findings about the Trial Court's IT strategy, execution, structure and culture, which are summarized as follows:

<b>IT Strategy</b>	<ul style="list-style-type: none"><li>• The implied direction of the courts toward real time, paperless, user centric and seamless administration of justice can be significantly accelerated by strategic implementation of information technology.</li><li>• User needs and expectations for IT exceed the human and financial resources available to deliver. Currently, the technology components set forth in the Trial Court's Strategic Plan (1.0 issued in June 2013 and 2.0 under development) are aligned with the Court's direction, but unrealistic given the current level of funding.</li><li>• Lack of common business practices and standards creates a challenging IT environment that significantly limits the ability of IT to advance the Court's overall strategy.</li></ul>
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<sup>6</sup> Following the Visiting Committee's delivery of its June 2016 report, Committee member Donald Oppenheimer was appointed to the CMAB, where he currently fills the Information Technology seat previously held by John Grossman.

<b>Execution</b>	<ul style="list-style-type: none"> <li>• IT projects are often late and under deliver because too many projects are managed with too few resources.</li> <li>• A common case management system is an essential foundation for efficiencies, however, MassCourts' fragmented implementation limits the benefits delivered.</li> <li>• The Probation Department requires enhanced IT support and communication to enable effective case management.</li> </ul>
<b>Structure</b>	<ul style="list-style-type: none"> <li>• The decentralized or "federated" nature of the Court's organization, as well as 100+ physical locations, make it difficult to implement common IT solutions.</li> <li>• There is no overall technology governance structure to set priorities across the court system. Balancing the needs of large and small departments inherently creates conflicts for resource allocation.</li> <li>• The court system's Judicial Information Services Department (JISD) staff have highly specialized technology knowledge but the department lacks key functions such as project management, information security and change management.</li> <li>• A lack of JISD resources forces other departments to implement IT projects on their own.</li> </ul>
<b>Culture</b>	<ul style="list-style-type: none"> <li>• Court staff have highly variable IT skills across all levels, which creates a major challenge for technology implementation and training.</li> <li>• Court staff lack understanding of overall court system processes beyond their functional and geographic silos, or of the data requirements of external partners.</li> <li>• Court staff lack awareness of IT planning and changes that are underway, and receive insufficient training on using technology.</li> </ul>

Based on these findings, the Visiting Committee on Court Technology made nine recommendations, as set forth below. These recommendations identify proposed tactics for improvements in the IT area, and are aimed at significantly improving the administration of justice throughout the Trial Court.

<b>IT Strategy</b>	<ol style="list-style-type: none"> <li>1. Develop a three-year rolling IT strategic plan.</li> <li>2. Pursue IT capital funds and continue to increase the IT operating budget.</li> </ol>
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<b>Execution</b>	<ul style="list-style-type: none"> <li>3. Implement and enhance key technologies.</li> <li>4. Establish meaningful performance metrics.</li> </ul>
<b>Structure</b>	<ul style="list-style-type: none"> <li>5. Develop an organization and staff development plan in JISD with a focus on increasing staff resources and capabilities in a few key technical and functional areas.</li> <li>6. Establish and rely on a clear IT governance structure.</li> <li>7. Extend and leverage limited IT resources within the court system with partnerships with external parties and vendors.</li> </ul>
<b>Culture</b>	<ul style="list-style-type: none"> <li>8. Embrace a user-oriented approach in JISD and throughout the court system.</li> <li>9. Improve communications and training.</li> </ul>

The Report of the Massachusetts Court Technology Visiting Committee was received with appreciation by the SJC, the Trial Court, and the CMAB, and we expect that it will facilitate further improvements in the use of IT in service of the Trial Court’s delivery of justice. In the six-month period since the report was issued, the Chair of the Visiting Committee has met with Trial Court leaders and JISD staff, and also with Justices of the SJC, to follow up on the Committee’s recommendations and to assist with the determination of appropriate next steps for advancing the Trial Court’s IT goals. Visiting Committee members have made themselves available for further consultations upon request, to provide outside perspectives on IT issues. In addition, the court system’s Chief Information Officer, Craig Burlingame, has developed a plan for responding to the Visiting Committee’s recommendations, and has met with Trial Court leaders, the SJC, and the CMAB to discuss that plan.

We do not wish to sugar-coat the results of the Visiting Committee’s analysis of the Trial Court’s IT resources. While the Visiting Committee identified notable strengths in the JISD, leaders and members of the Legislature should be troubled by the Committee’s findings about the insufficiency of the current funding of the JISD for purposes of supporting an IT structure that is capable of meeting user needs and expectations. The evidence-based statement, by a group of independent and deeply-knowledgeable experts, that the thoughtfully identified technology components of the Trial Court’s Strategic Plan remain “**unrealistic given the current lack of funding**” is a sobering judgment.<sup>7</sup> Indeed, in light of the CMAB’s view that successful implementation of Strategic Plan 2.0 is essential to support the 21<sup>st</sup> century justice system that the people of Massachusetts need and deserve, the

<sup>7</sup> The Court Technology Visiting Committee’s conclusion about the inadequacy of current funding to support the technology components of the Trial Court’s Strategic Plan was expressly intended to apply to Strategic Plan 2.0, which the Visiting Committee considered in draft form prior to its final approval by the SJC, as well as to the earlier Strategic Plan 1.0, issued in June 2013.

Visiting Committee's stark and direct finding about the inadequacy of current funding to support the technology required by Strategic Plan 2.0 is a matter of deep concern. Likewise, the Visiting Committee's finding that "[a] lack of JISD resources forces other departments to implement IT projects on their own" is troubling in light of the obvious tension between such fragmented and decentralized IT developments and the goal of developing strategically coordinated, cost-effective, common IT solutions across the Trial Court's various operating units. The CMAB endorses the Visiting Committee's recommendations for increased IT capital funding and an increased IT operating budget, and commends the Committee's findings and recommendations to the recipients of this annual report.

## **VI. MANAGING THROUGH A MAJOR LEADERSHIP TRANSITION**

One mark of a well-managed organization is the ability to drive continuous improvements even during periods of significant change. The Trial Court is currently approaching a test of its strength in this regard, as it faces the transition from the administrative leadership of the first Court Administrator, Harry Spence, to his yet-to-be-named successor. The SJC has selected a 16-member search committee, led by recently retired SJC Justice Robert J. Cordy, to screen applicants and recommend the most qualified finalists for the Court Administrator position. The SJC also has retained the Boston-based executive search firm, Isaacson, Miller, to assist the search committee with this critical recruitment.

In connection with the search effort, Isaacson, Miller has prepared a position statement that describes the Court Administrator's responsibility for shaping the administrative functions that support the Trial Court's mission, including budget preparation and oversight, labor relations, information technology, capital projects, security, and personnel policy. As stated in that position statement, key objectives or areas of focus for the next Court Administrator will be as follows:

- Collaboration, Support and Efficiency within the Trial Court
- Information Technology
- Human Resources
- Budgeting and Fiscal Affairs
- Capital Management
- Strategic Planning and Successful Execution<sup>8</sup>

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<sup>8</sup> The position description prepared by Isaacson, Miller, while aimed at describing the context of the Court Administrator's work for the benefit of potential applicants for the position, also provides a fair and instructive summary of the Trial Court's recent accomplishments and current needs in each of these six areas. See <http://www.imsearch.com/modules/1/DisplaySearchPDF.aspx?itemID=s5-868>.

From the CMAB's perspective, much will depend upon the SJC's appointment of a new Court Administrator who possesses the requisite skill, drive and determination to both reinforce the Trial Court's recent progress and go further in advancing its ambitious goals for the future. In our view, the new Court Administrator will find ample challenges but also an inspiring opportunity to partner with Chief Justice Carey in leading the Trial Court to the next level of achievement, which will entail increasingly data-driven administrative decision-making, merit-based talent development, and a court user experience that more fully reflects the delivery of justice with dignity and speed.

## **VII. CONCLUSION**

The demand for improved services by the Trial Court has increased over time and will surely continue to do so. The Trial Court has made substantial management progress over the past several years, and this has strengthened its ability to meet a future of greater expectations. The challenge for the Trial Court now is to preserve and capitalize upon its recent gains, while simultaneously pushing for ever more ambitious achievements, even as it undergoes a major transition in its administrative leadership. As it embraces this challenge, however, the Trial Court also faces real needs for capital investments in court facilities and technology, as explained in the Trial Court's Strategic Plan 2.0 and the Report of the Massachusetts Court Technology Visiting Committee. The CMAB urges the Legislature to investigate, examine and attend to those needs.

The CMAB is honored to advise the Justices of the Supreme Judicial Court and the Chief Justice and Court Administrator of the Trial Court on matters of court management. We look forward to continuing to support the Trial Court in its ongoing efforts to improve the management of its operations, so as to best deliver high-quality justice with the efficiency, dignity, respect and professionalism that the public demands and deserves.

**APPENDIX A**

**TRIAL COURT STRATEGIC PLAN 2.0  
(OCTOBER 2016)**



# **Massachusetts Trial Court**

## **Strategic Plan 2.0**



**Chief Justice of the Trial Court Paula M. Carey**  
**Court Administrator Harry Spence**

**October 2016**



## Message from the Chief Justice of the Trial Court and the Court Administrator

*To the Members and Friends of the Massachusetts Trial Court,*

*Three years ago, we embarked on an ambitious reform agenda. Today, the Trial Court is stronger and ready to take on even bigger challenges. Our efforts in the last three years have led to the complete rollout of MassCourts (a single case management system across all locations and Departments), creation of more than 40 specialty court sessions, the introduction of a new Trial Court website, substantial increases in professional development and training opportunities, and the launch of electronic case filing and electronic application for criminal complaint, to name a few of the accomplishments.*

*Through Strategic Plan 1.0, the Trial Court demonstrated significant organizational capacity for transformation and performance. Strategic Plan 2.0 is a continuation of the work initiated in 2013, and it establishes a roadmap to reach our Vision for 2025. Four shared themes are embedded throughout this plan. 1) We aim to establish a culture of continuous improvement in the Trial Court, where we constantly evaluate and seek to improve upon our operations. 2) We work to address issues of race and implicit bias that are natural challenges to high-quality justice. 3) Our efforts focus on improving the user experience for all individuals within the court system. 4) We endeavor to strengthen public trust and confidence in the Trial Court and its ability to deliver justice with dignity and speed. Although much work remains to be done, we are fully confident in the Trial Court's ability to meet the ambitious goals outlined in this document. We are committed to advocating for resources to accomplish these goals.*

*This plan represents the collective expertise and engagement of nearly 200 Trial Court employees and external stakeholders, who directly contributed to its development. In addition, more than 150 Trial Court employees volunteered to be part of the strategic planning process, which we believe speaks to the dedication and commitment of the Trial Court workforce. These volunteers participated in the strategic planning teams, focus groups, surveys, and discussions that shaped Strategic Plan 2.0. Their perspectives were invaluable to developing, testing, and refining the ideas contained in this document.*

*We extend special thanks to Chief Justice Ralph D. Gants and the Associate Justices of the Supreme Judicial Court for their leadership and contributions to this endeavor. We appreciate their continued support and guidance. We would also like to thank the many others who offered suggestions and insights to the strategic plan.*

*We firmly believe that our ability to engage and collaborate with others who are involved in the delivery of justice will be critical to this plan's success. We know that inevitable challenges lie ahead, but we are confident in our collective ability to surpass these obstacles and meet the evolving needs of the people of Massachusetts.*

*Paula M. Carey  
Chief Justice of the Trial Court*

*Harry Spence  
Court Administrator*

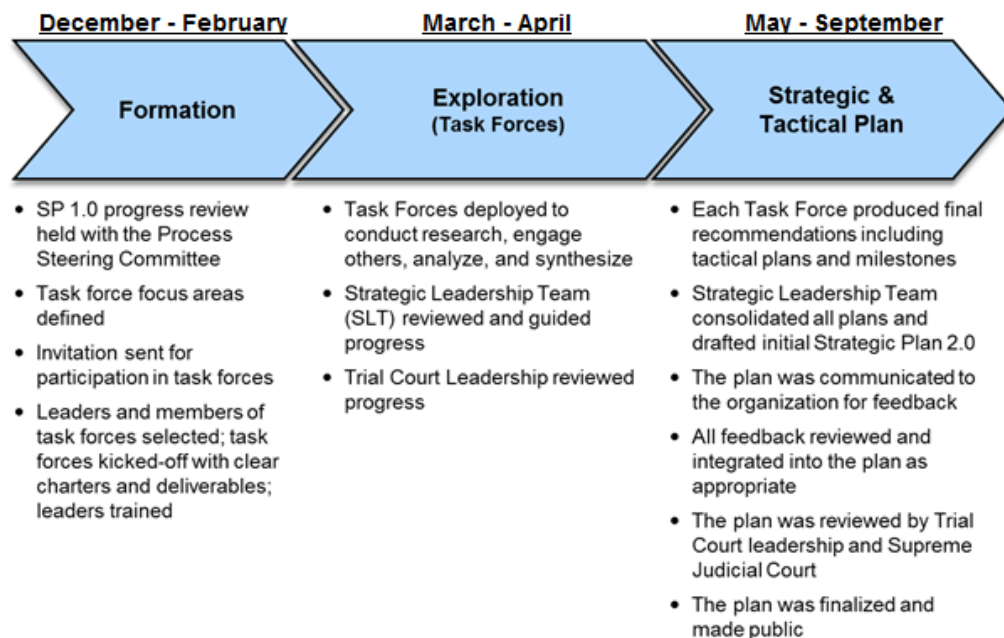
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## Strategic Planning Process

In June 2013, the Massachusetts Trial Court published its first strategic plan, which was an ambitious reform agenda that developed a vision for 2025, along with a roadmap to meet that vision with specific goals and strategies. The strategic plan (Strategic Plan 1.0) detailed nearly 100 tactics to be accomplished within three years. The Strategic Leadership Team (SLT), consisting of leaders in various positions throughout the Trial Court, was formed to monitor and guide implementation.

Since that time, the Trial Court has made considerable progress towards achieving its 2025 vision, although much work remains to be done. As the Trial Court neared the end of its three-year action plan, it was time to renew strategic planning efforts. The Strategic Plan 2.0 process consisted of three primary phases:



In December 2015, the Process Steering Committee (PSC), the 23-member group that initially developed Strategic Plan 1.0, was reconvened to provide feedback on successes and challenges over the past three years. Similarly, multiple focus groups were held with judges, clerk magistrates, and other Trial Court personnel to garner input on past efforts and identify areas of focus for the next three years.

Through this input, Trial Court leadership identified six subject areas, called domains, to help organize and focus the efforts of Strategic Plan 2.0. To ensure continuity of efforts, uncompleted tactics from Strategic Plan 1.0 were transitioned into these new domains by the SLT. The following are the six domains for Strategic Plan 2.0:

1. Access to Justice and the User Experience
2. Caseload Management
3. The Judicial Experience

4. Next Generation Technology
5. Organizational Decision-Making and Support
6. Talent & Career Development

Beginning in February 2016, Trial Court employees were invited to volunteer for teams addressing these six domains. More than 150 Trial Court employees volunteered to participate in the strategic planning process. In order to share the work of developing Strategic Plan 2.0, a task force was formed for each of the six domains. Task force members were selected from these volunteers, who had demonstrated an interest in the domain. Although not all volunteers were selected for task force participation, volunteers who were not able to participate were asked to gather in focus groups and complete surveys which informed strategy development.

Two team leaders and a project manager were identified to drive the work of each domain. Task force leaders were supported by The Ripples Group consultants. Each task force was to develop a three-year plan for enhancement of the Trial Court's work in that particular area, including actionable tactics, concrete milestones, and due dates for accomplishing the tactics.

