

ANNUAL REPORT ON THE STATE OF THE
MASSACHUSETTS COURT SYSTEM

FY2010





SUPREME JUDICIAL COURT
JOHN ADAMS COURTHOUSE

RODERICK L. IRELAND
CHIEF JUSTICE

February 15, 2011

His Excellency Deval Patrick
Governor of the Commonwealth

Honorable Therese Murray
President of the Massachusetts Senate

Honorable Robert A. DeLeo
Speaker of the House of Representatives

Dear Governor Patrick, President Murray, Speaker DeLeo:

Under the provisions of G. L. c. 211B, § 9, I am pleased to submit the Annual Report on the State of the Massachusetts Court System for Fiscal Year 2010, which presents a wide range of judicial and management accomplishments. The dedicated judges, clerks, probation staff, and other employees throughout the court system have diligently served the needs of the public despite continuing budget challenges.

The Judicial Branch has taken unprecedented steps to enable the Commonwealth to meet its fiscal challenges. For more than two years the court system has implemented bold measures ranging from a hiring freeze to courthouse consolidations and has sustained major staff reductions which are impacting our ability to deliver justice expeditiously. The Judiciary also has prioritized efforts to expand access to justice and improve operational efficiency, accountability, and transparency.

My colleagues across the Massachusetts court system have achieved an impressive array of accomplishments amid these challenging times. I am very proud of their achievements, which are highlighted in this report to be posted on the court's website at www.mass.gov/courts.

I look forward to working with you throughout the year to enhance the delivery of justice in the Commonwealth.

Sincerely,

A handwritten signature in black ink, reading "Roderick L. Ireland", is positioned below the word "Sincerely,".

Roderick L. Ireland



The Massachusetts Court System



Annual Report on the State of the Massachusetts Court System Fiscal Year 2010

Supreme Judicial Court

Chief Justice Margaret H. Marshall

Associate Justices

Roderick L. Ireland	Francis X. Spina
Judith A. Cowin	Robert J. Cordy
Margot G. Botsford	Ralph D. Gants

(In December 2010, Chief Justice Marshall retired and Justice Ireland was appointed Chief Justice)

Appeals Court

Chief Justice Phillip Rapoza

Trial Court

Chief Justice for Administration & Management Robert A. Mulligan

Boston Municipal Court	Chief Justice Charles R. Johnson
District Court	Chief Justice Lynda M. Connolly
Housing Court	Chief Justice Steven D. Pierce
Juvenile Court	Chief Justice Michael F. Edgerton
Land Court	Chief Justice Karyn F. Scheier
Probate & Family Court	Chief Justice Paula M. Carey
Superior Court	Chief Justice Barbara J. Rouse

Office of the Commissioner of Probation

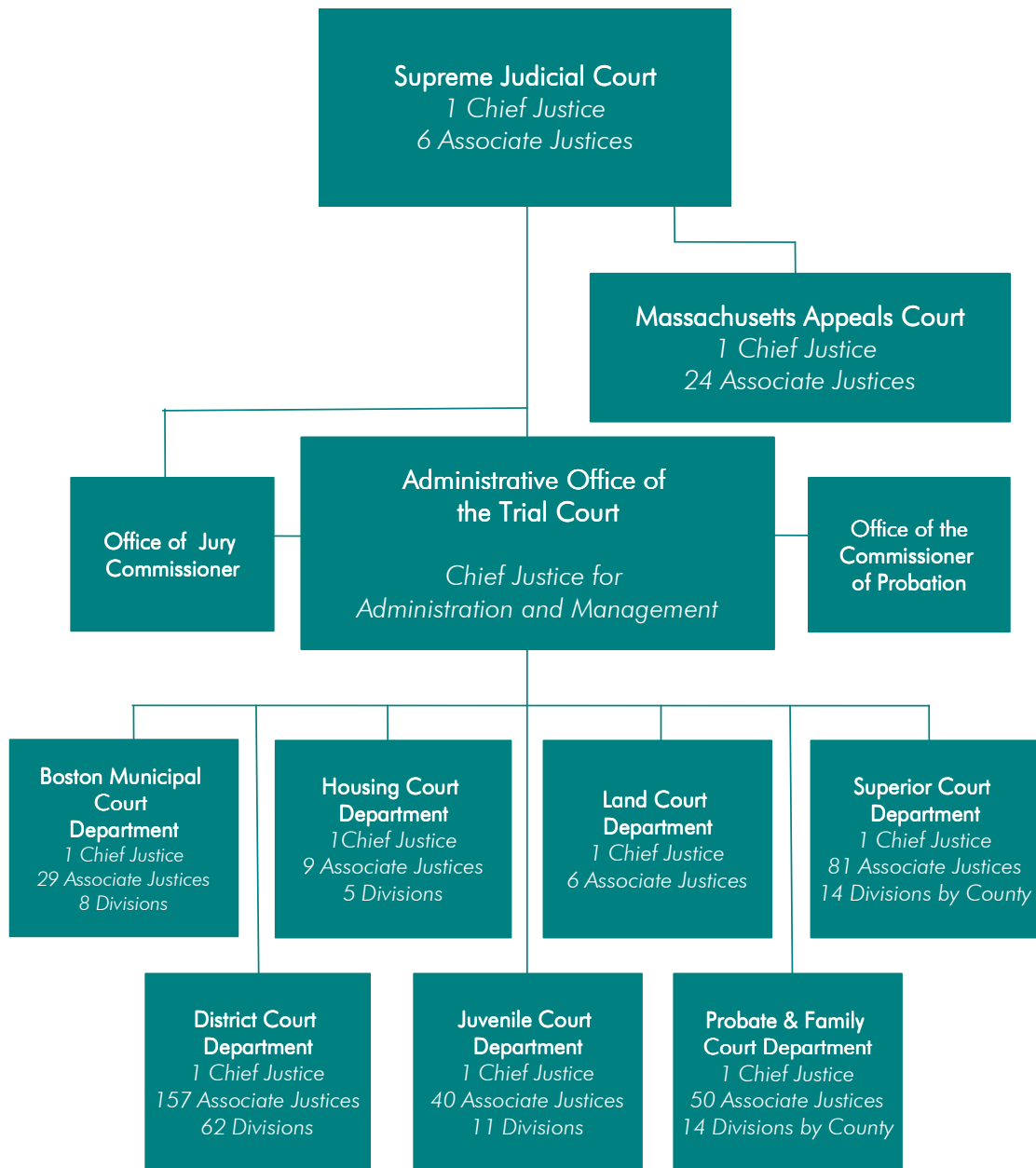
John J. O'Brien, Commissioner
Dr. Ronald P. Corbett, Jr., Acting Administrator (Appointed May 2010)

Office of Jury Commissioner

Pamela J. Wood, Esq., Commissioner

The Massachusetts Court System

The number of justices for all courts is the maximum authorized by law.



Supreme Judicial Court

www.mass.gov/sjc

The Supreme Judicial Court, originally called the Superior Court of Judicature, was established in 1692 and is the oldest appellate court in continuous existence in the Western Hemisphere. It serves as the leader of the Massachusetts court system, holding final appellate authority regarding the decisions of all lower courts and exercising general superintendence over the administration of the lower courts.

The full Court hears appeals on a broad range of criminal and civil cases from September through May. Single justice sessions are held each week throughout the year for certain motions, bail reviews, bar discipline proceedings, petitions for admission to the bar, and a variety of other statutory proceedings.

The Court also is responsible for general superintendence of the Judiciary and the bar, makes or approves rules for the operations of all courts, and has varying degrees of oversight responsibility for entities affiliated with the Judicial Branch, including the Board of Bar Overseers, Board of Bar Examiners, Clients' Security Board, and the Massachusetts Interest on Lawyers' Trust Accounts (IOLTA) Committee.

Supreme Judicial Court for Suffolk County

The Supreme Judicial Court for Suffolk County is known as the single justice session of the Supreme Judicial Court. An associate justice essentially acts as a trial judge, as was the function

of the first justices, or as an administrator of the Court's supervisory power under G.L. c. 211, s. 3. The county court, as it is often referred to, has original, concurrent, interlocutory and appellate jurisdiction on a statewide basis. In addition to the single justice caseload, the justice sits on bar docket matters. In FY2010 there were: 639 single justice cases filed with 87% disposed; 130 bar docket cases filed; and 3,061 bar applications filed.

Supreme Judicial Court: Fiscal Year 2010 Highlights

Fiscal Crisis

The national economic crisis continued to create major revenue shortfalls in the Commonwealth, which caused further budget reductions for the Massachusetts courts. The Judiciary through the leadership of the Chief Justice of the Supreme Judicial Court and the Chief Justice for Administration & Management advocated on behalf of the importance of an adequately funded court system.

The Trial Court received an FY2010 appropriation of \$559.1 million, a significant reduction from the initial appropriation of \$605.1 million in FY2009. The Chief Justices led advocacy efforts with the Executive and Legislative Branches throughout the budget process with the assistance of bar associations and law school leaders statewide to prevent further reductions and ensure an equitable budget for the Judicial Branch, which represents 2.1 percent of the total state budget. The significantly diminished resources have resulted in court relocations, reductions in staffing levels and services, as well as many other cost savings measures in courts across the state.

Appointment of Independent Counsel

In May 2010, the SJC appointed an Independent Counsel with the powers of Special Master and Commissioner to conduct a prompt and thorough administrative inquiry into alleged improprieties with respect to the hiring and promotion of employees within the Probation Department, as well as other practices and management decisions. The order followed publication of an investigative media report alleging the hiring and promotion of Probation Department employees were based on reasons other than merit. The Court also named an Acting Administrator for the Department. In November 2010, the Independent Counsel submitted a comprehensive report to the Court, which made the report public and directed a number of corrective measures. These included formation of a task force to conduct a comprehensive review of hiring and promotion procedures in the Judicial Branch and provision of the report to law enforcement agencies for action they may deem appropriate.

Access to Justice Commission

In February 2010, the Supreme Judicial Court reconstituted the Massachusetts Access to Justice Commission, first created by the SJC in 2005 with a five-year term. The Commission's goal is to achieve equal justice for all persons in the Commonwealth by providing leadership and vision to, and coordination with, the many organizations and interested persons involved in providing and improving access to justice for those unable to afford counsel. Several Action Groups have been established, including Delivery of Legal Services, Technology and Website, Administrative Justice, as well as Trial Court Practice Groups for the District Court, Boston Municipal Court, Probate and Family Court and the Housing Court.

In September 2010, the SJC amended Rule 4:03, Periodic Assessment of Attorneys, upon the recommendation of the Access to Justice Commission, and in recognition of the great unmet need for civil legal services for those unable to afford them. The change establishes a voluntary fee for attorneys for use in the administration of justice and the provision of civil legal services. The decision to pay this voluntary fee will be confidential.