At the same time and in alignment with the Trial Court's overall strategic planning process, the Massachusetts Probation Service (MPS) initiated its first strategic plan. To ensure diverse perspectives during its strategic planning process, MPS assembled a 13-member Steering Committee, which included employees in various positions in multiple departments and geographic locations, to guide the development of the strategic plan. MPS also created four task forces to address assigned areas:

1. Probation Business Processes & IT
2. Probation Practices
3. Probation Services
4. Probation Workforce Development

Each task force operated with a leader and membership from diverse backgrounds. Members were selected from a list of volunteers by MPS leaders. Altogether, the Trial Court's Strategic Plan 2.0 process consisted of 10 teams:

<b>Access to Justice &amp; User Experience</b>	<b>Case Flow Management</b>	<b>The Judicial Experience</b>	<b>Next Generation Technology</b>	<b>Organizational Decision-Making &amp; Support</b>
<b>Talent and Career Development</b>	<b>Probation Business Processes &amp; IT</b>	<b>Probation Practices</b>	<b>Probation Services</b>	<b>Probation Workforce Development</b>

The recommendations to all task forces were to include four shared themes to be embedded throughout the Trial Court and MPS strategic plans.

- Continuous improvement
- Race and implicit bias
- User experience
- Public trust and confidence

Each task force examined its recommendations to ensure that these themes informed its work product and that every recommendation took into account these four interpretive lenses.

The SLT's ten task forces worked intensively between March and June 2016 to develop their strategies. The SLT held check-in meetings in April, May, and June to guide the task forces' actions and strategy development. Task force project managers also met independently to coordinate activities and ensure alignment across domains. The SLT reviewed all strategies and much effort went to ensuring alignment between the ten task forces, as well as incorporating the four shared themes.

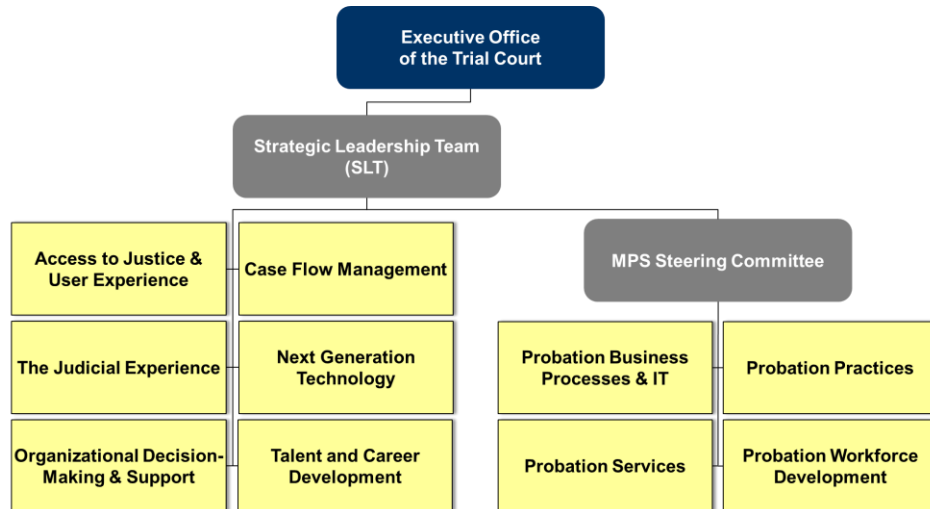
Working in parallel to the task forces, the SLT reviewed the Trial Court's mission, vision, goals, success measures, and slogan that were developed as part of Strategic Plan 1.0. The SLT sought feedback from the strategic planning volunteers on the Trial Court slogan, and a small working group reviewed the applicability of the success measures. That process resulted in only minor edits, which demonstrates the collective agreement and organizational momentum towards achieving the Trial Court's mission and vision for 2025, initially developed in Strategic Plan 1.0.

Once Strategic Plan 2.0 was nearly complete, the SLT collected feedback from the Departmental Chief Justices, Deputy Court Administrators (DCA's), and Office of Court Management (OCM) Directors. Strategic Plan 2.0 was presented to members of the Massachusetts Judges Conference and the Annual Conference of Clerk-Magistrates, Clerks of Court, Registers of Probate, and the Recorder of the Land Court. In parallel, MPS leadership engaged the Probation organization on the initial draft of the strategic plan. Final input was received from multiple external stakeholders that frequently engage with the Trial Court.

The wide-ranging participation of employees and stakeholders in the development of the Trial Court's Strategic Plan 2.0 has ensured a comprehensive product that reflects our collective priorities. Assignment of responsibilities and implementation on many of these priorities is already underway. The Trial Court sees the strategic plan not as an additional task to be completed, but rather as a means of providing context and more effectively accomplishing the day-to-day work already underway.

## Strategic Planning Membership

Below is a graphic of the strategic planning reporting structure. All strategic plans were reviewed by the SLT before undergoing Leadership review and approval.



The following table lists the individual Trial Court employees that were involved in the strategic planning teams, as well as membership for the SLT and MPS Steering Committee:

Name	Title	Department/Court
<b>Strategic Leadership Team</b>		
John Bello	Director	Facilities Management
Paul Buke	Deputy Court Administrator	Housing Court
Craig Burlingame	Chief Information Officer	Judicial Information Services
Hon. Paula Carey	Chief Justice	Executive Office of the Trial Court
Hon. Terry Craven	First Justice	Suffolk County Juvenile Court
Edward Dolan	Commissioner	Massachusetts Probation Service
Hon. Judith Fabricant (Co-Moderator)	Chief Justice	Superior Court
Hon. Dina Fein	First Justice	Housing Court – Western Division
Chris Fox	Associate Court Administrator	Executive Office of the Trial Court
John Gay	Clerk Magistrate	Springfield District Court
Daniel Hogan	Clerk Magistrate	Boston Municipal Court – Central
Dennis McManus	Clerk Magistrate	Worcester Superior Court
Pamela Casey-O'Brien	Register	Essex Probate & Family Court
Richard O'Neil	Probation Supervisor	Probate & Family Court
Hon. Angela Ordoñez	Chief Justice	Probate & Family Court
Mary Rafferty	Senior Asst. for Admin. & Comm.	Executive Office of the Trial Court
Hon. Lynn Rooney	First Justice	Lawrence District Court
Cynthia Robinson Markey (Co-Moderator)	Legal Counsel	Boston Municipal Court
Harry Spence	Court Administrator	Executive Office of the Trial Court
Michael Sullivan	Clerk Magistrate	Middlesex Superior Court
Hon. Maureen Walsh	First Justice	Holyoke District Court
Kim Wright	Senior Asst. for Judicial Policy	Executive Office of the Trial Court
<b>Access to Justice &amp; User Experience</b>		
Mark Ames	Head Admin. Assistant	Hampshire Probate & Family
Elizabeth Cerda	Special Projects Coordinator	District Court

<b>Name</b>	<b>Title</b>	<b>Department/Court</b>
Denise Donovan	Assistant Clerk Magistrate	Boston Municipal Court – Central
Hon. Dina Fein (Team Leader)	First Justice	Housing Court – Western Division
Alexandra Flanders	Assistant Judicial Case Manager	Franklin Probate & Family Court
Sarah Joss	Deputy Legal Counsel	Probation
Lori Landers	Family Law Facilitator	Hampden Probate & Family Court
William Letendre	Operational Support Team	Judicial Information Services
Brendan Lucey	Probation Officer	Barnstable Superior Court
Judith McCarthy	Performance Analyst	District Court
William McGowan	Probation Officer	Bristol Juvenile Court
Anastasia Perrino (Team Leader)	Register	Barnstable Probate & Family Court
Sheriece Perry	Senior Manager	Court Service Centers
Vincent Procopio	Case Specialist	Essex Probate & Family
Erika Rickard (Project Manager)	Access to Justice Coordinator	Executive Office
Hon. Lynn Rooney	First Justice	Lawrence District Court
Stephen Sanford	Court Interpreter II	Framingham District Court
<b>Caseflow Management</b>		
Benjamin Adeyinka	Administrative Attorney	Housing Court
Diane Barry	Probation Officer	Suffolk Superior Court
Kristina Bordieri	Assistant Judicial Case Manager	Hampden Probate & Family
David Dayes	Case Coordinator	Land Court
Hon. Lois Eaton	Associate Justice	Hampden Juvenile Court
Sarah Ellis (Project Manager)	Deputy Legal Counsel	District Court
Hon. Patricia Gorman	Associate Justice	Middlesex Probate & Family
Shirley Grohs	MassCourts Project Manager	Judicial Information Services
Linda Holt	Director	Research & Planning
Michelle Kelley	Assistant Clerk Magistrate	Wrentham District Court
Tim Linnehan	ADR Coordinator	Executive Office
Keith McDonough (Team Leader)	Clerk Magistrate	Lawrence District Court
Michael O'Loughlin	Assistant Clerk Magistrate	Boston Municipal Court – Central
Hon. Robert Rufo (Team Leader)	Associate Justice	Superior Court
James Sheerin	First Assistant Clerk Magistrate	New Bedford District Court
Rachel Wallack	Case Manager	Juvenile Court
Michelle Yee	Judicial Case Manager	Essex Probate & Family
<b>The Judicial Experience</b>		
Hon. Cesar Archilla	Associate Justice	District Court
Craig Burlingame	Chief Information Officer	Judicial Information Services
Beth Cook	Assistant Clerk Magistrate	Dedham District Court
Hon. Mark Coven (Team Leader)	First Justice	Quincy District Court
Hon. Terry Craven	First Justice	Suffolk Juvenile Court
Anna Evans	Domestic Violence Coordinator	Judicial Institute
Hon. Judith Fabricant (Team Leader)	Chief Justice	Superior Court
Dianne Fasano	Deputy Commissioner Field Services	Probation
Hon. Robert Gordon	Associate Justice	Superior Court
Hon. Mark Mason	Associate Justice	Superior Court
Alex Philipson (Project Manager)	Administrative Attorney	Superior Court
Hon. Janet Sanders	Associate Justice	Superior Court
Hon. Barbara Savitt-Pearson	Associate Justice	District Court
Hon. Peter Smola	First Justice	Dukes-Probate & Family Court
Hon. Paul Hart Smyth	Associate Justice	District Court
Hon. Kathe Tuttman	Associate Justice	Superior Court
<b>Next Generation Technology</b>		
LaTiquia Braxton	Field Support Analyst	Judicial Information Services

<b>Name</b>	<b>Title</b>	<b>Department/Court</b>
Catherine Brennan	Assistant Clerk Magistrate	Worcester Superior Court
Pamela Casey-O'Brien (Team Leader)	Register	Essex Probate & Family Court
Mark Costa	Probation Officer	Fall River Justice Center
Hon. Brian Davis	Associate Justice	Superior Court
George Festa	Assistant ELMO Coordinator	Probation/ Clinton
John Goggins	Assistant Clerk Magistrate	Worcester Housing Court
Kara Houghton	Legal Counsel	Jury Commissioner
Joseph Jackson	Case Manager	District Court
Paul Johnston (Project Manager)	Team Lead	Judicial Information Services
Carlos Mejia	Region IV Performance Analyst	District Court
Frank Russo	Probation Officer	Middlesex Superior Court
Patricia Ryle	Case Coordinator	Bristol Juvenile Court
Michael Sullivan (Team Leader)	Clerk Magistrate	Middlesex Superior Court
Joseph Thibault	Case Specialist	Hampden Probate & Family
<b>Organizational Decision-Making &amp; Support</b>		
Emma Baker	Head Account Clerk	Barnstable/Plymouth Juvenile Court
Robin Balicki	Office Manager	Eastern Hampshire District Court
John Bello (Team Leader)	Director	OCM - Facilities
Hon. Julie Bernard	First Justice	Brockton District Court
Whitney Brown (Team Leader)	Clerk Magistrate	Gardner District Court
Michael Coelho	Deputy Commissioner	Probation
Allison Cole	First Assistant Clerk Magistrate	Northeast Housing Court
Lisa Denault-Viale	Probation Officer	Berkshire Superior Court
Hon. Thomas Horgan	First Justice	Boston Municipal Court – Central
Donna Lee	Payroll Manager	OCM – Fiscal
Hon. Angela Ordoñez	Chief Justice	Probate & Family Court
Thomas Perrino	First Assistant Clerk Magistrate	Barnstable Superior Court
Lauren Reznick	Administrative Attorney	Land Court
Matthew Sepe (Project Manager)	Regional Facilities Director	OCM – Facilities
Ellen Shapiro	Deputy Court Administrator	District Court
Jeffrey Travers	Deputy Chief Information Officer	Judicial Information Services
<b>Talent &amp; Career Development</b>		
Brian Chamberlain	Court Officer	Middlesex Superior Court
Gina DeRossi (Team Leader)	Register	Bristol Probate & Family Court
Ann DiTullio	Operation Supervisor	Stoughton District Court
Eamonn Gill (Project Manager)	Labor Counsel	OCM – Human Resources
Stephen Hartnett	Manager for Staffing & Position	OCM – Human Resources
Maura Hennigan	Clerk Magistrate	Suffolk Superior
Michele Himes	Program Manager	Judicial Institute
Ellen Kelley	Deputy Recorder	Land Court
Ellen O'Connor (Team Leader)	Director	Judicial Institute
Juli Roberts	Assistant Chief Court Officer	Barnstable Superior Court
Linda Serino	Manager of Operations	OCM – Facilities
Joseph Sullivan	User Support Manager	Judicial Information Services
Kenley Wasmer	Assistant ELMO Coordinator	Probation
<b>MPS Steering Committee</b>		
Birnbaum, Crispin	General Counsel	OCP
Chausse, Donald	CPO	District Court
Coelho, Michael	Deputy Commissioner	OCP
Diaz, Katherine	Assistant ELMO Coordinator	ELMO
Dolan, Edward	Commissioner	OCP
Fasano, Dianne	Deputy Commissioner	OCP
Hogan, Joan	POM	BMC



Name	Title	Department/Court
Lopes, Daniela	Regional Program Manager	OCC
Nelson, Corinn	Victim Services Coordinator	OCP
O'Neil, Richard	Statewide Supervisor	FSD/PFC
Penna, Vincent	CPO	Juvenile Court
Ramirez, Rebecca	ACPO	District Court
Sullivan, Ellie	APO	Superior Court
<b>Probation Business Processes &amp; IT</b>		
Christopher Cannata	Assistant Supervisor of CS	OCC/ Community Service
Christopher Hercun (Team Leader)	Probation Officer	Barnstable Probate & Family Court
Paul Keefe	Project Manager	Probation Administrative Office
Tonie DeAngelis	CPO	Greenfield District Court
Katherine Diaz (SC Member)	Assistant ELMO Coordinator	ELMO
Michael Leahy	ACPO	Fall River District Court
Laura Lempicki	Manager of Research	Probation Administrative Office
John Millett	Statewide Supervisor	Juvenile Court
Danielle Slaney	POM	Norfolk Probate & Family Court
Rachel Spencer	Probation Officer II	New Bedford District Court
<b>Probation Practices</b>		
Sandra Adams	ACPO	Attleboro District Court
Jennifer Brady (Team Leader)	CPO	Hingham District Court
Steven Busby	Probation Officer	Middlesex Superior Court
Kerrin Costello	POIC	OCC – Salisbury CCC
John Fitzgibbons	Probation Officer	Worcester District Court
John Gilpatrick	Probation Officer	Plymouth Probate & Family Court
Julie Jacobs	Probation Officer	Boston Municipal Court – Central
Erin Lynch	Probation Officer	Norfolk Juvenile Court
Sandra Perachi-Taylor	Probation Officer	Berkshire Superior Court
Nina Pomponio	Administrative Attorney	Probation Administrative Office
Rebecca Ramirez (SC Member)	ACPO	Leominster District Court
Sandrine Ribeiro	Coordinator	Probation Admin.Office / Records Unit
<b>Probation Services</b>		
Jose Avila	Probation Officer	Essex Juvenile Court
Christine Costa	Program Manager	OCC – Plymouth CCC
Joyce George	ACPO	Bristol P&F Court
Phil Landry	ACPO	Brockton District Court
Antonio Lima	SCCPO	New Bedford District Court
Daniela Lopes (SC Member)	Regional Program Manager	OCC
Brian Mirasolo	Field Services Administrator	Probation Administrative Office
Corinn Nelson (SC Member)	Victim Services Coordinator	Probation Administrative Office
David Skocik	Statewide Supervisor	OCC – Community Service
Heather Whynot	Probation Officer	Boston Municipal Court – Central
Tori Wilhelm	Probation Officer	N. Berkshire District Court
Michelle Williams (Team Leader)	CPO	Boston Municipal Court – Charlestown
<b>Probation Workforce Development</b>		
Linda Almeida	ACPO	Wareham District Court
Julie Bennett	CPO	Barnstable P&F Court
Michael Candito	ACPO	Worcester Juvenile Court
Patricia Gavin	Statewide Training Director	Probation Administrative Office
Francine Hammersley	Probation Officer	BMC-East Boston
Lisa Hickey	Asst. Sup. of Community Service	OCC-Community Service
Pamerson Ifill	Regional Supervisor	OCP/Region 1
Natalie Lorenti	Administrative Attorney	Probation Administrative Office
Daniel Maltais	Probation Officer	Middlesex Probate & Family Court

<b>Name</b>	<b>Title</b>	<b>Department/Court</b>
Richard O'Neil (SC Member)	Statewide Supervisor	OCP/FSD – Probate & Family Court
Yvonne Roland	Operations Coordinator	Probation Administrative Office
Chrissy Ruuska (Team Leader)	POM	Worcester Superior Court

## External Partners

**We thank the following stakeholders for their contributions to our planning efforts:**

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Access to Justice Commission  
Asian American Lawyers Association of Massachusetts  
Boston Bar Association  
Committee for Public Counsel Services (CPCS)  
Court Management Advisory Board  
Department of Correction  
District Attorneys & DA Association  
Division of Capital Asset Management & Maintenance (DCAMM)  
Executive Office of Public Safety and Security  
Governor's Office  
Legislative Leadership  
Local 6 of the OPEIU  
Massachusetts Association of Hispanic Attorneys  
Massachusetts Bar Association  
Massachusetts Black Lawyers Association  
Massachusetts Judges Conference  
Massachusetts LGBTQ Bar Association  
NAGE  
Sheriffs Association  
Womens Bar Association

## Trial Court Today

The Massachusetts Trial Court continues to maintain the momentum of positive change launched by the June 2013 issuance of a comprehensive strategic plan. Implementation progressed on a wide range of initiatives that have greatly affected the court system and its stakeholders. Notable accomplishments from the original strategic plan include the following:

SP 1.0 Domain	SP 1.0 Accomplishment Highlights
Facilities Improvement	Conducted comprehensive capital assessment and drafted plan
	Established and implemented facility cleanliness standards
	Introduced Facilities Management Online Request Forms
	Built risk management and threat assessment capacities for security
	Designated safe and secure waiting areas
	Launched space separation program for Juvenile Court detention
Technology Enhancements	Completed implementation of MassCourts replacing 14 legacy systems
	Formed MassCourts Governance Committees
	Launched new Trial Court public website with improved self-help materials and selected platform for new intranet
	Implemented pilots for Electronic Application for Criminal Complaint (EACC) and civil e-filing
	Implemented remote access capabilities for attorneys and public in MassCourts
Workforce Development	Established dedicated space for expanded training center in Worcester
	Implemented an employee performance management system
	Trained managers on conducting employee performance appraisals
	Expanded professional development programs (nearly 60% more training hours completed and 96% increase in attendance)
	Developed resource allocation guides
Process Improvement	Opened five Court Service Centers
	Issued and began implementation of a Language Access Plan
	Piloted expanded hours of operation at Lynn and Plymouth District Courts
	Piloted staggered scheduling in each court department
Innovative Practices	Developed a consistent approach to specialty courts. Now operate 41 specialty court sessions statewide (adult and juvenile drug courts, mental health courts, veterans courts, and homeless court). Created Center of Excellence for Specialty Courts with UMass Medical
	Created Innovation Grant program
	Implemented validated risk assessment tool for pre-adjudicative juveniles
Governance & Communications	Created the Strategic Leadership Team (SLT) to oversee SP execution
	Developed and implemented a legislative agenda
	Conducted NCSC review process on Trial Court governance structure

To continue this significant progress, Strategic Plan 2.0 was developed to identify priorities for 2016 to 2019. This section summarizes major trends and analyses that led to the identification of strategic domains and tactics for implementation in the next several years.

### Access to Justice

Today, there is significant national momentum across court systems toward enhancing access to justice and improving the court user experience. This is particularly relevant for Massachusetts, where all court departments, particularly the Housing Court and the Probate & Family Court, deal with substantial percentages of self-represented litigants.

The Massachusetts Trial Court has been a national leader in the areas of attorney access, self-representation, language and disability assistance, and self-help information. The National Center for Access to Justice recently ranked Massachusetts second overall in the country for its work in this regard. Since its inception in 2009, the Trial Court's Access to Justice Initiative has worked on a number of projects, including the following:

- Developing a language access plan;
- Increasing access for limited English proficient (LEP) members of the public by translating court forms and informational materials, available on the language access portal;
- Providing self-help information including: videos, expanding lawyer for a day programs and limited assistance representation, expanding onsite Alternative Dispute Resolution (ADR), creating computer-guided interviews for completing court forms, piloting electronic filing of court documents, securing grants to enhance court resources, and standardizing ADA compliance;
- Developing court service centers to assist the public and self-represented litigants;
- Initiated program to launch court processes, led by NuLawLab and IDEO.

In order to address the challenges of an increasingly diverse court user population and new court technologies, Access to Justice will be a primary focus of Strategic Plan 2.0.

### **Caseflow Management**

A fundamental component of the work in the Trial Court involves moving cases forward from initiation to resolution. Many factors can delay this process, including interpreter unavailability, parties' delay, lack of security staff, unavailability of probation information, and lack of coordination with law enforcement agencies, to name a few. To track its efficiency in case resolution, the Trial Court reports annual caseflow metrics using four measures developed by the National Center for State Courts: clearance rate, time to disposition, age of pending cases, and trial date certainty.

In the past five years, the Trial Court's total clearance rate (the number of outgoing cases as a percentage of the number of incoming cases) has risen from 96.4% to 101.8%, demonstrating the Trial Court's increasing ability to resolve cases and reduce its backlog. Caseflow management, however, must be addressed at the courthouse and case level.

### **Facilities**

Strategic Plan 1.0 identified court facilities as a primary obstacle to a dignified legal process. In many instances, courthouses were in disrepair, lacking cleanliness, failing to provide disability access, using failing building HVAC systems, mixing user populations that should be kept separate, and did not provide a conducive working environment. Consequently, as part of its strategic planning efforts, the Trial Court developed a long-term plan that identifies building deficiencies and priority locations for renovation, new construction, and consolidation.

Under new leadership, the Trial Court Facilities Department has restructured to provide clear career paths within the Department, implemented facility cleanliness standards, created an online

facility job request system to better serve courts, and initiated green cleaning practices. These changes, in addition to other successes, have improved the dignity and operation of court facilities.

The Trial Court's ability to address its capital needs, however, is largely dependent upon external government entities, which must balance these needs with similar capital needs in transportation, higher education, corrections, and other priority areas. At this point, capital budget constraints limit our ability to do more than a minimal level of improvements. This remains a major concern for Court leadership and staff.

### **Judicial Decision-Making**

Massachusetts has a national reputation for high-quality judicial decision-making. That reputation has been confirmed through user surveys, interviews, focus groups, and independent reports. On the other hand, there are natural challenges to judicial decision-making that affect the Trial Court's ability to provide high-quality, timely justice:

- Delays in caseload management and timely resolution of cases
- Insufficient judicial support staff and resources, such as law clerks, judicial secretaries, and case-related information
- Increasing numbers of self-represented litigants
- Implicit bias

Judges and magistrates in the Trial Court have reported that these factors present a considerable burden that inhibits their ability to operate at their highest capacity. Judicial perspectives and enhanced decision-making support will be a focal point of Strategic Plan 2.0.

### **Legislative Agenda**

In accord with Strategic Plan 1.0's goals, we are grateful for the strong collaboration and consultative nature of the relationship between the Legislature and Judiciary on issues of mutual concern. The Executive Office of the Trial Court has made significant strides in the development and passage of its legislative agenda. The Executive Office has developed a formalized system to coordinate and report on new and pending legislation to all Trial Court Departments. In the past three years, the Massachusetts Trial Court has introduced new legislation to expand the jurisdiction of the Housing Court statewide, and it has obtained funding for more than 40 specialty court sessions now in operation across the Commonwealth.

### **Organization & Structure**

The Trial Court is unique in its organizational structure, largely due to its history prior to 1978 as a set of county funded and governed courts. The Trial Court was restructured into the current seven, state-funded departments in 1978. This reorganization included the creation of central administrative office functions for budget, accounting, procurement, facilities, law libraries, and personnel management. The Trial Court now operates under the leadership of the Chief Justice of the Trial Court and the Court Administrator; however, despite increased centralization of

management functions since 1978, authority still remains widely dispersed, presenting both benefits and challenges.

The Office of Court Management (OCM), which includes Fiscal, Human Resources, Judicial Information Services, Security, and Support Services, has as its primary responsibility serving court needs at the local level, where cases are handled. Focus group feedback reflects a need for further improvement in the responsiveness and quality of administrative services. Determining how best to handle the disparate needs of courts will be a top priority for OCM.

In addition, it is unclear how some decisions are best made and communicated within the Trial Court – both within and across departments. Clarifying leadership responsibilities can enhance collaboration, communication, and accountability.

### **Probation**

For more than a decade, the Massachusetts Probation Service has dealt with significant and often widely publicized challenges. To overcome persistent challenges, MPS has followed a three-part agenda over the last three years:

1. Build the organizational structure to manage operational capacity better;
2. Develop the workforce through proper staffing and training; and
3. Implement proven and promising probation practices in alignment with the judges, clerks and our judicial, law enforcement, and community partners.

MPS has clarified roles and responsibilities, enabling annual employee performance reviews to be implemented for every position. For the first time, all positions within MPS receive performance evaluations on an annual basis.

Similarly, employment testing has been revised and implemented. This has allowed MPS hiring to keep pace with attrition, and the quality of candidates for MPS positions is encouraging. Advanced degrees and related work experience are commonplace for associate probation officer to chief probation officer candidates.

Finally, MPS alignment within the Trial Court has improved in many respects. Most importantly, best probation practices are better aligning with best judicial practice and best practice by clerk-magistrates. The ORAS and OYAS tools have infused evidence-based practice throughout MPS training, and Probation has been largely involved in the expansion of specialty courts.

Despite these efforts, much work remains to be done. There are significant improvement opportunities in areas such as the case management system, local policies and practices, collaboration with MPS community partners, workforce development, and internal communications.

### **Security**

The Security Department's 2014 strategic plan resulted in a primary focus on increasing court officer capabilities. The department has reformed its hiring, promotion, and training practices to better prepare the department's front line staff to address today's court security threats.

Establishment of entry and promotion eligibility exams, addition of a Physical Abilities Test and full background investigations for court officer candidates, have made initial appointment and promotion within the Security Department a highly competitive, merit driven process.

In addition, the Massachusetts Trial Court Academy has been nationally accredited through the Commission for Accreditation of Law Enforcement Agencies. Court officers also undergo a comprehensive in-service training curriculum used to provide prospective and incumbent court officers and their leaders with the essential knowledge, skills, and abilities to deliver high quality court security.

## **Technology**

The complete implementation of MassCourts by all court departments and divisions, completed in late 2015, is a major step forward for the Trial Court in establishing a uniform case management system, centralizing case information, and replacing 14 legacy systems. MassCourts provides a platform for better data reporting, standardized practices and processes, and more easily accessible information to employees, users, and the public.

However, public expectations for readily-available court information and self-service exceed existing capacities. Growing numbers of court users expect electronic access to court records and the ability to file court forms and make payments electronically, similar to operations in the federal courts.

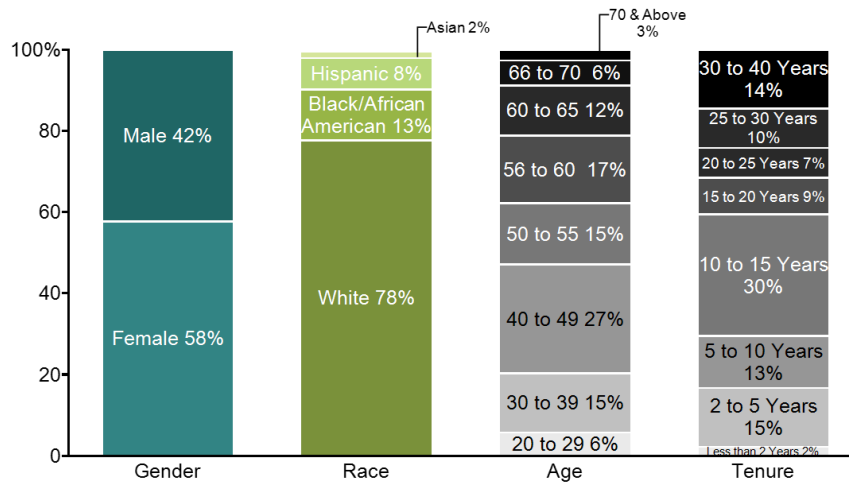
The full adoption of civil e-filing and electronic application for criminal complaint (EACC), both piloted under Strategic Plan 1.0, as well as operational migration towards digitized court records are significant changes from current court operations. Successfully adopting these new practices will be a major step forward in the Trial Court's organizational advancement.

## **Workforce**

The Massachusetts Trial Court employs 6300 personnel and approximately 80% of the budget consists of staff-related expenses. For the vast majority of positions, the Trial Court maintains high levels of employee retention. Approximately 40% of all employees have worked for the Trial Court for 15 years or more. In addition, the Trial Court is, generally, representative of Massachusetts's ethnic composition.



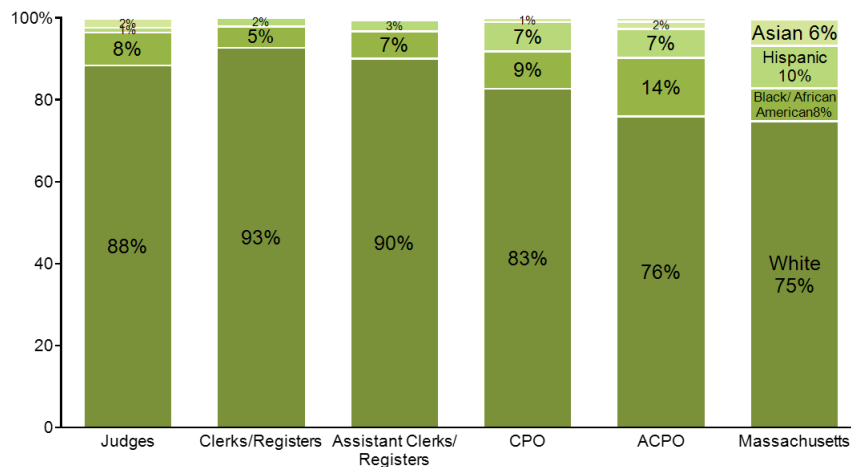
### Trial Court Employee Statistics



Source: MA Trial Court, HCRMS employee database, March 2016. N= 6,300

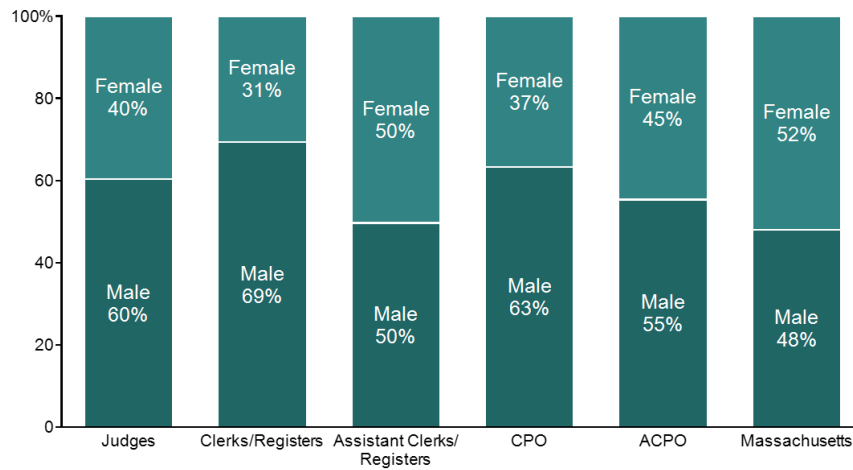
Although the Trial Court as a whole is representative of Massachusetts's ethnic composition, there is a lack of diversity in management positions within the Trial Court. Similarly, females tend to be underrepresented in management positions. Ensuring diversity at all levels of the organization will be critical to addressing issues of race and implicit bias.