Self-Represented Litigants

In May 2009, the Justices authorized the use of limited assistance representation (LAR) in all Trial Court departments as prescribed by each Chief Justice, after review of the Final Report of Recommendations of the Supreme Judicial Court Steering Committee on Self-Represented Litigants. LAR is now offered in the Boston Municipal Court, the Housing Court and the Probate & Family Court. The District Court launched a department-wide LAR pilot in January 2011. In late 2009, the Justices approved for

distribution *Serving the Self-Represented Litigant: A Guide by and for Court Staff*, developed by Clerk Magistrates and others from all court departments to use in assisting self-represented litigants. The Guide serves as the basis for statewide training of court personnel developed by the Judicial Institute and the Trial Court Special Advisor for Access to Justice Initiatives.

Board of Bar Overseer Rules

Amendments to SJC Rule 4:01 and the Rules of the Board of Bar Overseers became effective September 1, 2009. The amendments stem from the American Bar Association Report on the Lawyer Regulation System of Massachusetts issued by the ABA Standing Committee on Professional Discipline. As part of a system-wide effort to improve the administration of justice, the justices invited the ABA committee to assess the bar discipline system in the Commonwealth. The rule changes implement certain recommendations contained in the committee report in an effort to improve the bar discipline system.

Guidelines on Personal Identifying Data

The Supreme Judicial Court approved Interim Guidelines on Personal Identifying Data drafted by a subcommittee of the Standing Advisory Committee on the Rules of Civil Procedure for effect September 1, 2009, to protect against identity theft. The guidelines apply to documents that are publicly accessible in civil and criminal cases. Unless an exemption applies, under the guidelines documents filed with or issued by a court should not include a complete version of a social security number, taxpayer identification number, credit card or other financial account number, driver's license number, state-issued ID

card number, passport number or a person's mother's maiden name identified as such. The guidelines and a one-page summary are available in clerks' offices and on court websites.

Court Management Advisory Board

The Court Management Advisory Board (CMAB) was created by the Legislature in 2003 to advise and assist the Justices of the Supreme Judicial Court and the Chief Justice for Administration & Management on matters related to judicial administration, management and reform, as recommended by the Visiting Committee on Management in the Courts, known as the Monan Committee.

In FY 2010, the CMAB met regularly to support the Trial Court's commitment to data-driven decision making and its pursuit of managerial excellence, amid worsening fiscal conditions, and continued a series of management roundtables for senior court leadership, featuring prominent business and governmental leaders with expertise in management reform and system transformation. In March 2010, the CMAB issued a report entitled *Legislative Action Required to Achieve Managerial Excellence in the Trial Courts*.

The members of the CMAB completed two consecutive three-year terms in June 2010 and issued a 2009-2010 Annual Report, outlining the court system's progress in implementing the Visiting Committee's recommendations. The members of the successor board were appointed by the Justices of the SJC and began three-year terms as of June 1, 2010.

Court Management Advisory Board Members 2004-2010

Leo V. Boyle, Esq.

Partner, Meehan, Boyle, Black & Fitzgerald

Linda K. Carlisle

Management Consultant

Gene D. Dahmen, Esq.

Partner, Verrill Dana LLP

Janet E. Fine

Executive Director,
Massachusetts Office of Victim Assistance

David S. Friedman, Esq. (2004-2009)

First Assistant Attorney General,
Ex-Officio Designee of the Attorney General

David G. Fubini

Director, McKinsey & Company

Robert P. Gittens, Esq.

Vice President for Public Affairs,
Northeastern University

Michael B. Keating, Esq. (Chair)

Partner, Foley Hoag LLP

Hon. Neil L. Lynch

Retired Justice, Massachusetts Supreme Judicial Court

Anne H. Margulies

Chief Information Officer,
Harvard University

Thomas O'Brien

Former Dean of the Eugene M. Isenberg School of Management at
the University of Massachusetts in Amherst

Elizabeth Pattullo

President and Chief Executive Officer,
Beacon Health Strategies

Members 2010-2013

Edward R. Bedrosian, Jr., Esq.

First Assistant Attorney General,
Ex-Officio Designee of the Attorney General

Hon. John J. Curran, Jr.

Retired First Justice, Leominster District Court

William J. Dailey, Jr., Esq.

Senior Partner, Sloane and Walsh

Helen G. Drinan

President, Simmons College

Janet E. Fine

Executive Director,
Massachusetts Office of Victim Assistance

Ruth Ellen Fitch, Esq.

President and Chief Executive Officer,
Dimock Community Health Center

John A. Grossman, Esq.

Undersecretary of Forensic Science and Technology,
Massachusetts Executive Office of Public Safety and Security

Glenn Mangurian

Business Consultant

Ralph C. Martin II, Esq. (Chair)

Managing Partner, Bingham McCutchen

Marilynne R. Ryan, Esq.

Attorney, Ryan & Faenza

Harry Spence, Esq.

Lecturer, Harvard Kennedy School

Professional Development

A Judicial Professional Development Implementation Committee made up of representatives from each of the seven Trial Court Departments was appointed to implement recommendations on expanded and coordinated opportunities for all judges, as identified in the Report of the Working Group on Professional Development issued in May 2009, *Creating a New Model: Expanded Professional Development in the Judiciary*. The Committee has provided oversight, support and leadership as the trial courts introduced programs in the areas of new judge orientation, peer observation and peer mentoring this year. Work also has begun to establish an Intra-Court Department Orientation training session for all new appointees to the bench.

In July 2009, the court initiated a one-year pilot, the Judicial Resource Project, for professional mentor training for judges through funding from the State Justice Institute to engage outside mentoring experts and to create the only training program of its kind in the country. Nineteen judges from all of the trial courts participated in training symposia throughout the year and served as mentors to fellow judges. The program received very positive feedback and the District Court Department trained additional mentor judges in April 2010.

Judicial Evaluation and Enhancement

The judicial evaluation program has facilitated the collection and processing of over 100,000 judicial evaluations since its introduction in 2001. The program provides narrative comments and aggregated statistical assessments to judges concerning their professional, on-bench performance in an effort to enhance the

performance of individual judges and the judiciary as a whole.

In FY2010, three rounds of judicial evaluation were conducted. In the first round, 48 Middlesex County judges in the District, Housing, Juvenile and Probate and Family Courts were evaluated, yielding 4,083 attorney evaluations, 792 employee evaluations and 784 juror evaluations. In round two, 46 Worcester County judges in the District, Superior, Housing, Juvenile and Probate and Family Courts were evaluated, yielding 2,893 attorney evaluations, 1,036 employee evaluations and 780 juror evaluations. In round three, 45 Essex County judges in the District, Superior, Juvenile, Housing and Probate and Family Courts were evaluated, yielding 3,259 attorney evaluations, 751 employee evaluations and 651 juror evaluations. Overall, on average in FY2010, each of the 139 judges evaluated received feedback from 74 attorneys and 19 court employees, and 68 judges received an average of 33 juror evaluations.

Bench Bar Meetings

In FY2010, the Supreme Judicial Court hosted three formal Bench Bar meetings, extending its commitment to regular communication between court leadership, judges and the bar as a critical element of a well-run court system. In October 2009, Chief Justice Marshall delivered her annual address to a group of 200 judges and lawyers who gathered at the John Adams Courthouse for the Massachusetts Bar Association's Fourth Annual Bench Bar Symposium, highlighting the deepening state budget crisis and its effect on the ability of the Massachusetts court system to deliver justice promptly and effectively. In November 2009 and May 2010, groups of more than 30 appellate judges, lawyers and court administrators met at the John Adams

Courthouse to discuss issues of mutual concern in the appellate court system.

Pro Bono Legal Services

The SJC's Standing Committee on Pro Bono Legal Services works to promote volunteer legal work to help people of limited means who are in need of legal representation, in accordance with SJC Rule 6.1, Voluntary Pro Bono Publico Service. In recognition of outstanding commitment to providing volunteer legal services for the poor and disadvantaged, the Standing Committee on Pro Bono Legal Services presented the annual Adams Pro Bono Publico Awards in October to three Massachusetts attorneys. In FY2010, the Standing Committee also visited two Boston area law schools as part of its plan to visit all Massachusetts law schools to learn about and promote the pro bono activities of the law students.

Community Outreach

In keeping with John Adams' passion for justice, community, and learning, the Supreme Judicial Court utilizes the John Adams Courthouse to provide free educational opportunities for students, educators, and the public. In FY 2010, such opportunities included public courthouse tours provided in partnership with Discovering Justice, a Boston-based, non-profit educational organization; student-group visits to the courthouse to attend oral arguments, meet with a justice or watch a dramatic performance of an historical event; teacher training sessions; and the Court's annual celebrations of Student Government Day and Law Day.

The SJC also conducted the 20th year of the Judicial Youth Corps, a legal education and internship program for Boston and Worcester public high school students to learn first-hand

about the Massachusetts court system. The 14-week program extends from May to August and is funded by foundations and grants. To mark its 20th anniversary, a Judicial Youth Corps Reunion was held in 2010. Justice Roderick L. Ireland served as master of ceremonies with former Judicial Youth Corps students (now lawyers) as speakers. Held in the John Adams Courthouse, the special event brought together about 75 people, many former students, to reflect on the program's educational benefits.

The Supreme Judicial Court's website continues to provide easy access and updated information for litigants, lawyers, educators and the general public. Webcasts of the Court's oral arguments continue to be available on the website through a collaboration with Suffolk University Law School.

Electronic Access to the Courts

The Supreme Judicial Court's Judiciary-Media Committee formed a subcommittee to review its existing Rule 1:19 on cameras in the court and recommend changes in light of advances in technology and journalism since the rule was promulgated. The subcommittee drafted proposed amendments which have been recommended by the full Committee and forwarded to the Rules Committee to seek public comment. The proposed amendments include an expanded definition of media and would allow the media to possess and operate electronic devices in the courtroom, subject to certain restrictions.

The Judiciary-Media Committee also has supported participation in a grant-funded, pilot project called Order in the Court 2.0, to allow experimentation with new media in the Quincy District Court. The project goal is to build a model for other courtrooms that want to open to new media.

Court Improvement Program

During FY2010, the Supreme Judicial Court received Court Improvement Program (CIP) grants from the federal government totaling more than \$650,000. These federal funds enable state court systems to improve court processes and functioning related to child welfare cases. CIP-

supported initiatives include funding for recall judges in the Juvenile Court; the National Adoption Day celebration in Massachusetts; a video-conferencing pilot project; and training programs for lawyers who represent children or parents.

Supreme Judicial Court Statistics

Caseload	FY2010	FY2009
Direct Entries	130	155
Direct Appellate Review - Applications Allowed	34	47
Direct Appellate Review - Applications Considered	82	92
Further Appellate Review - Applications Allowed	32	42
Further Appellate Review - Applications Considered	726	784
Transferred by SJC on its Motion for Review of Entire Appeals Court caseload:		
Gross Entries	231	285
Dismissals	42	28
Net Entries	189	257
Dispositions	FY2010	FY2009
Full Opinions	164	147
Rescripts	61	54
Total Opinions	225	201
Total Appeals Decided ¹	231	205

¹ Indicates the total number of appeals resolved by the Court's opinions.