### Trial Court Ethnicity in Management Positions



Source: MA Trial Court, HCRMS employee database, March 2016. N= 6,300 & 2013 US Census Estimate

### Trial Court Gender in Management Positions



Source: MA Trial Court, HCRMS employee database, March 2016. N= 6,300 & 2013 US Census Estimate

Furthermore, given the Trial Court's aging workforce (21% of all employees are over the age of 60), there is a risk of high employee turnover in the coming years.

These trends place importance on the Trial Court's ability to attract highly qualified individuals, develop career paths to advance their careers, and provide professional development and educational opportunities.

### **In Summary**

The Trial Court has made important improvements in recent years. Yet much work remains to be done to meet the vision for 2025. The strategic plan that follows lays out a roadmap for the Trial Court's direction and our collective priorities over the next three years. It is an ambitious agenda, but, as Strategic Plan 1.0 demonstrated, the Trial Court has significant capacity for continued change and progress.

## Trial Court Mission

The Trial Court is committed to:

- providing fair and impartial administration of justice;
- protection of constitutional and statutory rights and liberties;
- equal access to justice for all in a safe and dignified environment;
- efficient, effective and accountable resolution of disputes; and
- prompt and courteous service to the public by committed and dedicated professionals utilizing best practices in a manner that inspires public trust and confidence.

## Trial Court Vision

*What is the future we are aiming for? Where do we expect the Trial Court to be tomorrow? Where do we expect the Trial Court in 2025? Through the strategic planning process, the Trial Court has developed a shared vision with mutual commonalities and expectations of the elements of judicial excellence described below:*

Massachusetts is a national leader in delivering quality justice equally to all. We excel at the fair and expeditious resolution of disputes. Litigants, attorneys, witnesses, jurors, and all other users of the court system are unfailingly treated with dignity and respect. We are sensitive and adaptive to cultural and language differences.

We are highly efficient with our resources and benefit from advanced technologies. Cases move expeditiously through the system and wait times are minimal. Processes and standards are consistent within each department and appropriately consistent across departments. Technology has allowed us to standardize and simplify our processes, and connect more effectively with our users and each other. Our operations are transparent and we are fully accountable for our results.

The Massachusetts Probation Service, an integral part of the Trial Court, uses evidence-based approaches to contribute to the fair and equitable administration of justice, increase community safety, reduce recidivism, support victims and survivors, and assist individuals and families in achieving long term positive change.

Our courthouses stand out for their safety, dignity, flexibility, convenience, and efficiency. Our facilities are up-to-date, accessible for all, and secure. They are maintained to the highest standards with sustainable practices. Day care centers are provided where most needed.

Our employees are committed, professional, well trained, flexible, and recognized for their achievements. Morale is high. Judges, clerks, and staff are respected by their colleagues and the public. We have a culture of collaboration and high performance. We are deeply inspired to challenge and innovate, and we have access to information we can use to that end. Continuous improvement and innovation is a way of life.

There is substantial mobility through the organization along with cross-training and career paths that allow for it. We have a merit based hiring and promotion system with clear opportunities for advancement. There are many qualified and diverse applicants for every opening at the Trial Court.

We have excellent relationships with the Legislative and Executive branches. Our budgets are appropriate to our needs. We address critical issues arising from community needs effectively and collaboratively.

The public understands and respects the court system and its employees. Judges, clerks, and staff are appropriately engaged with the community. The Trial Court deserves and enjoys the public's trust.

## **Trial Court Goals**

*To serve its mission and to make progress towards its vision of the future, Trial Court has identified 9 goals (in no particular order):*

Preserve and enhance the quality of judicial decision-making.

Deliver justice with effectiveness, efficiency, and consistency in court operations and services.

Ensure fair access to the court system.

Respect the dignity of the judicial process and all participants and provide a safe environment.

Support a high-performance organization with a well-trained, engaged, collaborative, and diverse workforce.

Increase the transparency and accountability of court operations.

Strengthen relations with the Legislative and Executive branches.

Explore and expand collaborative and innovative approaches to delivering justice.

Enhance public trust and confidence in the judicial branch.

### **Preserve and enhance the quality of judicial decision-making.**

High quality judicial decision-making is the most essential feature of any court system; it is central to the accomplishment of every aspect of our mission. The Massachusetts judiciary has long been recognized for quality. Our goal is to preserve and enhance that strength by ensuring that

judges and magistrates in all Trial Court Departments have the knowledge, information, resources, and support necessary to make legally correct decisions, to exercise sound discretion, and to communicate their rulings and reasoning in a manner that helps litigants understand the basis for decisions and promotes public understanding of judicial proceedings. Necessary resources include judicial education and mentoring; sufficient law clerk and other staff assistance; and access to legal research tools.

**Deliver justice with effectiveness, efficiency, and consistency in court operations and services.**

Expedition in processing and resolving cases, without sacrificing quality, is essential. Streamlined operations not only offer better service to users of the court system but also ensure cost-effectiveness. Consistency across departments and divisions facilitates more predictable service and better resource utilization in operations; embracing and employing technology reduces the cost of services. Expedition and timeliness metrics and juror utilization statistics should be emphasized to promote continuous improvement.

**Ensure fair access to the court system.**

Providing justice under the law requires that all who seek justice have access to the Commonwealth's courts. The judicial branch must accommodate users who may otherwise experience barriers to full participation and train staff to respond effectively to the needs of all users. Appropriate accommodations include, for example, courthouses that are accessible for the disabled, court forms that are available in multiple languages, and court staff able to respond courteously and effectively to diverse court users.

Self-represented litigants may experience barriers to access due to their unfamiliarity with court procedures. Accommodating self-represented litigants requires new approaches and resources, such as expanded web presence, improved access to legal information and help-desks at courthouses. Such accommodations, as well as access to limited assistance representation, will enhance the ability of self-represented litigants to submit accurate information and present effective advocacy, which in turn will promote sound judicial decision-making.

**Respect the dignity of the judicial process and all participants and provide a safe environment.**

A fair and effective system of justice respects the dignity and protects the safety of all participants. This includes courteous and respectful treatment of and behavior by both users and employees in a dignified and safe environment. The design and maintenance of court facilities should support the court's mission and enhance its dignity.

**Support a high-performance organization with a well-trained, engaged, collaborative, and diverse workforce.**

Trial Court employees are both capable and committed to serving the public. The court leadership must encourage professional development and collaboration, and provide the environment, resources, and training necessary to enable employees to provide the highest level of service to

the public. Education, cross training, instruction in the use of data-driven approaches to process improvement, and on-going feedback on performance are some of the essentials necessary to develop a high performance culture and a flexible organization with high morale.

**Increase the transparency and accountability of court operations.**

Transparency and accountability of court operations provide the public and court employees with confidence that public funds are spent wisely, and that the court system is well-managed and operating with integrity and fairness. Regular court communications should convey timely, accurate, and germane information about court management and operations to judges and court staff, the legislative and executive branches, and the public. Hiring and promotional practices must be transparent and merit-based.

**Strengthen relations with the Legislative and Executive branches.**

Strong relations with the Legislative and Executive branches are essential. Adequate funding is critical to the court's ability to maintain and improve Trial Court operations and services. The three branches should cooperate on a host of challenges, from replacing antiquated courthouses to reducing recidivism.

**Explore and expand collaborative and innovative approaches to delivering justice.**

The court system must continue to innovate and evolve as the challenges confronting our society change. Cooperative engagement with government agencies and other appropriate participants in exploring, expanding and implementing innovative processes is important in fulfilling the Trial Court's mission.

**Enhance public trust and confidence in the judicial branch.**

A democratic society premised on the rule of law requires informed citizens who support the judiciary and trust it to decide cases impartially, according to the law. The Trial Court should actively promote public understanding of and confidence in the judicial system. All court users should conclude their experience with the belief that judges and court staff are competent, courteous, professional and fair.

## Success Measures

*How do we know if we are making progress towards our goals? The Trial Court will assess long term progress by the following means:*

**Opinion Polls:** Surveys of court users, including litigants, witnesses, attorneys, and jurors, that collect feedback on court operations, and periodic surveys of the general public that gauge public trust and confidence in the Massachusetts court system.

**Employee Pulse Check:** Periodic, brief surveys that collect employee feedback and enable assessment of workforce trends.

**Timeliness Measures:** Measures (e.g. clearance rates, time to disposition, cases pending beyond time standards, and event date certainty) that assess how promptly the court processes cases.

**Percentage of Fees Collected:** The fees and fines collected within established timeframes, expressed as a percentage of total fees and fines assessed (not waived by court order).

**Percentage e-filings:** The percentage of cases in which a litigant files any court paper electronically, expressed as a percentage of total number of cases.

**Percentage computerized courtroom docketing:** The number of docket entries entered electronically in the courtroom in the first instance, rather than on paper, expressed as a percentage of daily docket entries.

**Internal Inspection and Evaluations:** Observations and results of internal inspections and evaluations to gauge compliance with security policies and procedures as well as the effectiveness of those processes to facilitate court safety and security.

**Percentage of Buildings at Minimum Standards:** The number of court facilities that comply with accessibility laws and established standards of repair and cleanliness, expressed as a percentage of total court facilities.

**Recidivism Rate:** The number of individuals on probation who are arraigned on a new criminal charge during the course of supervision, expressed as a percentage of the total number of individuals under supervision.

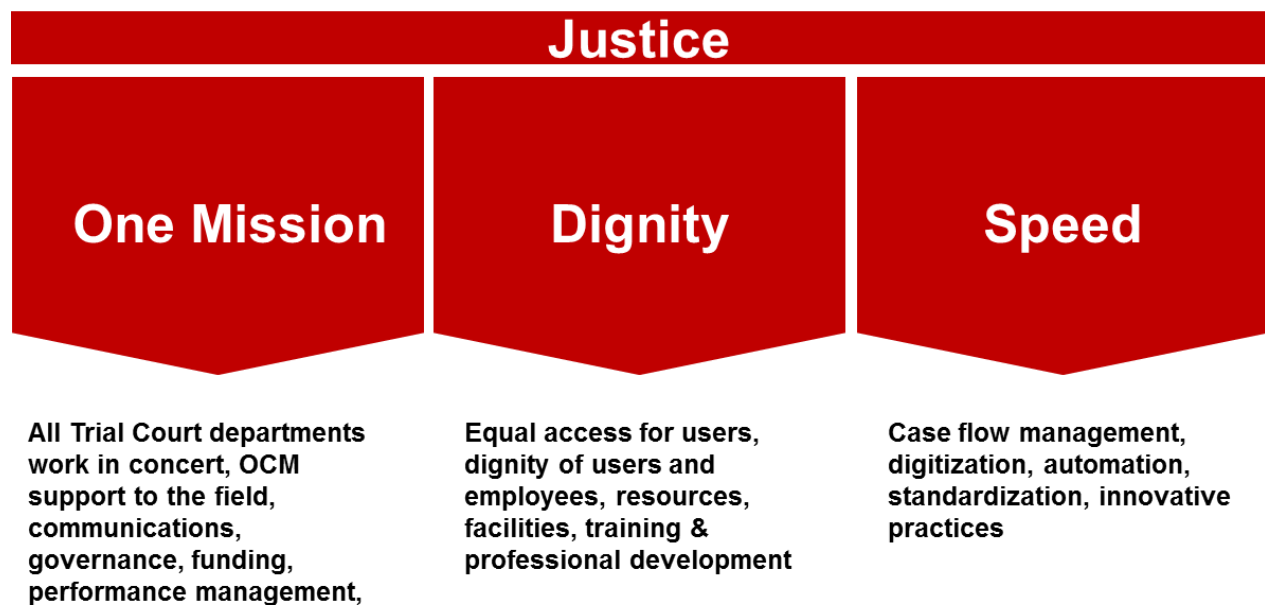
**Diversity of the Workforce:** The number of Trial Court employees who identify as minority, female, and members of other groups that historically have been under-represented in various positions, expressed as a percentage of total employees in various types of employment at both the managerial and non-managerial level.

**Percent of Workforce Attending Training:** The number of Trial Court employees who annually participate in at least one Trial Court sponsored training or professional education event, expressed as a percentage of total Trial Court employees.

**Quality of Judicial Decision-Making:** Measures to be devised by the Chief Justice of the Trial Court, in consultation with the Trial Court Department Chief Justices, to evaluate and implement enhancement tools to ensure continued quality and communication of judicial decisions.