Massachusetts Appeals Court

www.mass.gov/courts/appealscourt

Created in 1972, the Appeals Court is a court of general appellate jurisdiction. Most appeals from the departments of the Trial Court are entered initially in the Appeals Court. Some are then transferred to the Supreme Judicial Court, but a large majority will be decided by the Appeals Court. The Court usually sits in panels of three with the composition changing each month.

In addition to its panel jurisdiction, the Appeals Court also runs a continuous single justice session, with a separate docket. The single justice may review interlocutory orders and orders for injunctive relief issued by certain Trial Court departments, as well as requests for review of summary process appeal bonds, certain attorney's fee awards, motions for stays of civil proceedings or criminal sentences pending appeal, and motions to review impoundment orders.

The Appeals Court met the appellate court guideline for the scheduling of cases and by June 2010, all cases which had been briefed by February 1st had been argued or had been submitted to panels for decision without argument.

Massachusetts Appeals Court: Fiscal Year 2010 Highlights

Appellate Caseload

The Appeals Court caseload for FY2010 declined almost five percent from the near record totals of FY2009. Civil filings, particularly appeals from the Probate and Family Court, increased, while criminal filings, particularly appeals from the

District Court Department, declined. The Court issued the same number of decisions as in FY2009.

Sessions in Other Locations

During the year, the Court conducted nine sessions at locations other than the John Adams Courthouse in Boston. Sittings were held at four law schools – Western New England, New England School of Law, Boston University and Massachusetts School of Law – enabling law students to observe appellate proceedings. After the sessions the justices met with the students, explaining the Court's operating procedures and answering questions about the appellate process. In addition, three-judge panels sat at Trial Court facilities in Barnstable and Brockton along with sessions at Bristol and Berkshire Community Colleges. Groups of local high school and college students were able to attend these sessions and meet with the justices.

Technology Enhancement

In June 2009, the Appeals Court launched a new website. The site provides general information about the Court and the capability to search the

docket, as well as contact information, biographies of the justices, and information for law clerkship applicants, attorneys and self-represented litigants. The site now receives more than 20,000 visits monthly.

The Court also began to enhance existing technology to assist in case management and document storage through the use of .pdf filings, e-notices, e-payment, e-filing and docket software. A standing order was adopted to require parties to file via e-mail a .pdf of certain motions and letters, which judges and court staff regularly use, eliminating the need to file three additional paper copies of the document.

Work also started on a proposal to permit attorneys and self-represented litigants to register for e-mail notification of court orders, notices, and decisions. E-notices will be sent to Trial Court judges regarding decisions in appeals and to attorneys and self-represented litigants on an appeal's schedule for oral argument. Work began with the State Comptroller's Office to design an electronic payment option over the internet. The Appeals Court also participates on a working group with Supreme Judicial Court and Trial Court representatives to study and begin developing a system to allow electronic filing of documents. Implementation of new software to maintain the Court's docket also was launched.

Transitions

The Court began a period of marked transformation in FY2010. The Court's first woman justice, who had been appointed in 1978, retired. In addition, the long-serving clerk and a number of other key personnel also retired or left the Court with many not replaced due to budget constraints.

Appeals Court Statistics

Sources/Types of Appeals	Civil	Criminal	Total
Superior Court	689	572	1,261
Probate & Family Court	157		157
BMC/District Court	54	435	489
Juvenile Court	71	30	101
Land Court	72		72
Housing Court	24		24
Appeals Court Single Justice	23	5	28
Appellate Tax Board	19		19
Industrial Accident Review Board	57		57
Employment Relations Board	7		7
Total Fiscal Year 2010	1,173	1,042	2,215
<i>Total Fiscal Year 2009</i>	<i>1,170</i>	<i>1,151</i>	<i>2,321</i>
Dispositions			Total
Total Panel Entries			2,215
Transferred to Supreme Judicial Court			76
Dismissed/settled/withdrawn/consolidated			487
Net Annual Entries			1,652
	Civil	Criminal	Total
Total Decisions	817	765	1,582
Decision of lower court affirmed	623	524	1,147
Decision of lower court reversed	118	196	314
Other result reached	76	45	121
Published Opinions			251
Summary Dispositions			1,331

Massachusetts Trial Court

www.mass.gov/courts

In FY2010, the Massachusetts Trial Court continued to face major budget challenges resulting from the impact of the national fiscal crisis on state revenues. After a reduction in the Trial Court's appropriation from \$605.1 million to \$583.7 million in FY2009, the FY2010 appropriation declined another \$24 million to \$559.1 million, an eight percent reduction from \$605.1 million.

Managing this significant budget reduction required extension of the hiring freeze, further consolidation of court locations and additional cuts in services. Operational enhancements in the areas of technology and energy reduction also generated significant cost savings.

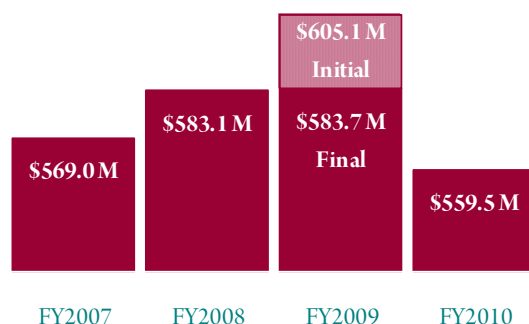
Despite significant staffing shortages throughout the Trial Court, judges, clerks and court staff across the state maintained their focus on performance measurements using case management tools and the deployment of Mass-Courts was expanded, ensuring accountability, transparency, expeditious disposition of cases, and the delivery of quality justice.

The Chief Justices and Court Administrators of the Boston Municipal, District, Housing, Juvenile,

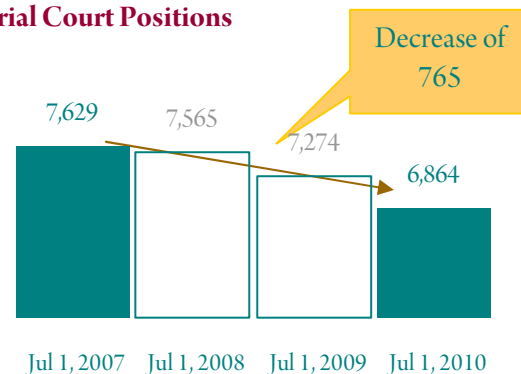
Land, Probate and Family, and Superior Courts, as well as the Offices of the Commissioner of Probation and Jury Commissioner, and the Directors of the Administrative Office of the Trial Court (AOTC) exercised a range of strategies to address the budget challenge amid staffing shortages, reinforce employee morale, and ensure the performance of their individual departments as they oversaw court operations statewide.

The hard hiring freeze first implemented in October 2008 was extended to avoid involuntary layoffs amid a challenging economy and wage increases negotiated for clerical staff prior to the fiscal crisis were deferred. By the end of 2010 three rounds of voluntary reduction programs had resulted in 321 retirements and work hour reductions by 470 employees. The Trial Court

Fiscal Resources



Trial Court Positions



ended FY2010 with 765 fewer employees than in FY2008. By the end of Calendar Year 2010, the Court's workforce declined to 6,613, a reduction of more than 1,000 employees since July 1, 2007. These significant staff reductions placed many court divisions well below the staffing levels recommended by the nationally-endorsed, weighted caseload staffing model. Court Departments used many strategies to address staff shortfalls, such as voluntary staff relocations and the use of administrative office staff to schedule court events.

A Court Relocation Committee was formed to assist with the identification of additional sites for possible relocation and consolidation using criteria such as access to justice, lease terms and expenses, personnel impact and staffing levels, the condition of facilities, building functions, jurisdiction, distance and transportation issues. Planning commenced to move the Land Court and several other court operations into state-owned space.

... it is apparent that the Trial Court does not have sufficient personnel to safely and effectively operate 103 court locations.

Hon. Robert A. Mulligan
Chief Justice for Administration and Management
February 23, 2010

The Trial Court's Fiscal Task Force, comprised of representatives from all court departments, has enabled achievement of significant expense reductions through regular meetings, subcommittee work on key issues, and thoughtful recommendations.

The professional commitment and dedication of the state's judges, clerks, probation, and other

court staff have ensured the Trial Court's ability to deliver justice despite difficult circumstances. In addition to budget challenges, Trial Court staff persevered through major turmoil in the Probation Department after an investigative report by The Boston Globe resulted in the May 2010 appointment of an Acting Administrator of Probation and an Independent Counsel who issued extensive findings in November.

The Trial Court's following recommendations and plans along with the highlights of FY2010 present a range of initiatives and accomplishments across all departments despite severely restricted resources. They are presented in the following four areas:

- Access and Quality Justice
- Effectiveness and Accountability
- Functional Facilities and a Safe Environment
- Community Partnerships and Outreach

Trial Court Recommendations and Plans

Access & Quality Justice

The Trial Court's commitment to enhancing access to justice benefits from the focused efforts of the Special Advisor and Deputy Advisor on Access to Justice Initiatives appointed in June 2009. They have conducted a Trial Court survey, partnered with a range of internal and external entities, issued an interim report, established an inter-departmental Advisory Committee, and formed Access to Justice task forces which are working to improve access through self-help materials, court forms, information desks, training and Limited Assistance Representation.

The initiative has partnered with the Berkman Center for Internet & Society at Harvard which

prepared a preliminary report on *Best Practices in the Use of Technology to Facilitate Access to Justice Initiatives* outlining opportunities for the Trial Court to develop solutions to impact access and enhance operational effectiveness. The initiative also has partnered with the Massachusetts Justice Project, representing the state's legal services providers, on a Technology Innovation Grant from the national Legal Service Corporation to enhance internet services for court users. This focused leadership will continue to guide and coordinate resources to broaden access to civil justice for all litigants, including self-represented litigants, individuals of modest means, those of limited or no English proficiency, and individuals with mental or physical disabilities.

Effectiveness & Accountability

The revenue challenges facing the Commonwealth will continue to drive the Trial Court's efforts to ensure adequate funding, as it identifies new ways to operate effectively and efficiently to meet the needs of the 42,000 individuals who do business in our courthouses each day. All Trial Court departments will continue to use evidence-based analysis to inform decision making. Performance measures now assist court leaders in evaluating case management, access and fairness, file integrity, fee collection and juror utilization.

The Fiscal Task Force and the Court Relocation Committee, both co-chaired by District Court Chief Justice Lynda M. Connolly and Housing Court Chief Justice Steven D. Pierce, will continue to assist the Trial Court in meeting the fiscal challenges ahead. The Trial Court also will continue to benefit from the guidance of the Court Management Advisory Board on court structure and operations and to partner with the Board on various management initiatives.