## Umbrella Strategies

*How do we go about achieving our goals? We have focused on three umbrella strategies to guide our tactical plans and day-to-day decision making:*

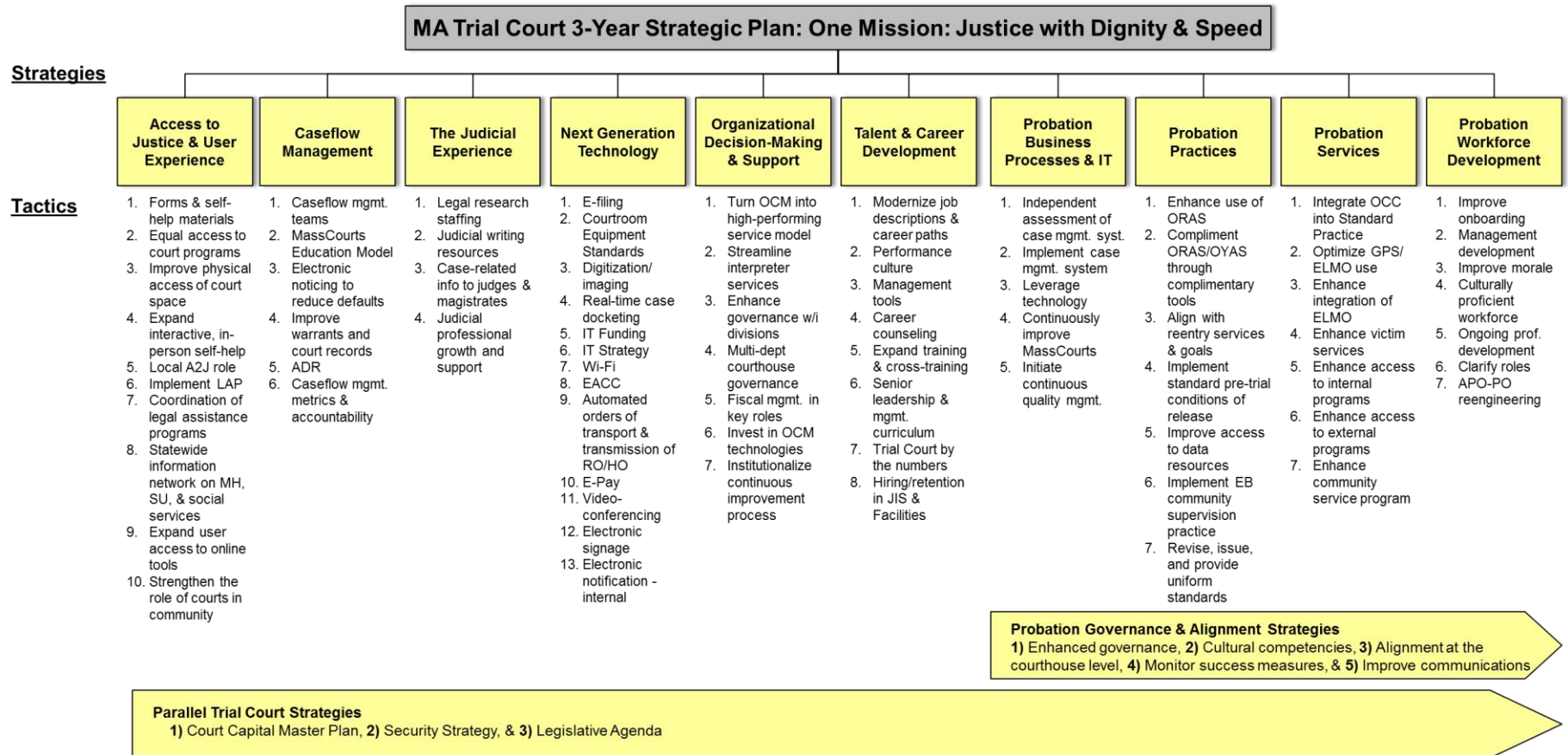


**One Mission: Justice with Dignity and Speed**



## 3-Year Strategic Plan

The Trial Court's 3-year strategic plan consists of over 80 total tactics under 10 high-level strategies:



### Abbreviation Key

LAP – Language Access Plan  
 MH – Mental Health  
 SU – Substance Use  
 ADR – Alternative Dispute Resolution  
 EACC – Electronic Application For Criminal Complaint  
 RO/HO – Restraining Order/Harassment Order

OCM – Office of Court Management  
 JIS – Judicial Information Services (IT)  
 EB – Evidence Based  
 OCC – Office of Community Corrections  
 APO – PO – Assistant Probation Officer/Probation Officer

Each Trial Court task force developed a three-year strategic plan to address the priorities within its overarching strategy. Within these plans, task forces laid out specific initiatives, also called tactics, which will focus the organization's efforts over the following three years. In addition, task forces were asked to develop a Definition of Success for each tactic so that tactic objectives are clear.

Each tactic includes its own project plan with milestones and deadlines, in order to track progress. These tactical plans (example pictured below) will be used by Trial Court leadership as a project management mechanism to monitor tactic progress and ensure timely advancement.

				FY17				FY18				FY19				Definition of Success			
Continue E-Filing Roll out				FY17				FY18				FY19				Definition of Success			
Roll out Wi-Fi				FY17				FY18				FY19				Definition of Success			
Roll out E-Pay				Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Definition of Success			
<div>Action Steps</div>	Complete Pilot sites roll out					x										Expand to all Trial Court			
	Create each roll out committee					x										Definition of Success			
	Set up roll out presentation					x										years.			
	Create statewide roll out						x												
	Begin statewide roll out							x	x	x	x	x	x	x	x				
	Offer training to attorneys to increase self-representation										x	x	x		x	x			
	Develop self-representation filing (ARJIS)																		
	Mandate attorney use of e-filing															x			

The strategic tactics identified in this domain fall into seven broad areas. They include mechanisms for regular input from the general public and court users on how to improve the court system and evaluate the effectiveness of new initiatives.

The simplification of court forms and their accompanying processes is the most valuable improvement that courts can make to enhance access to justice and improve the court user experience. Simplification and standardization benefit court staff and court users alike, and will lay the necessary foundation for additional strategies to ensure appropriate levels of service.

All court users deserve equal access to court programs, including specialty courts, diversion programs, and other alternatives to the traditional criminal justice system. The Trial Court is committed to improving public trust and confidence by reducing and eliminating disparities in access to court programs.

Access to Justice tactics also address building organizational capacity, language access, physical access and safety, providing in-person assistance, expanding programs and tools, as well as strengthening the collaboration between courts and the community.

Tactic	Definition of Success
Simplify and standardize a set number of court forms and accompanying self-help materials	<p>Among the selected legal topics, the Trial Court's forms, written self-help, and multimedia self-help tools are revised:</p> <ul style="list-style-type: none"> <li>- Forms are standardized, plain language, simple, self-explanatory, actionable, age-appropriate, multilingual, accessible, fillable, savable, printable, and available online; and</li> <li>- Self-help information is simple, easy to understand, provides a roadmap of court procedure, and is consistent across courts and across technologies, including interactive, multimedia self-help tools to understand and complete these court processes online</li> </ul>
Ensure court users have equal access to all court programs	Court users have equal access to all court-ordered and court-involved programs, regardless of race or geography. Programs include specialty courts, diversion programs, court-ordered programs, and court services.
Evaluate and improve physical access and use of courthouse space	All court users and court personnel are accommodated to ensure that they can access the court building, navigate to the proper location, and address their legal needs safely and securely.
Expand interactive self-help assistance by court staff	Court staff are available in every court to assist court users in understanding court procedures and accurately completing the proper forms.
Build a local Access to Justice role	All divisions and court locations of all departments have at least one point person with some responsibility for providing colleagues and court users with information about language access,

<b>Tactic</b>	<b>Definition of Success</b>
	self-help information, and other local resources and access to justice tools.
Implement the action steps of the Language Access Plan	All action steps of the Language Access Plan are fully implemented.
Expand coordination of legal assistance programs in courthouses	All court users involved in a case type with significant numbers of self-represented litigants have access to some form of legal assistance program that provides meaningful assistance for essential civil legal needs.
Create a sustainable statewide information network on mental health, substance use, and social services	Court users across MA receive the most up-to-date information and resources available relative to mental health, substance use disorders, and social services.
Expand court user access to online tools	Court users have equal access to their own records and to electronic filing of court documents, regardless of whether they are attorneys or litigants; and court users can easily navigate the Trial Court website.
Strengthen the role of courts in the community	Courthouses are used in new ways to enhance public trust and confidence, and increasing access to courts and courthouses in ways that reflect local community needs, and maximize efficient and effective use of courthouse space; number of free programs available to court users in courthouses is doubled from FY16 to FY19.

## Caseflow Management

Caseflow management is an area of strategic focus for the Trial Court, given its fundamental impact on court operations. The effectiveness with which courts manage caseflow affects the actual and perceived delivery of justice for all parties. The Trial Court currently uses four measures of timely case processing developed by the National Center for State Courts.

The priorities in this area reflect identification of major issues that affect caseflow. These include the need to start court on time, accessibility of courthouses, adequate staffing, incorporating technology and data gathering and the use of data to assess caseflow. Other areas for attention include the resolution of cases without judicial involvement, the impact of internal resources and external agencies, courtroom efficiency, and response to legislative changes.

Successful caseflow requires commitment and attention at the local level. The Trial Court will establish local teams to focus on caseflow and assess the factors specific to each court that affect caseflow management. Since the MassCourts case management system is instrumental in caseflow management, an enhanced education model is needed to support the implementation of new MassCourts functions. The expansion of MassCourts features to improve notification and communication of court actions will also reduce defaults, expand access to court information, and improve confidence in the court system.

Alternative Dispute Resolution options can improve caseflow management. The Trial Court must expand awareness of existing options, identify ways to measure the use of ADR, and expand

ADR options. In addition, development of metrics templates for each court department and a regular reporting system will enable each court to track and analyze varied aspects of its caseload.

<b>Tactic</b>	<b>Definition of Success</b>
Improve caseload management in each court department	Factors, specific to each court, that affect caseload management are identified and addressed which improves caseload management.
Develop an enhanced MassCourts education model	An education structure for new MassCourts technology, including expertise and training capacity in each court department, quick reference cards, and a training plan, is developed.
Expand use of electronic noticing, mobile applications for attorneys, and e-payment to reduce defaults and expand court access	Attorneys receive mobile access to court information in each court department. Revised court notices or notification addendum are created for each court location.
Improve integrity and timeliness of warrants and court records through technology solutions and procedural changes	A protocol for increasing the integrity of the warrant management system is developed and implemented.
Expand understanding of and access to alternative dispute resolution	ADR education for judges and clerks, a model for ADR screening, ADR metrics in MassCourts, and an ADR expansion plan is developed.
Develop next generation caseload management metrics and accountability	A metrics template per court department and reporting system is developed and operational.

## Court Capital Master Plan

Under the direction of Strategic Plan 1.0, the Massachusetts Trial Court completed the Court Capital Master Plan. The Capital Plan proposes the repair, refurbishment, and replacement of facilities to bring the court infrastructure into the 21<sup>st</sup> century.

The Court Capital Master Plan strives to maximize existing assets and consolidate those that are obsolete, low volume, in need of major capital investment, and in leased space where advantageous, in order to build the court system for the next 30–50 years. Trial Court facilities must be brought into compliance with modern standards with critical issues addressed first, access to justice improved, and strategic investment made to allow for fewer, yet more efficient courthouses.

This Plan is, of course, a proposal that requires legislative funding in order to be realized.

## The Judicial Experience

Priorities identified in this area include the need to support judges and magistrates in their role of providing justice with dignity and speed, by providing the resources and support they need to conduct fair and dignified proceedings, and the time to issue fair, prompt, and legally sound rulings and decisions. The prioritized tactics address the resources and supports needed for judges and magistrates to function at their highest capacity.

Focus group discussions with judges and magistrates in multiple Trial Court departments, as well as with staff of the Probation Service, and an online survey of judges have identified the most

pressing needs. This feedback underscores the need for increased staff support for legal research and writing; scheduled time within the workday to write decisions; increased access to information on sentencing, setting probation conditions, and other case-related matters; and increased opportunities for education and professional growth. Additional areas of importance are the establishment of channels of communication to share resources and information, and the provision of appropriate settings and equipment to conduct hearings.

The Trial Court has prioritized the needs, developed tactics related to these issues, and set milestones for putting the tactics into action. Tactics fall into four main areas: legal research staffing, legal research and writing resources, information sharing, and professional growth and development. The tactics outline actions to provide additional research staff, scheduled writing time, expanded access to online reference tools, and expanded educational opportunities.

<b>Tactic</b>	<b>Definition of Success</b>
Improve quality and quantity of staff to provide support for legal research and writing	Judges have sufficient support to issue timely, legally sound rulings and decisions
Schedule writing time for judges and expand access of judges and magistrates to reference works, online tools, and other appropriate resources	New laptops are provided to all judges to facilitate timely, legally correct decisions. Judges complete written decisions during normal work hours. Judges and magistrates have access to materials to facilitate timely and efficient rulings and decisions. Magistrate hearings have improved efficiency, dignity, and safety.
Provide case-related information to judges and magistrates to promote informed decision making	Judges and magistrates make well-informed decisions, reflecting the benefits of sharing knowledge among various participants in the court system.
Expand educational opportunities for judges and magistrates, and provide support options	There is a consistently high level of performance and professional satisfaction among judges and magistrates. Judges increase use of education programs; magistrates have increased access to education programs.

## Next Generation Technology

The Trial Court reached a technology milestone with completion of the transition to MassCourts, a single case management system, across all Trial Court departments. Technology advances over the next three-to-five years will require ongoing changes in the way the court system uses and delivers technologies for court staff and court users. A Court Technology Visiting Committee recently identified key findings and recommendations to help position the courts for the changes needed to support a real time, paperless, user-centric and seamless court system.

Priority tactics in this area address technologies, standards, services, equipment, and resources that could enhance the Trial Court's ability to complete and improve its work, and better serve the public within the next three to five years. In addition, the Trial Court must anticipate the standardization of courtroom technology by department and case-type needs, as well as the redeployment of staff to accommodate new technologies and ensure quality control.

Research conducted for the identification of priorities included interviews with other agencies and states that have already adopted some of the technology envisioned, as well as the exploration of potential funding mechanisms, including public-private partnerships, to ensure adequate funding and resources required for the completion of these tactics.

Thirteen tactics for priority work in this area include expanding ongoing initiatives, such as civil e-filing, electronic criminal complaints, and electronic signage, as well as new tactics such as introducing courtroom equipment standards and real time docketing.

<b>Tactic</b>	<b>Definition of Success</b>
Continue the e-Filing roll out	E-filing is expanded to all Trial Court Departments with 100% usage of CR and CV case types for attorneys. Additional access is available for self-represented litigants. Attorney use is mandated within 3 years.
Continue and implement courtroom equipment standards	Standards are created for equipment to be supplied in each courtroom (including jury deliberation rooms), taking into account the needs of the various TC Departments. Equipment is compatible with, and supportive of, real time docketing, court needs, and user needs.
Create digitalization and electronic storage of Trial Courts records	All Trial Court departments are completely scanning paper filings or accepting e-filed images within 3 years.
Institute real-time case docketing	100% of all case work is documented in real time. Current staff are repurposed to enable real time docketing and quality control.
Establish sustainable funding for technology improvements	Funding for enhancement to Trial Court technology is sustained for continuous improvement
Develop a 3-year rolling IT strategic plan	JISD has its own three-year rolling IT strategic plan, updated annually, that serves as the basis for evaluating opportunities that arise, planning procurements, and limiting competition for resources across Trial Court departments.
Roll out Wi-Fi	Wi-Fi is available in all courthouses. Prioritized roll out to courthouses, where fiscally feasible.
Implement the electronic application for criminal complaint (EACC)	EACC is rolled out to State Police and the largest 30 Police Departments in MA, reaching 85% utilization in 3 to 5 years. All BMC, District, and Juvenile Court Magistrates are educated on how to implement EACC at PDs.
Create automated orders of transportation and transmittal of harassment orders and restraining orders	Orders of transportation from DOC, DYS, DCF and Sheriffs' facilities are handled electronically at all courthouses. Harassment Orders and Restraining Orders are electronically transmitted from police departments to all courthouses.
Roll out e-Pay	The Trial Court accepts electronic and web-based submissions for criminal fee payments.
Expand use of video-conferencing	Each Department identifies and meets its goal for both internal and external use of video-conferencing



<b>Tactic</b>	<b>Definition of Success</b>
Use electronic signage to display daily lists	Electronic signage is utilized at 15 courthouses to display their daily lists to court users in multiple languages and simplify the user experience.
Launch the electronic notifications system	All employees opt-in for their preferred method of communication: texts, robo-calls or email informing them of major Trial Court happenings, new releases, and training opportunities. Additional access to this information is available via the Trial Court website and Twitter.

## Organizational Decision Making & Support

The Trial Court has a complex organizational structure with seven court departments and the Mass. Probation Service. This presents unique decision-making challenges. In about half of the state's 100 courthouses, court sessions are held by multiple court departments, each with presiding judges, clerks and staff. Courthouses also include Probation Service staff who support five court departments, but report to a central administrative office. Court security staff also serve within each courthouse but report to a central office. The central Office of Court Management (OCM) provides administrative support for all courts in areas such as technology, human resources, fiscal, facilities management, security, training and interpreter services

To meet the needs of court users and the general public more effectively, the Trial Court recognizes the need to ensure accountability, streamline processes, and make activities more user-friendly and consistent. The Trial Court has identified tactics to improve service levels to local courts by OCM, enhance administrative-decision making in courthouses, and adjust and clarify leadership roles and responsibilities. In addition, the Trial Court will work to make necessary changes in processes, structures, and performance evaluation, as well as articulate the responsibilities and accountabilities of key leadership positions, and provide the tools and information that leaders need.

The Trial Court has identified six tactics in this area. Key goals include the facilitation of effective decision making through the use of technology and increased collaboration and alignment between central court leaders and leaders at the division/county level. This will lead to faster decision making, as well as create an environment of collaboration and team work. The use of data, metrics and dashboard indicators will assist with streamlining processes as the courts institutionalize the practice of continuous improvement.

<b>Tactic</b>	<b>Definition of Success</b>
Turn OCM into a high-performing service model	OCM service level agreements are met for all internal users. Phase 1: Streamlined organizational structure and processes. Phase 2: Integrated technologies to improve service levels.
Streamline Interpreter Services	Interpreter services has improved scheduling, policies, and communication. Implicit bias is reduced by staffing Interpreter Services to appropriate levels with diverse representation.



<b>Tactic</b>	<b>Definition of Success</b>
Enhance governance structure and processes within division/Counties	First Justices/ Regional Administrative Justices, Clerk Magistrates/ Registers of Probate, Chief Probation Officers, and Chief Court Officers within a division demonstrate better collaboration, alignment, and faster decision-making.
Enhance governance structure and processes within multi-department courthouses	Collaboration and partnership between departments is minimized to reduce internal conflict, reduce costs, and help serve constituents.
Incorporate fiscal management (responsibility and accountability) into key leadership roles	Leaders assume fiscal management responsibility/accountability for their organizations
Invest in technologies that facilitate effective decision making and support	Technology greatly increases customer satisfaction at the Trial Court and fosters a metrics-driven culture.
Institutionalize continuous improvement process in the ranks based on data, metrics, dashboard indicators	Departments are internally focused to streamline processes, thereby saving money, time, and effort and providing a better level of service to users.

## **Talent & Career Development**

The Trial Court has 6300 judges and staff in 100 locations across the state, who are responsible for ensuring the delivery of justice every day. The Trial Court must be able to develop the skills and abilities of a diverse workforce so that staff can most effectively serve the public and advance in their careers. Therefore, the Trial Court must provide additional information, resources, and support to court employees to increase professional growth and promote a culture where high achievement and strong performance are both expected and recognized. This requires a human resources and training infrastructure to sustain ongoing workforce development and employee satisfaction.

The Trial Court must develop natural career paths, particularly at the courthouse level, that accurately reflect the current responsibilities and functions carried out by court employees throughout the organization. This is needed to create an environment where all can thrive and grow, regardless of race, gender, or background. Performance management, promotions management and recruiting are other areas for attention.

Eight priority tactics will support career paths and professional development opportunities for Trial Court employees. The use of Communities of Practice, a “bottoms-up” approach, will enable those most directly involved with an issue to collaborate in the development of best practices. This local perspective and engagement will be critical to ensuring successful outcomes and buy-in at the local level.

<b>Tactic</b>	<b>Definition of Success</b>
Review, revise, and develop new job descriptions and establish career paths/ladders within Clerks' and Probation offices	Clerk, Register, Probation, and judicial support staff job titles and descriptions accurately reflect current job functions, new technologies and best practices, and clearly describe the core skills and competencies required of each position. In addition, staff are well informed about natural career paths and information regarding professional development and growth opportunities are readily available
Examine current policies and practices to identify opportunities for exceptional performance and recommend policy changes where needed	Managers have input and direct influence over the provision of merit-based incentives to encourage and/or recognize high performing Trial Court staff.
Develop mgmt. tools & training to support career development, maximize performance, and support managers	The task force establishes and develops management tools and training to support colleagues in selecting qualified candidates, promoting career development, and improving employee performance.
Establish a task force to develop/ implement a Career Counseling Program to provide individual & direct career counseling to TC employees	The Trial Court establishes and implements a Career Counseling Program supported by specially trained Trial Court Managers that provides direct, individualized career counseling to Trial Court employees with a particular emphasis on increasing diversity in supervisory positions and supports managers through training and consultation to do the same.
Develop & expand cross-training and local education opportunities	A Clerks/Registers Community of Practice, focused on cross-training and local education, is established and working on a permanent basis to develop best practices, practical resources, and sample curricula. Technology and other resources are deployed to further support training.
Develop a senior leadership and management curriculum	Well-considered and constructed professional development and training opportunities are offered on a regular and predictable basis allowing the Trial Court to further enhance leadership and management skills of our senior leaders and as part of the court's succession planning efforts to prepare future TC leadership through coaching, training, and professional development.
Develop/Communicate statistical information for court personnel that reflects current employment demographics and TC positions grouped by office type	Current, well-organized, and well-presented information about job titles and functions within representative offices (e.g. clerks, probation, facilities, security, admin offices, fiscal) are easily accessible to court personnel.
Address obstacles to hiring and retention of personnel in JIS & Facilities Departments	The Trial Court has a clear proposal for action based on actual data to address obstacles to hiring and retention for key positions within JIS and Facilities

## Probation

MPS's 3-year plan consists of five major strategies:



### Probation Practices

The Massachusetts Probation Service developed its priorities for Probation Practices to ensure that evidence-based practices are infused throughout MPS's work and are aligned with judicial and clerk-magistrate best practices. The seven tactics for this strategy include supervision standards, pre-trial services, support of best practice sentencing and evidence-supported community-based supervision and reentry. The plan embraces the goal of identifying, developing, and implementing practices from assessment through supervision in various case types including but not limited to sex offenders and domestic violence.

Tactic	Definition of Success
Enhance use of ORAS to support consistent assessment of risk and addressing of needs	Identify risk and address needs to reduce recidivism by leveraging ORAS tool consistently statewide.
Complement ORAS/OYAS through appropriate use of enhancement tools	Improve identification of risk and addressing of needs for special populations to reduce recidivism.
Align probation practices with reentry services and goals.	Access to services for probationers and other community corrections participants prior to and upon release from jail is improved to reduce recidivism.

<b>Tactic</b>	<b>Definition of Success</b>
Implement standard practices for pre-trial conditions of release	Standardized tools and practices lead to the appropriate recommendation and supervision of pretrial conditions of release, while maximizing Probation's resources.
Improve access to primary collateral data resources	Collateral resources are used consistently in completing assessments to improve best practices.
Implement with fidelity evidence based community supervision practice (EBCSP)	Evidence based community supervision practice is rolled out consistently and effectively statewide.
Revise, issue, and provide update mechanism for single uniform standards for Probation Service	Clear, written, and accessible standards for probation officers and clerical staff with single access point (e.g., online resource with quick lookup) and easy update mechanism are available and adhered to.

### **Probation Services**

The Probation Services taskforce developed seven tactics in this area to better leverage existing and new services, supports, programming and treatment for MPS clients. Further focus includes areas such as best practices in ELMO, Drug Testing, OCC, Victim Services, and Community Service.

<b>Tactic</b>	<b>Definition of Success</b>
Integrate OCC Into Probation Standard Practice	OCC programming and services are valued by the MPS, judges and CJ partners, meet the needs of clients and local communities, are utilized by appropriate referrals, and produce reductions in recidivism for the Commonwealth and more prosocial lives for clients.
Optimize GPS/ELMO use	GPS monitoring is provided for statutorily required cases and other appropriate clients (e.g., sex offender and domestic violence cases). Educate stakeholders about the technology, its capabilities and limitations, and who is appropriate for GPS supervision in a community corrections setting to ensure appropriate GPS use.
Enhance integration of ELMO into Probation Practice	ELMO and MPS work in an efficient and synergistic fashion, providing one another with the coordination and information needed to fully leverage ELMO's capabilities.
Enhance Victim Services	MPS employees understand victim rights and issues impacting victims of crime. MPS employees uphold policies and procedures related to victims in a trauma-informed manner.

<b>Tactic</b>	<b>Definition of Success</b>
Enhance Access to Internal Programs	MPS executes and/or provides enhanced access to quality programs addressing the needs of its probationers/litigants at court locations throughout the Commonwealth. Programs are utilized and continuously improved by collecting, analyzing, evaluating and sharing data on key metrics/Key Performance Indicators and proactively addressing strengths and weaknesses. Innovation is valued and programs are evaluated for impact/ benefits and not just cost.
Enhance Access to External Programs	A: A robust menu of community agencies is available to satisfy offenders/litigants' court ordered probation terms. B: In order to address dynamic needs and barriers to access, an expansive state-wide network of resources exists to accept client referrals.
Enhance Trial Court Community Service Program	Probation staff access and leverage community service programs targeted to local population needs. There is a reasonable level of standardization. Skill building opportunities for litigants/offenders (e.g., community beautification) are provided throughout the Commonwealth.

## **Workforce Development**

Unlike the past, MPS is now able to keep pace with attrition and attract highly qualified candidates with advanced degrees and related work experiences for all positions. In order to keep attrition low and serve the public effectively and efficiently, MPS must provide targeted training, information, resources and desirable career paths. The Workforce Development team identified seven tactics that focus on training, career paths, clarity on roles and responsibilities, re-designing and re-engineering MPS's work for greater efficiency, impact, staff wellness and performance management.

<b>Tactic</b>	<b>Definition of Success</b>
Improve onboarding	All new and promoted employees receive onboarding experiences and opportunities, across all positions. Proper training is delivered to all employees, within the first three months in their position, specific to the core competencies necessary for each job.
Improve management development	Probation supervisors and managers are provided regular opportunities to improve their knowledge, skills and abilities, resulting in improved employee performance, morale

<b>Tactic</b>	<b>Definition of Success</b>
	and work environment, management techniques and other evaluated need areas.
Improve morale	A work community that reflects the values of the organization and promotes a positive work ethic and esprit de corps is created and maintained. Work contributions are felt and celebrated as meaningful.
Ensure a culturally proficient workforce that is focused on exceptional customer service delivery	Our workforce is highly qualified, racially and ethnically diverse, gender balanced, culturally competent, and effective across all levels of the organization.
Improve ongoing professional development	All employees are provided opportunities for training, workshops and conferences to encourage professional growth and a skilled and competent workforce. Increased cohesiveness and professionalism results in more effective service delivery.
Clarify roles	Job descriptions match the necessary responsibilities for each position, and core competencies are consistent with the tasks required to accomplish the organization's mission.
Initiate APO-PO reengineering	Each Probation division is fully staffed with the correct mix of APOs and POs to address all cases in an effective, efficient and timely manner.

### **Business Processes and Information Technology**

MPS has never had a fully functional case management system. Today, Probation manually manages cases as a primary function and is lacking very basic IT systems it desperately needs to effectively and efficiently manage cases. A large portion of its staff uses separate tracking tools to supervise its cases. This task force identified five specific tactics that focus on improving case management systems, business processes and better integration of existing and planned IT infrastructure from hardware to software as a business practice support tool.

<b>Tactic</b>	<b>Definition of Success</b>
Complete independent assessment of case management software needs and possibilities	Needs assessment identifying key features and functionality required and desired by MPS to effectively conduct and manage its work in criminal, juvenile and Probate and Family Courts is completed and used as a foundation document for MPS and JIS to jointly identify a business support solution for MPS.
Select and implement case management software solution	A case management solution is built, tested and implemented across MPS that supports case management from the individual case

<b>Tactic</b>	<b>Definition of Success</b>
	level to effective management of the enterprise.
Leverage technology for maximal mission accomplishment	Standards for hardware and software distribution and utilization are developed, enhancing productivity in all work areas, including at the counter, in the courtroom, in the office and remotely in the field. Hardware is funded and deployed.
Continuously improve MassCourts	MassCourts is updated and enhanced on a regular basis, meeting the operational needs of the Probation Service.
Initiate continuous quality management	A framework is developed, instituted and solidified whereby the Probation Service continuously improves its business processes to ensure the delivery of high-quality work and to enhance the efficiency of operations.

### **Governance and Alignment**

This domain focuses on establishing enhanced governance in MPS to ensure timely execution of the strategic plan. In addition, it is dedicated to improving alignment with Chief Justices, Judges, Chief Probation Officers, Chiefs Court Officers, Clerk-Magistrates and Registers, District Attorneys, as well as, enhancing communication with its staff, the rest of the Trial Court and the public.

<b>Tactic</b>	<b>Definition of Success</b>
Establish enhanced governance in MPS	MPS governance is enhanced. The SP is executed as planned with mid-course adjustments implemented as needed. Successes are celebrated. Probation operations are regularly audited in an effective manner in a spirit of continuous improvement. MPS and OCM/Finance are aligned on budget and financial management.
Infuse cultural competence to ensure equitable treatment throughout all aspects of MPS	Staff at all level of the organization are trained in and alert to issues of disparity in treatment and/or access. Through research and comparative performance measures, probation's goal of achieving higher levels of customer satisfaction and equitable treatment among people with a variety of differences is built around an organizational commitment to reducing disparity. Corrective actions are made to reduce disparities in the delivery of justice and services
Improve Alignment at the Courthouse Level	MPS is respected and appreciated by all Trial Court employees; it has a strong stance and voice across the Trial Court and is influential in the decision making process. Evidence

Tactic	Definition of Success
	from MPS informs judicial decisions, including pre-trial conditions. The needs and contributions of MPS are integrated into the operation of a highly functioning court location.
Monitor Success Measures	MPS continuously collects, reviews and analyzes data to measure and refine its progress. Measurements include quality and consistency of practice, outcomes and impact. Strategies/tactics are adjusted to reflect new learnings.
Improve Ongoing Communications	MPS continuously communicates with its staff, the rest of the Trial Court and the public. It has a strong presence and is recognized across the Trial Court and the public for all its contributions. MPS applies the principles of procedural justice as a strategy to be fair, just and effective in its work.

## Security

With the Security Department's 2014 strategic plan well underway, attention is now turned to improving policies and practices aimed at creating safer court environments. Tactics undertaken to achieve this goal will include enhancing security systems' technology and courthouse physical security features to the greatest extent fiscally possible, refining access control policies and practices, improving critical incident response and threat management capabilities, updating the judges' security manual and procedures, and increasing interagency collaboration and communication to identify and manage court security threats better.



**APPENDIX B**

**REPORT OF THE MASSACHUSETTS COURT TECHNOLOGY VISITING COMMITTEE  
(JUNE 2016)**



# HARVARD UNIVERSITY

Information Technology

June 13, 2016

Chief Justice Paula M. Carey  
Court Administrator Harry Spence  
Executive Office of the Trial Court  
One Pemberton Sq, 1M  
Boston, MA 02108,

Dear Chief Justice Carey and Court Administrator Spence,

The Massachusetts Court Technology Visiting Committee is pleased to forward the findings and recommendations we developed through our recently-concluded review. We hope that our observations will help to inform Trial Court leaders, as you proceed with your strategic planning efforts. Our discussions with internal and external constituents confirmed our expectations that effective implementation of technology is essential in expanding the Trial Court's ability to serve court users.

We applaud your commitment to seeking an external perspective and we were honored to serve in this role. We greatly appreciate the support we received from Chief Information Officer Craig Burlingame who leads the Judicial Information Services Department with distinction. We were impressed with the dedication and commitment expressed by everyone with whom we met. The review has been a valuable and rewarding experience for each of us and we thank you for this opportunity to serve the judiciary.

Anne Margulies  
CIO  
Harvard University

John Letchford  
CIO  
MIT Sloan School

Donald Oppenheimer  
CIO  
Harvard Kennedy School

John Grossman  
CMAB Liason

cc: Supreme Judicial Court  
Court Management Advisory Board

# **Report of the Massachusetts Court Technology Visiting Committee Spring 2016**

## **I. EXECUTIVE SUMMARY**

The Massachusetts Court Technology Visiting Committee convened in early 2016 to meet with stakeholders in an effort to assist the Judicial Information Services Department (JISD) and court leaders through a review of JISD and the use of information technology (IT) in the court system to make recommendations for improvements. A charter (Attachment 1) was developed to guide the Committee's review, which was requested by Trial Court Chief Justice Paula M. Carey, Court Administrator Harry Spence and the Court Management Advisory Board. The Committee members and review activities are identified in Attachment 2.