Technology

The Trial Court will continue to leverage its major investment in MassCourts, the web-based, multi-department data and case management platform. Five of seven court departments now use full or partial versions of MassCourts, which enables real-time data collection and information sharing, eliminates redundant data entry, reduces costs and increases information access.

Creative uses of technology will significantly enhance the Trial Court's ability to operate with reduced fiscal resources. In FY2010, MassCourts supported new applications including automated scheduling of court interpreter requests and electronic data transfers to the Registry of Motor Vehicles.

Functional Facilities & a Safe Environment

Progress on major courthouse construction projects will continue in Salem and Taunton following the opening of a new state-of-the-art courthouse in Fall River in July 2010. These efforts represent a significant commitment by the Commonwealth to upgrade the functionality and operating environment of the state's courthouses. These projects extend the Trial Court's recent efforts to create justice centers that serve multiple court departments and leverage available capital and operational funds.

The Trial Court will continue to identify ways to reduce expenses, energy consumption and environmental impact in concert with the interdepartmental Trial Court Green Team and the Massachusetts Department of Energy Resources and Department of Capital Asset Management. In FY2010, the Court Facilities Bureau used a range of measures to reduce utility

expenses by \$2.5 million following a \$2.9 million reduction in FY2009.

Community Partnerships & Outreach

The Trial Court will continue its strong commitment to collaboration with a wide range of state and local agencies and community leaders to promote the identification and development of needed services and programs that enhance public safety, healthy communities, and the delivery of justice in cities and towns across the Commonwealth. The Community Service Program through the Office of Community Correction will continue to deliver several hundred thousand hours of services to communities, agencies and programs statewide. Additional key partnerships include those with state and local bar associations, community non-profit agencies, advocacy and membership groups, which regularly interact with the courts. Programs in schools and communities across the state greatly enhance public understanding of the role of the judiciary, the rule of law, and the importance of the jury system in a democratic society.

Massachusetts Trial Court Fiscal Year 2010 Highlights

Access & Quality Justice

Special Advisor for Access to Justice Initiatives

The Chief Justice of the Supreme Judicial Court and the Chief Justice for Administration & Management in June 2009 appointed Housing Court First Justice Dina Fein to serve as the Special Advisor for Access to Justice Initiatives. Judge Fein and a Deputy Advisor are guiding and coordinating resources within the Trial Court to broaden access to justice for litigants through collaboration with judges, clerks, probation and

other court personnel, the Massachusetts Access to Justice Commission, bar associations, legal services organizations, law firms, law schools and others.

An Access to Justice survey of Trial Court employees was conducted in the Fall 2009 and an Interim Report on Access to Justice Initiatives in the Trial Court was issued in January 2010 summarizing survey results and establishing an organizational structure of task forces to enhance self-help materials, court forms, information desks, training and the implementation of Limited Assistance Representation. A number of outreach and partnership efforts are actively underway and an Information Center was launched as a pilot in the main lobby of the Brooke Courthouse in October 2010.

Guardianships and Estates

In response to the enactment of Article V of the new Massachusetts Uniform Probate Code effective July 1, 2009, the Probate and Family Court implemented major changes in guardianship and conservatorship proceedings. The changes increased due process and other protections for persons under guardianship, including minors, and conservatorship.

A task force, comprised of judges, registers of probate, other court staff and members of the bar, formed subcommittees to develop new forms, rules, procedures, and standing orders, as well as training sessions for court staff and constituency groups. Since implementation of the new law, a comprehensive review was conducted. This review resulted in the filing of legislation, a new Standing Order and Uniform Practice, the revision of many forms and development of additional new forms, which all are available on the Probate and Family Court's redesigned and expanded website.

The Probate and Family Court convened attorneys and mental health professionals to help improve the quality of training and education requirements for guardians ad litem on the Court's fee-generating appointment lists in Categories E and F. As of 2011, three hours of mandatory training will be required annually and a certificate of attendance must be submitted to the Court.

Probate law changes resulting from the UPC will go into effect January 2, 2012. A UPC Estate Working Group with judges, court staff and practitioners is actively preparing to implement systemic changes in probate practice. An education committee is developing a curriculum for staff and the bar.

Support of Children and Families

The Probate and Family Court expanded the use of the "For the Children" parent education program to several additional counties. This five-hour, pilot program focuses on the needs of children of never-married parents and can be mandated by the court. In addition, the Court initiated a review and re-approval process for all previously approved providers of parent education for divorcing parents. The Court also created a pilot program in Plymouth and Norfolk Counties that involves qualified lawyers and mental health professionals at Interdisciplinary Settlement Conferences to achieve settlements that will better sustain the families.

The Probate and Family Court received grant funding to expand statewide its use of child support case conferencing sessions piloted in FY2009, based on the recommendations of a task force comprised of members of the Trial Court and the Child Support Enforcement Division of the Department of Revenue. Two other grants involve collaboration with DOR on streamlining

the modification process and assisting never-married parents.

The Juvenile Court installed videoconferencing systems in all 11 divisions using federal Court Improvement Program funding to expedite child welfare matters and move children more quickly toward permanent placement. The success of this effort has resulted in plans to expand the program to additional courtrooms and refine the procedures developed for use of the equipment.

Self-Represented Litigants

Limited Assistance Representation. Following the Supreme Judicial Court's 2009 order allowing each Trial Court Department Chief Justice with approval of the Chief Justice for Administration & Management to make available Limited Assistance Representation (LAR), the Probate and Family Court, where the concept was successfully piloted, extended LAR to all court divisions. Other Trial Court departments assembled working groups of judges and administrative staff to develop protocols and procedures for LAR implementation. LAR became effective in the Boston Municipal Court Department in May 2010 and in the Housing Court Department in November 2010. The District Court's department-wide LAR pilot became effective in January 2011.

LAR allows an attorney to represent or assist a litigant with part, but not all, of a legal matter. The attorney and litigant enter into a detailed agreement defining the tasks for which each will be responsible. Legal services and pro bono organizations are able to increase the number of low-income litigants they assist by using LAR. A significant number of attorneys have attended training to become certified to utilize LAR.

Additional Initiatives. In response to the large number of self-represented litigants in the Housing Court, its divisions work with bar associations and local legal services organizations to offer tenants and landlords the opportunity to consult with a volunteer Lawyer for a Day. Lawyers for a Day may represent parties during mediation and may also enter a general appearance on behalf of a litigant. Litigants also have access to the Court's Housing Specialists who facilitate settlements using mediation. Individual court divisions provide additional support, such as an information station on the day of summary process, partnering with the Department of Transitional Assistance, municipal agencies, and non-profits on a wide variety of initiatives, such as special court sessions and education efforts on code enforcement and protocols to expeditiously resolve cases involving unpaid water bills to avoid termination of service.

The high volume of self-represented litigants in the Probate and Family Court are supported through a range of programs including the Family Law Self-Help Center, Family Law Facilitators, pro bono counsel for children, domestic violence assistance, expanded collaboration with law libraries, and Lawyer for the Day programs in all counties.

Small Claims Improvements

The Trial Court's Uniform Small Claims Rules were improved and approved by the Supreme Judicial Court effective October 1, 2009. The changes, developed from proposals by the Small Claims Working Group and public comments on those proposals, retain the simple, speedy nature of small claims, while significantly impacting debt collection cases through better addresses for defendants, more detailed statements of claims, increased scrutiny of default judgment requests, and better recording when judgments are paid. The District Court formed the Working Group

to include clerk magistrates and court staff from the Housing, Boston Municipal and District Court Departments, as well as attorneys, consumer representatives, collections attorneys, the Massachusetts Bar Association and the Legislature.

Pilot on Sealing Multiple Criminal Records

The Boston Municipal Court extended its pilot initiative to allow filing of a single petition to seal three or more dismissals or non-conviction criminal records from two or more divisions of the department in recognition of the economic hardships faced by those of limited means seeking to seal their criminal records. The term of the Standing Order that launched this pilot, originally issued in 2009 to evaluate the efficacy of changes proposed by Greater Boston Legal Services, was extended to May 2011.

Specialized Sessions for Drugs, Firearms Offenses, and Mental Health

Drug Courts. The Boston Municipal Court, District Court, and Juvenile Court Departments conduct 25 drug court sessions, which implement the goals of the Supreme Judicial Court's Standards on Substance Abuse issued in 1998. On average, 640 offenders have a drug court contact each week. These specialized sessions reduce crime and substance abuse, enhance public safety and strengthen families. Key elements of this structured approach include intensive probation supervision and therapeutic programming, frequent testing and careful monitoring by the supervising judge. A Massachusetts Sentencing Commission Report indicated there were 12,767 courtroom contacts and 4,664 participants over a six year period ending with calendar year 2009.

Firearms. Firearms sessions are conducted in the Central Division of the Boston Municipal Court for all of that department's court divisions and in

the District Courts in Lynn and Fall River. These sessions address public safety through expedited adjudication of firearm-related criminal offenses. These courts have established special timelines for the scheduling of pretrial hearings and disposition of these cases.

Mental Health. A voluntary Mental Health Diversion Initiative (MHDI) has been conducted since 2007 by the Central Division of the Boston Municipal Court in collaboration with Probation, the District Attorney, the defense bar, court clinicians and Boston Medical Center, for defendants charged with misdemeanors or non-violent felonies. In FY2010, 82 new defendants were referred to the session and 17 completed probation consisting of court-ordered treatment and did not incur any new arrests. More than 60 defendants currently report to the MHDI session as part of their probation supervision.

Domestic Violence and Sexual Assault

The Trial Court is committed to providing access to the courts and safety for victims of domestic violence and sexual assault. A STOP Grant Coordinator funded by the federal Violence Against Women Act, represents the Trial Court on external coalitions, including the Governor's Council to Address Sexual and Domestic Violence and the Massachusetts Coalition on Sex Offender Management, and facilitates initiatives and multi-disciplinary working groups involving all court departments.

A new Harassment Prevention Order, G.L. c. 258E, effective in May 2010, required a significant interdepartmental effort to develop new protocols, forms and statewide training. Revisions also continued on forms and judicial practice guidelines for abuse prevention proceedings under G.L. c.209A. The Trial Court worked with the Massachusetts Office for Victim Assistance on legislation that established a task force

regarding designation of separate and secure waiting areas in Superior and District courthouses for victims and witnesses of crimes. Other efforts include development of training on sex offender management, the Trial Court/Domestic Violence Advocates Language Access Collaborative, and a federal grant to implement a Domestic Violence Screening Pilot Project in the Probate and Family Court.