The Committee applauds the Judiciary for conducting an open and thoughtful review of information technology during a time when IT is increasingly important to the court system's ability to deliver on its mission. The timing of this review should enable the Trial Court to incorporate Committee recommendations into Strategic Plan 2.0, a blueprint for the next three years that is now being developed.

We deeply appreciate the helpful background materials on the court system and court technology that were prepared for our visit. Over the course of our work, we met with more than 70 individuals who provided us with valuable insights and candid views, while demonstrating a deep commitment to the courts of the Commonwealth.

The Committee focused primarily on opportunities for improvement, however, we would be remiss not to note the accomplishments made over the last decade to deliver a single, common case management system, which has not been possible in a number of states. As a result of this accomplishment, it is more important than ever that the court system builds on this foundation to provide truly integrated systems and data to enable the efficient and timely delivery of justice.

We believe that an effective IT organization is essential to advancing the mission of the Massachusetts Court System. The Committee offers key findings and three-to-five-year recommendations, as we underscore the importance of moving forward with a sense of urgency.

## Key Findings

We believe that the key components of an effective organization are a clear and well understood IT strategy, timely and effective execution of the strategy, a responsive and flexible structure and a high performance IT culture<sup>1</sup>. Our meetings with internal and external stakeholders served to identify a number of recurring, high-level findings, which we have organized by these key components:

<b>IT Strategy</b>	<ul style="list-style-type: none"><li>• The implied direction of the courts toward real time, paperless, user centric and seamless administration of justice can be significantly accelerated by strategic implementation of information technology.</li><li>• User needs and expectations for IT exceed the human and financial resources available to deliver. Currently, the technology components set forth in the Trial Court's Strategic Plan (1.0 issued in June 2013 and 2.0 under development) are aligned with the Court's direction, but unrealistic given the current level of funding.</li><li>• Lack of common business practices and standards creates a challenging IT environment that significantly limits the ability of IT to advance the Court's overall strategy.</li></ul>
<b>Execution</b>	<ul style="list-style-type: none"><li>• IT projects are often late and under deliver because too many projects are managed with too few resources.</li><li>• A common case management system is an essential foundation for efficiencies, however, MassCourts' fragmented implementation limits the benefits delivered.</li><li>• The Probation Department requires enhanced IT support and communication to enable effective case management.</li></ul>
<b>Structure</b>	<ul style="list-style-type: none"><li>• The decentralized or "federated" nature of the Court's organization, as well as 100+ physical locations, make it difficult to implement common IT solutions.</li><li>• There is no overall technology governance structure to set priorities across the court system. Balancing the needs of large and small departments inherently creates conflicts for resource allocation.</li><li>• JISD staff have highly specialized technology knowledge but the department lacks key functions such as project management, information security and change management.</li><li>• A lack of JISD resources forces other departments to implement IT projects on their own.</li></ul>

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<sup>1</sup> Framework adopted from *What Really Works*, Nohria, Joyce and Roberson, HBR, 2003.

<b>Culture</b>	<ul style="list-style-type: none"> <li>• Court staff have highly variable IT skills across all levels, which creates a major challenge for technology implementation and training.</li> <li>• Court staff lack understanding of overall court system processes beyond their functional and geographic silos, or of the data requirements of external partners.</li> <li>• Court staff lack awareness of IT planning and changes that are underway, and receive insufficient training on using technology.</li> </ul>
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## Recommendations

The Visiting Committee identified nine major recommendations that will enable court leaders and JISD to focus on discrete areas of improvement and together significantly improve the administration of justice across the courts.

<b>IT Strategy</b>	<ol style="list-style-type: none"> <li>1. Develop a three-year rolling IT strategic plan</li> <li>2. Pursue IT capital funds and continue to increase the IT operating budget</li> </ol>
<b>Execution</b>	<ol style="list-style-type: none"> <li>3. Implement and enhance key technologies</li> <li>4. Establish meaningful performance metrics</li> </ol>
<b>Structure</b>	<ol style="list-style-type: none"> <li>5. Develop an organization and staff development plan in JISD with a focus on increasing staff resources and capabilities in a few key technical and functional areas</li> <li>6. Establish and rely on a clear IT governance structure</li> <li>7. Extend and leverage limited IT resources within the court system with partnerships with external parties and vendors</li> </ol>
<b>Culture</b>	<ol style="list-style-type: none"> <li>8. Embrace a user-oriented approach in JISD and throughout the court system</li> <li>9. Improve communications and training</li> </ol>

Rapid technology changes (consumer, cloud, social and mobile technologies) over the next three-to-five years will require significant changes in the way the court system uses and delivers technologies for court staff and court users. These recommendations will help the courts catch up and will position the courts for even bigger changes that will be needed in the future to support a real time, paperless, user centric and seamless court system.

The Committee strongly believes that the right investments in IT are essential to ensuring the court system's ability to operate as effectively as possible given anticipated, ongoing state budget constraints.

## II. RECOMMENDATIONS

### **IT Strategy**

We recognize that formal consideration and articulation of strategy has appeared to be something of a luxury for JISD in light of the seemingly continuous imperative to complete the roll-out of MassCourts, unpredictable funding streams that are often tied to year-end infusions of resources, and the very structure of the Trial Court itself. Nonetheless, we believe that the time is now ripe for JISD and court leaders to invest the time into developing and publicizing a strategic plan, defining and using a robust governance structure and making a more disciplined case for investment in IT.

#### **1. Develop a three-year rolling IT strategic plan**

Technology played a prominent role in the Trial Court strategic plan in 2013, and JISD developed a detailed work plan to describe, execute on and track the vision briefly articulated in the plan. The Trial Court is currently working on a new strategic plan and one working group is focusing on “Next Generation Technology.”

However, it is imperative that JISD build on these broader mandates to develop its own three-year rolling IT strategic plan to be updated annually and serve as the basis for evaluating other opportunities that arise, plan procurements, and limit competition for resources across Trial Court departments. Such a plan will not only provide guidance to JISD activities, it will:

- allow JISD to explicitly align its work with the Trial Court mission of “Justice with Dignity and Speed” and the Supreme Judicial Court’s (SJC) vision of having real-time information drive user-centric, seamless and more efficient courts;
- engage the highest levels of court leaders in establishing consistent Trial Court-wide business processes; and
- provide a needed opportunity to communicate JISD’s priorities and their implementation status regularly across the court system. The IT strategic plan should consider the impact of the Trial Court’s goal of moving to electronic filing and digitization of records, as well as the fact that a large portion of IT staff is now or soon will be eligible to retire.

The experience of the Appellate Courts (the SJC and Appeals Court) in successfully creating, communicating and following an IT strategic plan with a team of users and IT professionals in order to guide implementation and adoption of new technologies in those courts may prove instructive.

## 2. Pursue IT capital funds and continue to increase IT operating budget

The implementation of technology to accelerate the mission of the Trial Court and facilitate the work of court staff has been restricted by a lack of financial resources in at least three ways. First, there has not been dedicated IT capital spending outside of the \$75 million dedicated to implementation of a case management system in 1997. This has led to under-investment in other aspects of technology and an inability to plan long-term technology projects as operational spending is so unpredictable. Second, as shown in the chart below, IT spending as a function of total Trial Court spending consistently has been approximately 25% less than the 2.6% benchmark identified for state and local governments.<sup>2</sup>

IT & Total Trial Court Expenses -- Operating, Capital and One-Time			
<u>Fiscal Year</u>	<u>IT Expenses (\$m)</u>	<u>Trial Court Expenses (\$m)</u>	<u>IT Expenses as % of Total Trial Court Expenses</u>
2015	\$ 12.9	\$ 625.6	2.05%
2014	\$ 12.5	\$ 607.5	2.05%
2013	\$ 12.0	\$ 573.5	2.10%
2012	\$ 10.4	\$ 577.2	1.80%
		Total	2.00%

Third, much of the discretionary IT spending each year has been the result of “vacancy savings” that may accumulate during the year. While this re-allocation of budget to IT is an indication of the high priority placed in this area by court leaders, it has limited the ability of Trial Court and JISD to plan for IT spending, as it is unpredictable and unreliable.

We recommend that, especially as MassCourts is now nearly 100% implemented, the court system seek IT capital funds to allow investment in long-term technology needs, such as the infrastructure necessary to implement e-filing and digitization and to maximize the utility of MassCourts to facilitate sharing of data across and outside the Trial Court. We further recommend that JISD track the savings correlated with implementing technological solutions and/or the return on investment to justify additional IT investment. Finally, we commend the Trial Court leaders for allocating end-of-year savings to IT and urge them to continue to do so. The goal should be to reach a level of spending comparable to that of the highest performing court IT systems in the country.<sup>3</sup>

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<sup>2</sup> According to Gartner IT Key Metrics Data the average IT investment for state and local governments is 2.6%. Gartner IT Key Metrics Data (December 2014).

<sup>3</sup> Committee discussion with the Arizona Judiciary CIO reflected an IT budget of approximately 3.0% of the total court budget, which is funded through fines/fees legislatively designated for automation, and which services a population of 6.7 million people, with 2 million case filings.

## **Execution**

In addition to planning for and procuring the technologies that best meet the needs of the courts, it is essential that systems are implemented that are easy to use, work well together and produce data to support decision-making. The recommendations that follow describe both the technologies we understand to be most important to meeting the needs of the court system and, based on lessons learned from MassCourts, how they should be implemented.

### **3. Implement and enhance key technologies**

#### **Improve Case Management Platform Functionality**

While stakeholders acknowledged that significant effort has been spent in implementing MassCourts as a common, web-enabled platform, issues were highlighted around the existence of numerous different user configurations of MassCourts across the court departments. We recommend that priority be given to moving all users toward a single configuration that is more easily supportable, can better enable collaboration, and allows a more streamlined approach to introducing new functionality going forward. To achieve this, court department leadership will need to be involved to focus on the review and modification of existing end-to-end business practices.

We heard from some end-users and support staff that the implementation of MassCourts has introduced additional steps in many business processes. We suggest that JISD engage end users from across the court system in a usability review of the most frequently used functions within the MassCourts platform with the aim of identifying and reducing the number of steps required for frequently-used functions where possible.

Internal metrics for MassCourts performance indicate reasonable average page load times for end-users (~ 2.2 seconds). However, some users expressed frustration with performance at certain times of the day, or from certain geographic locations. Consideration should be given to expanding the current level of synthetic transaction monitoring in order to gather more granular data around end-user response times that may help pinpoint specific areas of frustration that can be addressed.

The Probation Department is using docketing functionality of the MassCourts system to meet individual case management needs. The department has been poised for some time to begin using an additional platform, Northpointe, to address broader gaps. We heard differing perspectives from stakeholders around the status of the effort and the expected rollout schedule for this solution and believe it would be helpful to level set expectations between JISD and the Probation Department.

#### **Implement E-filing and Digitization**

The Visiting Committee would like to recognize the ongoing efforts of the “Next Generation Technology” Strategic Plan 2.0 working group for identifying e-filing and digitization strategy as key priorities. We support this direction. Given the challenging scope of this work we would encourage the following lessons from the MassCourts implementation to be considered:



- define and communicate clear scope and business goals broadly across the court system to help drive consensus around the approaches and expected outcomes for transitioning to a more digitally-based operation;
- establish both e-filing and digitization efforts as programs with dedicated resources and appropriate governance models, similar in structure to that instituted for MassCourts;
- incorporate change management into program methodologies from the beginning to ensure that business processes are designed from users' perspectives and that users are adequately trained as processes move from being paper-based to digital; and
- implement standard approaches and business practices across the court system to enable technology solutions to be deployed and supported in a consistent and predictable manner.

#### Improve Data Sharing and Integration Across Systems

The IT strategy should account for integration between systems, and how data is shared with and within the court system, with emphasis on the following:

- assign specific roles for data management and quality control at various levels in the organization to provide an appropriate level of focus;
- align with external stakeholders around what data formats and standards should be adopted to make interfaces more efficient by reducing the amount of unstructured data that is transmitted;
- align with external stakeholders around the types of interfaces that should be developed – user portals for accessing data may be preferred for some constituents, other external parties might prefer directly accessible application programming interfaces, or messaging based interfaces may be preferable to file uploads;
- build on the recent integration of the Appellate and Trial Court IT organizations to address important needs such as digital transmittal of records of appeal; and
- accelerate the move to making data accessible to the public, but with appropriate consideration to constituent privacy implications, guided by the rules around public access to court data that are in development.

### Improve Reporting Capabilities

While access to an enterprise view of data across the court system is now beginning to enable key policy questions to be answered, end users are voicing frustrations around limited access to operational reporting. We recommend that the Trial Court:

- develop and communicate a plan for making reports available across the court system that addresses both policy and operational needs;
- adopt shared reporting standards and provide commonly requested reports at all levels of the organization, with appropriate training;
- enable end-users through tools and training to generate reports themselves for local site analysis (as long as this does not undermine broad-based reporting standardization); and
- continue to explore alternative approaches to delivering the 'DataMart' solution given lack of progress and concerns around the vendor.

### Expand Core Networking Infrastructure Capabilities

Networking capabilities will continue to be pressured by the increasing demands for using technology and data inside and outside of the court system. This Committee strongly supports the plan to increase capacity of network circuits to 10Mb across all sites of the court system, as well as the expansion of the early VOIP deployment (currently 20 sites) and encourages the continued advocacy for IT capital funding to enable that effort.

The adoption of wi-fi has been very limited thus far and should be expanded if possible. We commend the Next Generation Technology working group for identifying this as a clear priority and for their work to formulate a roll-out strategy.

### Expand Availability of Productivity & Client Software

The in-house, open-source mail platform Zimbra is considered by most users to be functional but many expressed frustration with the 500Mb quota limit and limited integration with other client software. Concerns were also raised about the challenges with finding technical support experts in the marketplace.

Microsoft Office has been rolled out, but due to budget constraints is not currently available to all users, thus limiting the ability of users across the court system to collaborate effectively.

For web browsing, users cited the requirement of using Internet Explorer (IE) for key MassCourts functionality, while others described the need to utilize Firefox for specific reporting capabilities. Given that Microsoft has announced that IE version 11 is the last version of that browser (though it will remain supported through Windows 10) and the current need for multiple browsers, we feel a clearer path forward is needed.

While recognizing that specific client solutions like WordPerfect may remain in use for the foreseeable future, we believe collaboration across the court system would be dramatically improved by implementing and supporting a standard suite of client software and productivity tools to all users. We would strongly encourage exploration of cloud-based solutions to provide more integrated, easy to use, productivity software for email, calendar, web access and file sharing for all users.

Collaboration would also be enabled with the proposed implementation of a new intranet portal and knowledge base to replace the static PHP bulletin boards currently utilized by some Trial Court departments. We support JISD's plan for such a platform to be dynamic, searchable and user-community oriented.

#### **4. Establish meaningful performance metrics**

The diversity and granularity of operational metrics reporting is impressive. We would encourage improving upon existing reporting of operational metrics by:

- supplementing measures with service level targets where possible (eg. page load times);
- replacing absolute measures with % measures to provide a better perspective of the proportion of work completed vs. remaining (e.g., digital documents); and
- continuing to expand on the existing usage of longitudinal analysis to reveal trends rather than snapshots.

In addition to operational measures, we recommend expanding reporting to include measuring progress against strategic goals. As an example, moving all users towards a single configuration would be facilitated by developing quarterly targets for reducing the total number of configurations and reporting actuals against those targets.

#### **Structure**

A high performing IT organization must have a broad set of technical and functional capabilities, consistent processes and engaged governance in order to deliver solutions to a large and diverse user base.

#### **5. Develop an organization and staff development plan in JISD with a focus on increasing staff resources and capabilities in a few key technical and functional areas**

A number of information technology trends are impacting the type of roles, expectations and demands being placed on centralized IT departments across all types of businesses and organizations in both the private and public sectors, including JISD. The role of IT departments is shifting from one of developing and maintaining all IT infrastructure and application solutions to one of being a trusted advisor and change agent to help users leverage technology to more effectively do their jobs.