An interdepartmental protocol piloted in Norfolk County was expanded to Barnstable County allowing Probate and Family Court judges to exercise pendant jurisdiction over existing District Court restraining orders when the parties also become involved in Probate and Family Court domestic relations matters. Another interdepartmental protocol implemented in Worcester by the District Court and the Probate and Family Court utilizes a victim advocate to help potential plaintiffs determine which court is the appropriate forum for their situation.

Civil Procedure

A program in the Worcester District Court permits counsel in civil cases to agree to bypass the required case management conference and proceed directly to a pretrial conference on an agreed date. All parties must be represented by counsel and all counsel must certify that they have discussed settlement and alternative dispute resolution, and that all discovery will be complete by the pretrial date. The Worcester District Court also introduced a form of individual calendaring for a small number of civil and criminal cases that would benefit from being assigned to a single judge for the life of the case.

Business Litigation Sessions

The Superior Court continued its commitment to the operation of two Business Litigation Sessions (BLS) with the high standards demonstrated since the specialized session began

in 2000. The sessions provide effective case management, early intervention and continuity in complex business disputes. In January 2010, the BLS launched a voluntary pilot project designed to make pretrial discovery more proportional to the magnitude of the claim at issue. Participating attorneys work closely with the Court to set the scope and timing of discovery to limit its expense and burden. The discovery project was modeled after a report issued by the American College of Trial Lawyers and the Institute for the Advancement of the American Legal System. Approximately one-quarter of eligible cases have agreed to participate.

Tenancy Preservation Program

In FY2010, the Donahue Institute at the University of Massachusetts issued a detailed study, which concluded that the Tenancy Preservation Program (TTP) of the Housing Court is highly effective in preventing homelessness among tenants with mental disabilities and exceptionally cost effective in preventing at-risk households from being evicted as a result of behaviors related to mental disabilities.

TPP operates in all five divisions with guidance from a statewide steering committee. The program works to preserve the tenancies of those facing eviction due to disability-related lease violations by identifying service needs and arranging for the provision of appropriate services.

Alternate Dispute Resolution (ADR)

The Housing Specialist Department of the Housing Court facilitated the settlement of almost 80 percent of the 19,697 cases statewide referred for mediation and intervention to Housing Specialists in all five divisions of the Court. The Land Court also referred many cases

for mediation during its mandatory early intervention event.

The Boston Municipal Court Department referred almost 600 cases to mediation services in the third year of referrals from all eight divisions, which resulted in the successful resolution of 350 cases, including criminal, civil, small claims matters, summary and supplemental process actions. Through the Court's Pre-trial Conference Program with the Boston Bar Association, 175 volunteer attorneys conducted more than 600 case conferences, which enhanced the use of ADR services and enabled use of judicial and other court resources to resolve other cases.

The Probate and Family Court continued to monitor the efforts of multiple programs approved to receive court referrals for dispute resolution services. Programs are required to conduct free ADR screening to promote awareness and consideration of ADR options. Approved providers include the Office of the Commissioner of Probation, which oversaw many thousands of dispute interventions by probation officers in the Probate and Family Court.

The Juvenile and Probate and Family Courts continue their interdepartmental efforts to oversee permanency mediation services with the Department of Children and Families, the Committee for Public Counsel Services, the Mass. Coalition for Permanency Mediation, and Mass. Families for Kids/Children's Services of Roxbury. Mediators work with all parties to promote more timely permanency for children by reaching a fair agreement or resolving issues to reduce trial time.

National Adoption Day

More than 210 adoptions of children in foster care were finalized in Massachusetts in concert

with the 7th National Adoption Day in November 2009, when more than 4,500 such adoptions were legalized across the country. The Juvenile Court and the Probate and Family Court along with the Department of Families and Children, and the Mass. Adoption Resource Exchange, planned celebrations held in eight locations statewide. Governor Patrick was the keynote speaker at the event held at Middlesex Juvenile Court. The lead site for the November 2010 celebration was the Brooke Courthouse.

Aging Out Project

The Juvenile Court's Aging Out Project, piloted in Essex County, was expanded across all divisions of the Court in collaboration with the Department of Children and Families (DCF) and the Committee for Public Counsel Services, to address concerns relative to the aging out population of children in the care of DCF. Training completed in each division included judges, clerks, probation staff, DCF counsel, members of the private bar and children who have participated in the program. A pilot program began Suffolk County in June 2010 to increase youth participation in meaningful hearings to plan a successful transition into adulthood.

Scheduling and Location of Sessions

The judges and staff of the five divisions of the Housing Court travel to 20 locations each week to be physically accessible to all litigants who reside in the communities served. Each division meets regularly with users, including property owner associations, tenant advocacy groups, code enforcement officials, fire and police departments and bar associations. The extensive information available on the Court's website includes mediation information in English and Spanish.

Community Corrections Centers

The Office of Community Corrections operates 23 centers statewide serving over 1,000 Level 3 and 4 offenders weekly. More than 190,000 hours of community service were programmed through these centers in FY2010. These centers provide an alternative to incarceration through community-based supervision sites, where offenders check in regularly and participate in programs for substance abuse treatment, GED preparation and job training.

Juror Access

The Office of Jury Commissioner (OJC) introduced a revised juror summons form and instruction booklet to make juror service more understandable to a broader group of potential jurors and enhanced the functionality of the website to facilitate the response process and minimize inconvenience. The OJC also continued its partnership with the Mass. Commission for the Deaf and Hard of Hearing (MCDHH) to address issues of access to jury duty. A joint working group tested new technology that would enable late-deafened jurors to be impaneled on juries without the need for an ASL interpreter, since they are in very short supply.

Access to Justice Initiatives Overseen by AOTC

Judicial Response System. This systematic response provides judicial intervention in emergency situations when the courts are closed. Judges participate through an on-call process that is coordinated in eight regions and shared with public safety officials. In FY2010, judges handled 6,914 emergency evening or weekend calls through this system.

Interpreter Services. Interpretation services for Limited English Proficient litigants were used for 86,414 court events in 74 languages this fiscal year. Seventy-one percent of the events required

Top Language Requests

Spanish
Portuguese
Cape Verdean
Vietnamese
Haitian Creole
Khmer
Russian
Mandarin
Cantonese
Arabic
Polish
Albanian
Somali
Korean
Hindi

Spanish interpretation. The Office of Court Interpreters revised standards and procedures, modernizing the code of professional conduct for court interpreters in the Trial Court. The Trial Court partnered with the Mass. Commission for the Deaf and Hard of Hearing on the provision of interpreter services, resulting in the use of these services at 728 court events involving deaf or hard of hearing court users.

A pilot project to automate the generation and scheduling of interpreter requests using MassCourts was expanded to the Boston Municipal, District, Housing and Probate and Family Court Departments. The District Court also partnered with the Office of Interpreter Services on a Student Language Specialist Internship program to place undergraduate interns in clerks' offices and probation departments to provide translation services for administrative interactions with Limited English Proficient members of the public.

Trial Transcripts. A Uniform Transcript Format has been promulgated to establish instructions for all transcripts in all courts. An Approved Court Transcriber list based on qualifications and time standards designates 56 approved transcribers. Additional digital audio recording systems have been installed in civil and criminal sessions.

The Trial Court also implemented the recommendations of the Supreme Judicial Court's Working Group on Trial Transcripts to reduce time standards for transcript preparation.

Law Libraries. More than 313,083 patrons used the 17 Law Libraries publicly available statewide

and the Law Library website received 49 million visits. Law Library staff also managed the Trial Court computer-assisted legal research program. Live, online reference assistance is provided during business hours at www.lawlib.state.ma.us, which was redesigned for accessibility and navigability. The Fall River Law Library moved into the new Fall River Justice Center. Efforts to centralize and streamline the purchase and oversight of legal materials for all Trial Court Departments continued to create efficiencies and reduce costs.

Effectiveness & Accountability: Resource Management

Fiscal Crisis: Budget, Staffing and Operational Impact

The Trial Court's final appropriation for FY2010 of \$559.5 million represented a cut of \$45.6 million or eight percent from the initial FY2009 appropriation of \$605.1 million. This significant reduction in funding required major cuts in employee staffing levels, the consolidation of court locations, and a total hiring freeze, and negatively impacted court services.

At the end of the fiscal year, the Trial Court included 6,864 employees, which represented a reduction of 410 positions since the end of FY2009. This workforce reduction continued through 2010 with a decline to 6,613 by the end of the year. In addition 3,500 clerical employees in Local 6 of the Office and Professional Employees International Union (OPEIU) and 2,500 probation officers and court officers in the National Association of Government Employees (NAGE) were paid on salary schedules that became effective in July 2006, as funding was not provided to implement fairly negotiated salary increases for Local 6 employees. Salary schedules

for management employees have remained unchanged since 2004.

The delivery of court services has been affected by the cancellation of contracts with ADR providers, restrictions in assignment of Guardians ad Litem, and installation of digital recording systems to replace per diem court reporters. Further operational savings were achieved by significant reductions in utility expenses. Previous cuts include training expenses, travel restrictions, reduced mileage reimbursement rate, curtailment of reference materials and subscriptions for courts and law libraries, and elimination of bottled water contracts. Operational enhancements which reduced expenses include the increased use of technology and centralized procurement of reference materials and supplies.

The interdepartmental Trial Court Fiscal Task Force helped achieve these significant expense reductions through their work on key issues and recommendations to the Chief Justice for Administration & Management.

Employee Excellence Awards

Excellence Awards were presented to 24 outstanding Trial Court employees in June 2010 at a ceremony at the Worcester Trial Court. The winners represented a wide variety of roles and responsibilities from across all Trial Court departments and were selected by an interdepartmental committee from more than 200 nominations. The awards recognized 'go to' employees who consistently respond above and beyond the call of duty and positively impact their courts or offices by strengthening morale and identifying innovative ways to get the work done.

Employee Excellence Awards

Boston Municipal Court Department

Michael C. O'Loughlin

District Court Department

Domenica Jane Blais, Konstantina Hackenson,
Nancy Ellen Clarke, Sally Linton,
Paul A. Scopa

Housing Court Department

Michael J. Doherty

Juvenile Court Department

Carolyn Hoey, Colleen Murphy

Land Court Department

Sheila Grandfield

Probate and Family Court Department

Susan Huet, Brenda Pratt

Superior Court Department

Virginia Foster

Court Facilities Bureau

Raymond Nardone

Security Department

Jean Donovan, Robert Ferreira,
Richard Fielding

Law Libraries

Dianne Connell

Team Award

Trial Court Information Services and Office of Court Interpreter Services

Mark Prior, Geeta Singh, Denise Fitzgerald,
Christine Murphy, Mark Barrett, Hang Lam

Court Relocations

The Trial Court continued efforts to respond to the fiscal crisis by further consolidating court functions into state-owned buildings and reducing the amount of leased space. A Court Relocation Committee was convened in February 2010 to identify potential sites for additional relocation and consolidation of operations. The committee is chaired by District Court Chief Justice Lynda M. Connolly and Housing Court Chief Justice Steven D. Pierce and comprised of five members from the bar and private sector. The initial criteria established by the committee included lease terms and expenses, personnel impact, and staffing levels, condition of facilities, building functions, caseload, geography and transportation issues, as well as access to justice. The committee released preliminary recommendations based on its review of all 103 courthouse facilities. A series of public meetings was held in August 2010 to solicit comment on the recommendations as the beginning of a process of further analysis and review using the public input gained. The committee's efforts are ongoing in anticipation of continued budget challenges in FY2012.

In FY2010, the Natick District Court relocated to the Framingham District Court, the Administrative Office of the Probate and Family Court moved to the John Adams Courthouse, and the Administrative Office of the District Court moved to the Edward W. Brooke Courthouse. By the end of 2010, the Land Court had moved to the Suffolk County Courthouse and the Office of the Chief Justice for Administration & Management moved to the Adams Courthouse. Since court relocations began in FY2009, judges, clerks and court personnel have demonstrated tremendous professionalism and dedication to the delivery of justice, despite significant operational disruption

and limited timeframes required by budget pressures.

Revenue Collection

Sustained efforts to impose and collect applicable fines and fees enabled the Trial Court to realize \$49.9 million of the \$53 million maximum in authorized retained revenue, a significant increase from the \$41.7 million retained in FY2009. The Trial Court collected a total of \$ 77.5 in General Revenues, retaining \$24.5 million of the \$27 million allowed maximum, and collected \$25.3 million in Probation Supervision fees of the \$26 million allowed maximum. The full allowed amount of retained General Revenue was not reached due to an increase in the threshold collection level from \$47.8 million to \$53 million before General Revenue collected can be retained. Overall, FY2010 totals represent an increase of 62 percent in General Revenue collection from FY2003, while collection of Probation Supervision fees increased 184 percent over the same period.

Fiscal Coordinating Committee

A management review panel was charged in December 2009 with the assessment of Trial Court fiscal practices, including management structure, policies, practices and procedures.

The Fiscal Coordinating Committee (FCC) was convened in April 2010 to develop practices and policies to enable implementation of the panel's recommendations. The FCC, chaired by Boston Municipal Court Chief Justice Charles R. Johnson and comprised of an interdepartmental team of court leaders, identified additional best practices to improve the monitoring, training and accountability of staff with fiscal responsibilities. The committee also proposed protocols to facilitate the panel's recommendations and further improve fiscal oversight in all divisions and departments of the Trial Court. The chief

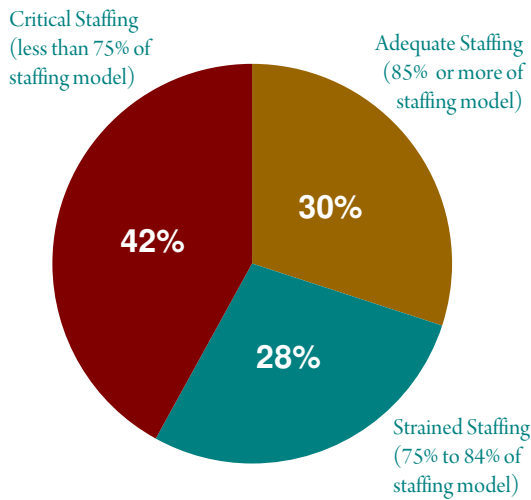
justices have approved the protocols and plans are underway to implement a training program.

Staffing Model Data

Trial Court staffing levels have reached record lows due to budget challenges. By end of 2010, total Trial Court staffing averaged 75 percent of recommended levels, with 45 percent in the Land Court and 66 percent in the Housing Court. Forty court divisions were operating below 75 percent and 17 divisions below 65 percent of the recommended staffing levels

Human Resources works with Trial Court departments to update the staffing model through statistical review and validation. Initially produced in 2005, the Staffing Model Report laid out quantitative and qualitative methods to provide a point of reference and standards that identify comparative needs for staff among courts. Regular updates of the model with caseload and staffing data are used to determine a court division's level of staffing in comparison with an optimal level developed in accordance with an objective, national model. Staffing level data improve the Trial Court's ability to equitably allocate and share scarce staff resources.

2010 Court Staffing Levels



Juror Utilization

Sustained efforts across the Trial Court to improve juror utilization – the number of jurors appearing for service that are impaneled, challenged or excused – resulted in 31,200 fewer jurors appearing for service in FY2010 compared with FY2009 which, in turn, saw 32,500 fewer jurors than FY2008. The Office of Jury Commissioner and the Jury Management Advisory Committee oversaw improved jury pool practices through training, communication, modifications to business practices and technology enhancements. In Trial Court facilities with multiple court departments, efforts have included designation of a jury judge and improved communication between departments that share use of the jury pool. These efforts to reduce the number of jurors appearing for service represent substantial wage savings for local employers, as well as considerable savings for the Trial Court.

Professional Development

The Trial Court departments conducted a range of professional development events in FY2010, such as educational conferences and regional meetings planned by department committees and the AOTC's Judicial Institute. Expenses associated with training programs have been substantially reduced due to budget constraints. All Trial Court departments also worked with the Judicial Institute to implement the recommendations of the SJC Working Group on Professional Development on the expansion and consistent implementation of judicial enhancement activities, including peer observation, mentoring, videotaped self-observation, orientation, as well as mentoring and follow-up sessions for newly appointed judges. A grant from the State Justice Institute funded technical assistance to initiate and support judicial mentoring practices.

In FY2010, the Judicial Institute presented or collaborated with court departments to present 44 educational programs to 1,740 employees. Programs ranged from two-hour discussions for small groups of new judges to multi-day conferences for an entire court department and addressed training needs of employees at all levels in all departments. Resource and reference materials were also developed and widely distributed. Training events addressed new statutes on harassment, guardianship and probate issues, as well as the management of sex offenders, emergency judicial response procedures, domestic violence and court management. Training specifically for clerks and assistant clerks included, “The Clerk’s Role in Health and Safety Code Enforcement Cases” and “Dealing with Workplace Issues.” Materials developed and issued by the Judicial Institute include an electronic *Domestic Violence Resource Manual* and an updated edition of *Proceedings Under General Laws Ch. 123*. Materials available to the public include *Representing Yourself in a Civil Case* and the *Handbook of Legal Terms for Judicial Branch Personnel*.

The Probation Service Training Academy offers more than 100 training workshops annually for Probation Officers and support staff. State and federal employees from entities such as Community Corrections, the state Parole Board and the Department of Social Services also enrolled in probation training programs. Specialized, day-long training for probation employees on Supervising Domestic Violence Offenders highlights guidelines introduced by the American Probation and Parole Association.

‘Green’ Team

The Trial Court’s interdepartmental Energy Task Force, or ‘Green Team,’ formed in September 2008, has expanded conservation awareness, environmentally-sound practices, and energy cost

containment measures, with support from the Division of Capital Asset Management and the Department of Energy Resources. In October 2009, the Green Team received a Leading by Example Award from the Executive Office of Energy and Environmental Affairs and the Department of Energy Resources. Subcommittees on energy, recycling, and education helped implement a range of programs, including recycling in all state-owned courthouses, and helped achieve a \$5.4 million reduction in energy costs since FY2008 through lower usage of electricity, steam, gas and water/sewer. The team’s e-waste recycling effort has collected 124,000 pounds of e-waste, saving the Trial Court approximately \$174,000. A Demand Response Program was launched to conserve energy by reducing electricity demand at eight large courthouses during periods of peak usage. Team members also participate in a comprehensive energy performance contract program at state-owned courthouses that includes energy audits and upgrades of conservation-focused building systems funded through the savings realized.

Effectiveness & Accountability: Timeliness & Expedition

Case Filings

The total number of new case filings approached 1.2 million overall, a decline of less than one percent from the prior year. The District Court saw declines in criminal and civil filings, however there has been a significant cumulative increase in its civil filings over the past five years. The Boston Municipal Court saw an increase in requests for domestic violence restraining orders, as well as increases in summary process and administrative warrants. In the Probate and Family Court, the percentage of domestic and family cases continued its annual increase, and modification

requests rose 13 percent in one year and 40 percent over five years. High rates of foreclosure across the state increased filings in the Land Court.

Court Metrics

Performance measurement continued to provide the foundation for court management efforts, increasing effectiveness and accountability. The Trial Court uses CourTools, a set of performance measures promulgated by the National Center for State Courts, to inform decision making. Four of the ten NCSC metrics are used to set standards and goals that promote timely and expeditious case management – clearance rate, disposition of cases within time standards, age of pending cases, and trial date certainty. Successful implementation of this performance-based approach reflects the extraordinary commitment of all members of the court community – judges, clerks, other Trial Court staff, and members of the bar. Trial Court Departments continued committed efforts including reevaluating scheduling, streamlining processes and cross-training staff to ensure a delivery justice amid the steady decline in staffing levels due to budget constraints.

The Calendar Year 2009 Report on the Trial Court's outcomes for the measures of timely case processing is posted on the Trial Court website. Through the combined efforts of all Trial Court departments, the system achieved a case clearance rate of 98.3% and a disposition rate of

90.4% of cases within established time standards. The number of cases pending beyond time standards increased by more than 14,000 cases, or almost 21 percent, due in part to automation efforts that provide more comprehensive case data. In addition, 76 percent of all trials began by the second trial date, a slight decline from 78 percent in 2008. The adverse impact of staffing levels on court metrics became increasingly evident by the end of Calendar Year 2010.

Case Flow Management

Court departments produce a variety of case flow reports throughout the year to better manage cases and efficiently distribute resources. Statistics are distributed to various stakeholders including judges, clerks, district attorneys and staff to enable shared strategies and solutions. Examples of initiatives across departments include the following:

The Juvenile Court used Court Improvement Program funds to introduce a Permanent Placement Facilitator in a Hampden County pilot program that identifies child welfare cases by age, custody status, and time standards compliance to help achieve permanency in a more timely manner. The Court also identifies the number of days elapsed since the filing of each case on the daily docket sheets.

The District Court implemented best practice recommendations to simplify the movement of cases and eliminate bottlenecks in criminal and civil cases.

A Boston Municipal Court division uses a priority case session for cases that have eluded final resolution for reasons including witness unavailability and scheduling difficulty. When priority cases are assigned a trial date, the Commonwealth and defendants are notified that

Case Flow Metrics	CY08	CY09
Clearance Rate	97.0%	98.3%
Time to Disposition (% of cases disposed within time standards)	89.4%	90.4%
Cases Pending Beyond Time Standards	69,135	83,436
Trial Date Certainty (% of cases disposed within two trial date settings)	78.0%	76.0%

the case will be called first and that the parties should be ready for trial or other final disposition.