Increasingly, users have more technology choices available and are more knowledgeable about IT. Both of these realities are positive and challenging for organizations. The users, as a result, are at the same time more independent and more demanding, adding challenges for the IT department.

Other current and emerging technology trends, like rapidly increasing information security threats, the availability of cloud services and other third party solutions, and the challenge of information overload (resulting in the current buzz for big data solutions), also have an impact on the need for JISD to begin to “retool” the department and fill in some key gaps. We recommend that priority be given to adding expertise and experience in the following areas:

- Information security
- Business process redesign
- Project and change management
- Vendor management
- Data management and reporting
- Applications and data integration
- User training

We recommend that the Trial Court Human Resources Department work with JISD to assess current IT job families, salary grades and recruiting practices to support these efforts and strengthen the hiring and retention of JISD staff.

## **6. Establish and rely on a clear IT governance structure**

The implementation of MassCourts has been overseen by a governance committee consisting of representatives from throughout the Trial Court, as well as committees within each Trial Court department. At its best, this committee has served to provide guidance to JISD, has provided a channel to communicate with the teams in the 100-plus courts throughout the Commonwealth, and reflects an intention to give court staff a voice in IT issues. MassCourts governance also includes an external committee of outside stakeholders, although that group has not met in approximately two years.

We recommend that the Trial Court establish and rely on a similar governance structure for JISD’s overall activities. The first task of a governance committee would be to write the strategic plan referenced above. We also would urge the committee to establish a rubric for prioritizing requests from different departments and adopting court-wide business practices. Such a rubric needs to balance the fact that change in some departments will impact more users with the needs of smaller, specialized courts.

The experience of the Arizona Court System is instructive. There, an IT governance committee is chaired by the Vice Chief of the Supreme Court (who then succeeds to the Chief position), and the Arizona Court CIO attributes that involvement at the highest levels of the judiciary to its ability to successfully implement technology change.

## **7. Extend and leverage limited IT resources within the court system with partnerships with external parties and vendors**

Recognizing the practical reality that resource constraints will continue to inhibit the ability to satisfy all IT requirements and expectations across the court system, it is critical that JISD seek opportunities to leverage external resources and capabilities. Illustrative examples of possible opportunities for cost-effective partnerships to evaluate, include:

- State and Local Government: Building infrastructure and platform capability in areas like telecommunications, network and wireless services, videoconferencing. At a May 2016 conference on the Emerging Digital Commonwealth, state leaders discussed the development of strategies for protecting data in an era of risk. This is certainly one area ripe for collaboration with the newly-formed MassIT organization;
- Other State and Federal Court Systems: Joint development and sharing of key application solutions;
- Technology and Cloud Service Providers: Outsource commodity or utility-like services to third party vendors.

## **Culture**

To be successful, IT organizations must understand the “business” of their users and be guided by a genuine service mindset throughout the organization. Additionally, IT organizations must communicate, train and help users adapt to the changes technologies drive and enable.

## **8. Embrace a user-oriented approach in IT and throughout the court system**

It is not unusual for IT organizations to be technology centric in the way that they implement and deliver services. Technology centric organizations tend to select systems and solutions that fit their IT expertise and skills and sometimes lose sight of the impact of new systems on the user. For example, we heard that Zimbra was chosen as the email platform because JISD “is a linux shop.” We also heard that MassCourts makes some staff jobs more difficult than they were before. While underlying technology architectures are important, it is essential that the impact on the user be in the forefront in making technology selections.

We recommend that JISD implement specific training and other programs to help the information technology staff deepen user-focused skills, such as empathy, collaboration and accountability. Senior IT staff should model these user-focused values and recognize staff when they are exemplified.

## **9. Improve communications and training**

It became clear over the course of our visit that court staff have highly variable IT skills and are generally unaware of IT plans and changes underway. In fact, we heard completely different understandings of what is currently available and what is to be rolled out and when. This occurs both

on major project rollouts, such as Northpointe for the Probation Department, as well as day-to-day individual needs. For example, one manager expressed a need for and a willingness to personally acquire voice recognition software, unaware that it is currently available to a small number of users on an as-needed basis. We strongly recommend that JISD commit IT resources to communications and basic training, as well as coordinate with Trial Court resources that might support these efforts, such as the Judicial Institute and the Executive Office of the Trial Court.

Often the IT function is the only part of an organization that has the complete view of an overall process and how data are used by outside organizations. JISD should assume the role of building awareness of the importance of data and how it is used across groups.

### **III. CONCLUDING THOUGHTS**

Throughout the Visiting Committee's work with the court system, we were very impressed by the level of dedication that was evident among all with whom we met.

We recognize that for more than ten years the Trial Court's focus on MassCourts prevented important progress on other technology development. We appreciate that the court system remained steadfast in its commitment to this complex implementation, despite limited resources and various hurdles along the way.

Significant changes in technology combined with expected budget constraints make it more important than ever that the Commonwealth provide technologies to make justice more efficient and accessible to the public it serves.

## **Massachusetts Court Technology Visiting Committee Review Charter**

### **Background and Case for Review**

As technology has advanced over the past three decades, Information Technology (IT) activities have moved from supporting “back office” clerical activities to becoming integral to “mission-critical” court operations. Quite simply the courts cannot effectively function without IT support and excellence. MassCourts has completed its final department conversion as the common case management system for the State. While the process was at times frustrating for all involved, the deployment of MassCourts provides a foundation for future IT initiatives. Expectations of MassCourts to deliver new information and make employees’ jobs easier have naturally risen as reported to the Court Management Advisory Board (CMAB) by court users. At the same time, there is a persistent sense of dissatisfaction around MassCourts’ capabilities and the IT department (Judicial Information Services Department, or JISD) responsiveness, in general.

It is not clear whether this dissatisfaction is a vestige of old systems or how much of it is traceable to practices that JISD can control. The CMAB believes that an outside review of JISD is necessary to sort through these issues, to help JISD and court leaders learn from the recent past and to focus JISD leaders on the necessary and feasible improvements. This is a particularly opportune time for such a review as the Trial Court learns to use MassCourts for policy development, program evaluation and decision-making and before embarking on the next major IT implementation -- eFiling. It is important that the lessons from past challenges be incorporated into JISD and Trial Court practices now, particularly as current and future implementations such as eFiling will require changes in behavior by court employees as well as customers of the court.

The SJC, Trial Court and CMAB believe that this topic is of such significant importance as to warrant the formation of an external visiting committee to conduct an independent review of the Trial Court's IT practices. In partnership with the Trial Court, the CMAB has developed a process for chartering the visiting committee and facilitating the review. This document serves as the charter for the visiting committee outlining the focus and scope of the effort.

### **Trial Court Coordination and CMAB Contact**

The Executive Office of the Trial Court will coordinate scheduling and data collection. John Grossman from the CMAB will help facilitate the process when necessary.

### **Process Overview**

The visiting committee should be comprised of external subject matter leaders who have experience in the topics and issues identified in this charter. The committee may choose to request advance information and determine appropriate interviews or panels. After its review, the visiting committee should formulate its findings and recommendations and deliver its report directly to the Trial Court leaders (with copies to the SJC and the CMAB) by mid-2016. The report should also identify which topics warrant more in-depth investigation.

## Focus and Scope

The CMAB has solicited input from JISD and its customers regarding this review. The CMAB has combined that feedback with its own questions to address eight areas. We have identified focusing questions within each of the areas of inquiry. We don't expect the visiting committee to answer all of these questions in the short amount of time the committee will apply to this effort. Rather the questions can serve as a guide for its consideration inside each of the eight areas.

1. Economics and Resource Allocation
  - a. Are we spending the right amount of money on IT?
  - b. How can we increase the value received for the money spent?
  - c. Do we have the appropriate staffing levels?
  - d. Are our IT resources (staff and equipment) assigned to the most important court imperatives?
2. Planning
  - a. Are we headed in the right direction?
  - b. Are we moving at the right pace?
  - c. What capabilities are needed to support the 21<sup>st</sup> century courts?
  - d. Do we have clear short, medium and long range plans?
  - e. Are IT users sufficiently engaged in developing JIS plans?
  - f. Are we integrating the technological possibilities with the business practices and processes of our unique court departments?
  - g. Are there opportunities to outsource specific IT activities that should be considered?
3. Current Operations
  - a. Are our communications and information technology and systems such as Mass Courts up-to-date and in good operating condition?
  - b. Is the requisition and procurement systems streamlined?
  - c. Are our systems reliable and available?
  - d. Do court IT users know where to go to get answers to their questions?
  - e. Is JISD responsive to court user requests for help?
  - f. Do IT capabilities support remote work arrangements for Trial Court users?
  - g. Is the communication between JISD and the department effective in resolving IT issues and planning?
  - h. Are we coordinated with our outside stakeholders, justice partners, and other interested parties regarding the type of interfaces and data exchanges?
4. Data, Security, Disaster Recovery
  - a. Are our data secure?
  - b. Do we have appropriate back-up and recovery plans and procedures?
  - c. Are there any major risks?
  - d. Could the Visiting Committee please address and recommend best practices i.e. independent security officer / group reporting to senior managers outside of the JISD?
  - e. What can be done to improve data quality?
5. Discipline and Accountability
  - a. Do we have the appropriate project management and operations disciplines to execute on the current and future imperatives?
  - b. What should be the areas of an IT performance scorecard?



- c. Are we delegating decisions effectively to the appropriate level?
  - d. Are there effective accountability systems in place?
  - e. Are our internal and external department communications effective?
- 6. MassCourts
  - a. What are the lessons learned from the Mass Courts implementation?
  - b. Are we up-to-date on MassCourts?
  - c. Do court employees know how to employ IT resources to add value to their activities?
  - d. Is the Trial Court ready to move to digitization?
  - e. Is the plan for implementing eFiling reasonable?
  - f. What is the vision for the digital courthouse and courtroom and how it should operate?
- 7. Talent and Organization
  - a. Do we have the right people in the right roles?
  - b. Are we organized properly to support the courts?
  - c. Are we attracting the appropriate talent to JISD?
  - d. Is our pay competitive with other Massachusetts public sector IT organizations?
  - e. Are we developing our IT professionals to assist their career advancement and grow the next generation of leaders?
- 8. Governance and Oversight
  - a. Is there effective governance and oversight of JIS?
  - b. Should governance of IT activities be changed to include some set of customers?
  - c. Describe the governance structure and process for information system development for existing and future IT systems.
  - d. Are technology resourcing and priority setting decisions understood and effective?
  - e. How should the Trial Court develop and propagate timely, relevant, enforceable policies that can be embraced by the entire user community?

## Massachusetts Court Technology Visiting Committee Members

### **Anne Margulies, Chair**

*Harvard University Vice President and Chief Information Officer*

Anne is responsible for technology plans, policies, and services that support Harvard University's mission of teaching, learning, and research. In addition to her institution-wide technology planning and coordination role, Anne directly oversees Harvard University Information Technology (HUIT), which provides IT services to 30,000 educators, students, and staff.

Anne previously served as Assistant Secretary for Information Technology and CIO for the Commonwealth of Massachusetts. She oversaw \$500 million in annual IT spending and led an IT community of more than 2000 professionals providing statewide computing, networking, and applications development services.

Prior to her service with the Commonwealth, Anne was founding Executive Director of MIT OpenCourseWare, MIT's internationally acclaimed initiative to publish the teaching materials for their entire curriculum openly and freely over the Internet. From 2004 to 2010, Anne served on the inaugural Court Management Advisory Board.

### **John Letchford**

*Chief Information Officer, MIT Sloan School of Management*

As CIO and Executive Director of Sloan Technology Services, John has responsibility to create a cohesive, forward-thinking and progressive technology environment that can be the lever for innovation, visibility and value at MIT Sloan. Prior to joining MIT in 2014 John worked at Tufts University to assist with the strategic transition toward an integrated IT operating and shared services delivery model as part of a university-wide effort to transform administrative processes and practices.

John served as the Chief Information Officer for the Commonwealth of Massachusetts in 2010 to 2013 where he chaired the state's IT governing body, the CIO Cabinet, and served on the State 911 Commission and the board of the Mass Broadband Initiative. He served on the Executive Committee of the National Association of State CIOs.

Prior to his service in state government, John worked for Procter & Gamble in Belgium, China, and the United States where he led major enterprise technology development and implementation initiatives.

### **Don Oppenheimer**

*Associate Dean and Chief Information Officer, Harvard Kennedy School of Government*

Don has responsibility for Information Technology, Telecommunications, Media Services and Library and Knowledge Services at Harvard's Kennedy School of Government (HKS). His background includes 30 years of general management, information technology and organizational strategy experience in the private sector.

Prior to joining HKS in 2008, Don was an independent consultant providing advice and counsel to leading law firms in North America, primarily in the areas of information technology and knowledge management. He had previously spent ten years as CIO at two large, global professional service firms, including Goodwin Procter, the Boston-based law firm, and 15 years as a management strategy consultant and Partner at Mercer Management Consulting, a leading global management consulting firm.

**John Grossman, Court Management Advisory Board Liaison to Visiting Committee**

*Co-President and General Counsel, Third Sector Capital Partners*

John is the co-president and the general counsel at Third Sector Capital Partners, Inc., a nonprofit advisory firm focused on developing and financing pay for success contracts between government and the social sector. Its mission is to "accelerate America's transition to a performance driven social sector."

Before joining Third Sector in 2012, John spent over fifteen years working for the Commonwealth of Massachusetts. He most recently served as the Undersecretary for Forensic Science and Technology within the Executive Office of Public Safety and Security ("EOPSS"). Prior to joining EOPSS, he served for twelve years in the Office of the Massachusetts Attorney General, leaving as the Deputy Chief of the Criminal Bureau after leading the prosecution of all types of white collar crime and starting up the nation's first statewide computer crime unit.

By appointment of the Massachusetts Supreme Judicial Court, John served on the Court Management Advisory Board from 2010 to 2016.

## **Massachusetts Court Technology Visiting Committee Activities**

February 25, 2016

- Preliminary Committee Meeting
- Met with Court Management Advisory Board Chairs Lisa Goodheart (incoming) and Glenn Mangurian (outgoing)
- Discussed the Committee charter from Chief Justice Paula Carey, Court Administrator Harry Spence and the Court Management Advisory Board

March 23, 2016

- Committee Orientation
- Met with Chief Justice Carey and Court Administrator Spence
- Met with CIO Craig Burlingame and senior staff of the Judicial Information Services Department
- Visited Brooke Courthouse
  - Met with Juvenile Court Clerk Donna Ciampoli and observed use of MassCourts in Clerk's Office and Courtroom
  - Met with Boston Municipal Court Clerk Dan Hogan; Observed use of MassCourts in Clerk's Office; Observed and discussed the Electronic Application for Criminal Complaint with court staff and the Boston Police Officer working at the court

April 29, 2016

- Met with Supreme Judicial Court Chief Justice Ralph Gants and Justice Margot Botsford
- Video conference call with the Chief Information Officer of the National Center for State Courts, and the CIOs for the Arizona and Kentucky Courts

May 2 and 3, 2016

- Hosted 10 panels of 5-6 members to represent:
  - Appellate Courts
  - Trial Court Judges
  - Clerks & Registers
  - Administrative Support
  - Probation
  - Office of Court Management & Data Management
  - IT Staff
  - External Stakeholders – Court Users
    - Committee for Public Counsel Services, District Attorney's Office, Bar Associations, Legal Services
  - External Stakeholders -- Data Sharing Partners
    - Executive Office of Public Safety & Security, Department of Revenue, Mass. Police Chiefs Association, Boston Police Department, Department of Children and Families
  - Next Generation Technology Strategic Plan 2.0 Team Leaders