The Superior Court's Firm and Fair Trial Date Initiative continues to increase the percentage of civil cases reached for trial on the date assigned. The Court, by careful calendaring with trial counsel, scheduling fewer cases for trial and conducting meaningful pre-trial conferences that get a case trial ready, has reduced trial continuances by over 26 percent since 2005 and has resolved more cases, by trial and settlement, than pre-initiative. Dedication of a Superior Court session for cases on Sexually Dangerous Persons allows careful management to maximize the number of trials using the limited number of counsel and expert witnesses available for these cases.

The Boston Housing Court established a separate day for summary process cases brought by the Boston Housing Authority benefiting litigants and attorneys on both sides. Court divisions continue other case flow management initiatives that streamline the adjudication of code enforcement cases and conducted weekly, specialized sessions.

Court Transcript Production

Effective January 2010, an Administrative Order established a time standard of 120 days for all civil and criminal transcripts. Protocols were established to more closely monitor transcript production. In addition, the number of courtrooms equipped with audio digital recorders continued to expand. The average production time for these transcripts is 60 to 90 days. In the Superior Court as of July 2010, transcripts may be filed in electronic format saving significant time and expense.

Effectiveness & Accountability: Technology Enhancement

MassCourts

The multi-year introduction of MassCourts, the Trial Court's comprehensive, web-based case management and docketing system, enables data collection and information sharing needed to track case progress and timeliness, and ultimately will replace 14 different systems with a uniform, integrated system. Successful implementation involves months of planning and training across each court department.

MassCourts Statistics as of 6/30/10

8.3 million case files

6.3 million scanned court documents

18.7 million case calendar events

Five of the seven Trial Court departments now use MassCourts. In FY2010, implementation efforts included piloting full functionality in the Boston Municipal Court and the District Court, which have used a 'lite' version of MassCourts to manage criminal cases. Deployment of the full version for civil case processing, including financial transactions, will continue in FY2011. The Juvenile Court continued MassCourts planning, including the development of uniform forms and ways to conduct business, and will be the sixth department using MassCourts when it converts in 2011.

As of June 30, 2010, MassCourts contained data on 8.3 million cases and 6.3 million scanned documents for over 633,000 Probate and Family Court cases, significant expansion since FY2009. MassCourts also included information on 18.7 million case calendar events with an average of 134,000 new events scheduled each month.

Registry of Motor Vehicles Interfaces

In FY2010, over 125,000 statutorily-required notices of judgment were electronically transmitted to the Registry of Motor Vehicles for an array of cases involving motor vehicles in the District Court and Boston Municipal Court Departments. In addition, planning was completed for the implementation of an electronic interface for the receipt of Civil Motor Vehicle Infraction hearing requests. The new interface was piloted in September 2010 and will be fully activated in FY2011 to exchange hearing requests and hearing results between the RMV and the District Court and the Boston Municipal Court, eliminating mailing delays and expenses.

BioMetric Data

Trial Court Information Services (TCIS) continued outreach efforts to courts and state and local police departments to expand the addition of biometric data to criminal identity records in MassCourts. As a result, as of June 30, 2010, over 200,000 cases in MassCourts included identity supported by biometric data.

Public Data Access Pilot

TCIS continued work with the Land Court to pilot MassCourts public access software which will be used to provide intranet and internet public access to data stored in the MassCourts database. Several law firms that process tax title cases at the Court on a regular basis are piloting the software. Their feedback assisted in formulating the final form of the Land Court's MassCourts database now available to the general public at Registries of Deeds and Registries of Probate throughout the Commonwealth.

Electronic Interfaces with CPCS and BBO

A monthly average of 15,000 electronic transactions from MassCourts provide attorney assignment information to the Committee for Public Counsel Services (CPCS). This allows

more timely assignment notification and payment of attorneys, helps CPCS manage resources and saves postage for the courts. In addition, MassCourts receives an average of 1,000 monthly updates from the Board of Bar Overseers (BBO) with information on new members admitted to the bar and address changes for other bar members, relieving attorneys and court staff from making the changes manually.

Videoconferencing

Trial Court departments continue to expand the use of videoconferencing to promote efficiency and address security concerns through the cooperation of stakeholders including the Department of Corrections, Sheriffs' departments, District Attorneys' offices, the Committee for Public Counsel Services and bar advocates.

The District Court continued a videoconferencing initiative with the Lawrence District Court and the Essex County House of Correction. The Superior Court continues to use videoconferencing for bail review hearings and is expanding that application and extending use of videoconferencing for medical malpractice tribunals.

The Court Improvement Program has provided a substantial grant to install and maintain videoconferencing equipment in all Juvenile Courts to permit social workers and others to participate in proceedings involving child welfare cases.

Juror Service Website - www.MAjury.gov

Enhancements continued to the Office of Jury Commissioner's Juror Service Website, the first in the country to allow online response to all aspects of a jury summons. These modifications have encouraged more jurors to respond online and receive electronic notifications, including day-

before reminders or cancellation notices, as applicable. The robust functionality of the website was cited as a model for other jurisdictions by the National Center for State Courts. The OJC also built upon advances in its jury management system which have improved the quality of the juror lists created.

Probation: GPS Monitoring, Drug Testing, and Interstate Tracking

The Office of the Commissioner of Probation has upgraded and expanded its GPS Monitoring Program to enhance tracking capability and also uses a cutting-edge drug testing device. OCP also uses the new, national Interstate Compact Offender Tracking System to streamline the process and employ strict timelines in completing transfers of probationers whose probation has been transferred to another state.

Accessible Forms

TCIS continued work with Trial Court departments to greatly expand the availability of user-fillable, .pdf forms posted on the Trial Court internet site. The automated, easy-to-use forms enhance judicial access for lawyers and citizens and provide more readable documents for the courts.

Functional Facilities & a Safe Environment

Capital Construction Projects

Major capital projects to construct state-of-the-art courthouses continued in several cities across the state. The capital spending plan issued by Governor Patrick committed \$112.5 million for court projects in FY2010. The ongoing projects continue the Trial Court's emphasis on the creation of regional justice centers to serve multiple court departments and most effectively leverage capital and operational funds.

The Fall River Justice Center, a 153,000-square-foot courthouse serving the Superior and District Courts, opened in July 2010, replacing two county-owned courthouses. Relocations enabled the Housing Court to increase efficiency by moving all of its operations onto one floor in Fall River's Durfee Courthouse. The new Justice Center was the Commonwealth's first courthouse to incorporate Leadership in Energy and Environmental Design (LEED) certification as early as the development and design phases of the project. LEED is the nationally accepted benchmark for the design, construction and operation of high performance green buildings.

Two LEED-certified courthouses under construction in Taunton and Salem are scheduled for completion in 2011. The new Taunton Trial Court will include the District, Juvenile, Housing, and Probate and Family Court departments. In Salem, the J. Michael Ruane Judicial Center will serve the Superior, District, Housing, and Juvenile Court departments. The 204-year-old former First Baptist Church was moved to the edge of the site to create sufficient space for the main court building and will house the Essex County Law Library. A new Lowell Trial Court to serve five court departments continues in the design phase and will be a model for renewable energy efficiency.

Courthouse Maintenance

The Court Facilities Bureau (CFB) of the Trial Court completed seven capital projects in FY2010 totaling over \$505,000 and building systems upgrades totaling over \$434,000 at state-owned court-houses. The CFB, which provides ongoing maintenance of 63 Trial Court buildings owned by the state, also achieved significant energy savings in FY2010. Contract updates along with energy management and conservation measures reduced the Trial Court's statewide consumption of electricity, heat and water,

resulting in over \$2.5 million in energy savings following a \$2.9 million cut in energy costs in FY2009.

In partnership with the Division of Capital Asset Management, a Demand Response Program was launched at eight large courthouses to conserve energy by reducing electricity demand during periods of peak usage. In addition, a three-phase energy performance contract program was launched, which includes comprehensive energy audits and upgrades of conservation-focused building systems at state-owned courthouses funded through the savings realized.

A capital repair needs assessment of state-owned courthouses conducted in 2007 by the Division of Capital Asset Management estimated the need for more than \$500 million to address the urgent deferred maintenance needs. Study results are included in the Commonwealth's statewide data base, the decision-making tool for determining the funding and implementation of repair projects for all state-owned buildings.

Courthouses must be physically accessible and responsive to the changing needs of court users. Ongoing efforts are underway to ensure compliance with the Americans with Disabilities Act and security and safety mandates, as well as to plan better accommodation for the increasing number of self-represented litigants.

Security

The Trial Court is committed to ensuring public safety and the security of court employees at more than 100 sites amid staffing challenges caused by the fiscal crisis. The Security Department focused on improving the training and equipment provided to court officer staff. Court officers managed close to 300,000 custodies statewide in FY2010 and responded to a range of incidents including assaults, attempted suicides, medical emergencies and bomb threats. Enhanced screening equipment, video surveillance systems and emergency alarms have been deployed and physical tactics training provided to all officers. All officers also have been certified in CPR/AED and First Aid response. Special Response Teams are used for high risk trials and arraignments. The department actively partners with local and state police, Sheriffs' departments, the Department of Corrections, the U.S. Marshals Service and the FBI's Joint Terrorism Task Force.

Community Partnerships & Outreach

Superior Court 150th Anniversary

The commemoration of the 150th anniversary of the Superior Court culminated in September 2009 with a symposium at the Boston Public Library followed by a dinner sponsored by the Mass. Historical Society and the Mass. Bar Association, featuring U.S. Supreme Court Justice Stephen Breyer. The symposium included panel discussions on notable cases in the Court's history and future challenges facing the Court. In December 2009, the Massachusetts Law Review highlighted the history and accomplishments of the Superior Court.

The anniversary was marked with a year-long, multi-faceted celebration focused on public outreach and education statewide. Hundreds of judges, attorneys, court personnel and citizens planned and participated in a range of events and

activities throughout the Commonwealth intended to raise public understanding about the work of the judiciary and appreciation for the rule of law. The many programs offered were attended by more than 8,000 people, including students at all levels. An exhibit highlighting important cases and events throughout the Court's history was installed in the jury assembly room in the Suffolk County Courthouse in June 2009 and in the Worcester Trial Court in June 2010.

Veterans

The Worcester District Court is the site for a program that provides intensive supervision as a jail alternative for individual criminal defendants who are veterans returning from Iraq and Afghanistan and who have both a substance abuse problem and a trauma-related psychiatric condition or traumatic brain injury. The five-year grant program to provide clinical services and community-based supervision is jointly sponsored by the Department of Mental Health, the University of Massachusetts Medical School, and the Veterans Administration.

Legal Community

Many judges, clerks and court staff serve on local bar committees and make presentations at meetings of county and local bar associations. This provides a regular opportunity to meet with attorneys, update them on legal developments, answer questions, and discuss court practices and procedures, management changes and any issues of concern to the local bar. Volunteers from local bar associations offer Lawyer for a Day programs to unrepresented litigants. In September 2009, the Real Estate Section and Real Estate Pro Bono Committee of the Boston Bar Association hosted a 10th anniversary celebration of the Lawyer for a Day Program in the Boston Housing Court to honor the many dedicated professionals who ensure its success.

Judges serve as faculty for a range of continuing education opportunities for lawyers and as guest speakers or moot court judges for law school classes. Annual Law Day celebrations in many courts provide the opportunity to partner with the local bar to reach out to the broader community on the importance of the legal system.

Fugitive Safe Surrender

The Boston Municipal Court Department partnered with the Boston Police Department and the U.S. Marshals Service to conduct a Safe Surrender Program to encourage individuals with open warrants to present themselves to the court in a less threatening environment. The program was launched due to the thousands of outstanding active warrants in Suffolk County and has been conducted in 16 cities across the country. It was held in October 2010 at a church in Mattapan with extensive planning and cooperation from government agencies, religious and community leaders. Many departments within the Trial Court helped to ensure the program's success. Approximately 240 individuals participated in the four-day event and 450 warrants were cleared.

Juvenile Court Clinics

The Juvenile Court, in collaboration with the Department of Mental Health, continued operation of a statewide system of Juvenile Court Clinics that have emerged as a national model for referrals and treatment, with more than 3,618 evaluations of children, youth, and parents this year. In FY2010, the Juvenile Court Clinics participated actively in a number of multi-agency initiatives including: Department of Public Health initiatives for youth addressing substance abuse; continued development of collaborative interactions with the Children's Behavioral Health Initiative through the Department of Mental Health; Juvenile Detention Alternatives

Initiative led by the Department of Youth Services; the Governor's Juvenile Justice Advisory Committee; and the Department of Mental Health Statewide Planning Council.

Juvenile-Focused Partnerships

Bristol County was one of 22 sites in 16 states designated as a "Reclaiming Futures" site through a collaborative effort between the county's Juvenile Court and Sheriff's department, receiving a two-year grant from the Robert Wood Johnson Foundation. The leadership team for the grant has received training on best practices and formed working committees to develop a successful and measurable community response to drug and alcohol involved juvenile justice youth. The program has diverted approximately 140 youth from court involvement since its inception.

All divisions of the Juvenile Court partner with local Probation and Office of Community Corrections staff, community leaders and non-profits in the planning and implementation of a wide variety of community-based programs, including Operation Night Light, Mothers Helping Mothers, Truancy Watch, Stop Watch, Trial Court Academy, the Teen Prostitution Project, Shakespeare in the Court, Bridging the Gap, and the Juvenile Resource Center.

Probation Anti-Violence Initiatives

Probation officers enhanced a wide range of existing partnerships and found new ways to strengthen community supervision. In Suffolk County, probation officers re-launched a successful anti-crime initiative from the 1990's involving unannounced late night visits in partnership with the Boston Police Youth Violence Strike Force Team. Home visits are made to high-risk offenders with gang affiliations to ensure that they are meeting curfews and following the terms of probation.

Community Service Programs

The community service component of Probation, offered through the Office of Community Corrections, produced a total of 595,979 community service hours in FY2010. Probationers sentenced to community service assist non-profit organizations, state agencies and local communities through projects such as cleaning parks, removing snow, helping food pantries, moving furniture and doing demolition and construction. This wide range of services is particularly valued in light of the fiscal crisis.

Partnerships with Schools, Non-Profits, and Law Enforcement

Judges, clerks, probation staff and others in all Trial Court departments partner extensively with the leaders in their local communities developing programs that are responsive to the needs of the communities served. School-based efforts share information about the court's role in the community through opportunities such as mock trials and internships. Outreach includes ongoing interaction with many focused advocacy and membership groups that regularly interact with the courts.

Courts work closely with local law enforcement to provide guidance on a range of issues, including search and seizure law, new statutes and rules amendments, and addressing new police cadets on law enforcement matters. Probation staff work continually with local police, non-profits and other entities to design programs that combat violence and reduce crime.

Jury Outreach and Education

The Office of Jury Commissioner conducted 170 public outreach presentations for more than 7,300 individuals at 81 sites, including schools and community groups. The OJC partnered with Suffolk University to plan production of a new juror orientation video. An effort to collect

feedback from serving jurors through surveys and focus groups was completed and the results presented to the chief justices. In addition, the OJC continued its partnership with the Mass. Commission for the Deaf and Hard of Hearing to improve access to deaf, late-deafened, and hard-of-hearing citizens.

Expanded Internet Sites

Trial Court departments continue to expand the content of their websites which are available to the general public. They also have significantly increased the number of posted forms that are interactive, allowing litigants and attorneys to enter information directly and print a form for submission to the court.

Massachusetts Trial Court Statistics

Summary of Trial Court Filings and Activity	FY 2010	FY 2009
Boston Municipal Court		
Criminal	35,251	38,179
Search Warrants	3,979	2,833
Civil	13,394	15,730
Specialized Civil & Appellate	25,570	33,507
Clerk Hearings	52,511	63,160
District Court		
Criminal	205,570	219,154
Search Warrants	4,514	7,314
Civil	84,144	92,434
Specialized Civil & Appellate	197,084	223,484
Juvenile	81	201
Clerk Hearings	270,964	292,930
Housing Court		
Total Filings	41,218	43,736
Filings including ADR	60,915	63,638
Juvenile Court		
Delinquency	22,596	26,051
Youthful Offender Indictments	323	334
CHINS Applications	7,875	8,007
Care & Protection Petitions	2,792	3,333
Show Cause Hearing Applications	11,238	12,672
Land Court		
Entries	30,743	26,314
Decree & Subdivision Plans	211	240

Massachusetts Trial Court Statistics, continued

Summary of Trial Court Filings and Activity	FY 2010	FY 2009
Probate and Family Court		
Probate, Equity, Name Change	52,774	53,079
Domestic Relations & Child Welfare	103,482	111,446
Superior Court		
Criminal	5,372	5,270
Civil	24,919	24,260
Probation		
Supervision (Caseload Snapshot)	91,579	113,818
Surrenders	52,365	54,829
Community Corrections		
Referrals (Levels III, IV)	4,552	4,328
Community Service Hours	595,979	515,070
Jury Service		
Jurors Summoned	723,435	828,879
Jurors Scheduled	466,628	503,989
Jurors Served	257,580	288,795

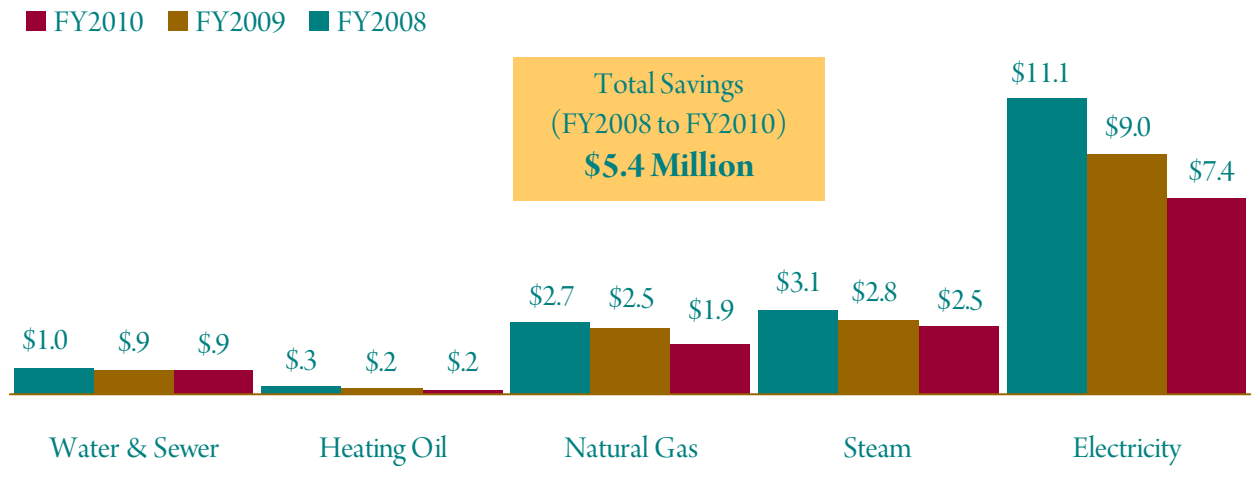
Massachusetts Trial Court Fiscal Data FY2010

Breakdown of Trial Court Funding	Dollar Amount	Percent of Total
Trial Court Operating Appropriations	\$506,463,501	88.9%
Retained Revenue	\$53,000,000	9.3%
Capital / Bond Funds	\$7,241,728	1.3%
Automation Bond Funds	\$300,000	0.1%
Grants, Trusts & Intergovernmental Funds	\$2,713,052	0.5%
TOTAL	\$569,718,281	100.0%

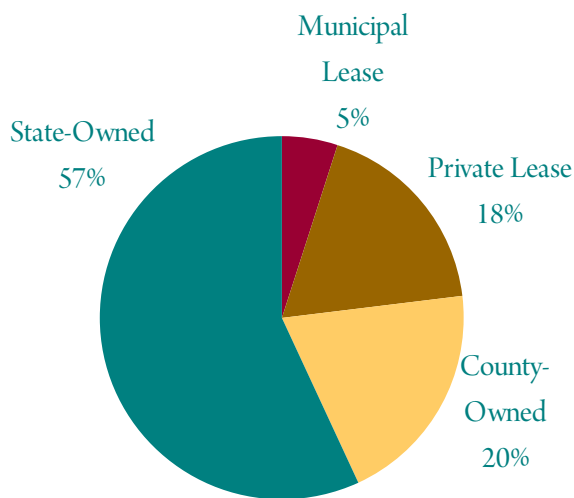
Trial Court Expenditures from Operating Accounts	Dollar Amount	Percent of Total
Judicial Salaries	\$48,437,273	8.9%
Court/Adm Employee Salaries	\$346,903,315	63.8%
Employee Related Expenses	\$12,371,097	2.3%
Case Driven Expenses	\$14,049,723	2.6%
Law Library Expenses	\$8,257,689	1.5%
Office and Court Operations	\$50,981,385	9.4%
Facility Rental, Maintenance and Operation	\$62,654,240	11.5%
TOTAL	\$543,654,722	100.0%

Interdepartmental and Reserve Transfers	Total Amount Transferred Between Accounts Within Department	Transfers From Reserve Account 0330-3337
Central Accounts	\$0	\$3,358,620
Superior Court Department	\$0	\$0
District Court Department	\$0	\$0
Probate Court Department	\$0	\$0
Land Court Department	\$0	\$0
Boston Municipal Court	\$0	\$0
Housing Court Department	\$0	\$0
Juvenile Court Department	\$0	\$0
Probation Accounts	\$0	\$0
Jury Commissioner	\$0	\$0
TOTAL	\$0	\$3,358,620

Energy Costs FY2008 to FY2010 (in Millions)

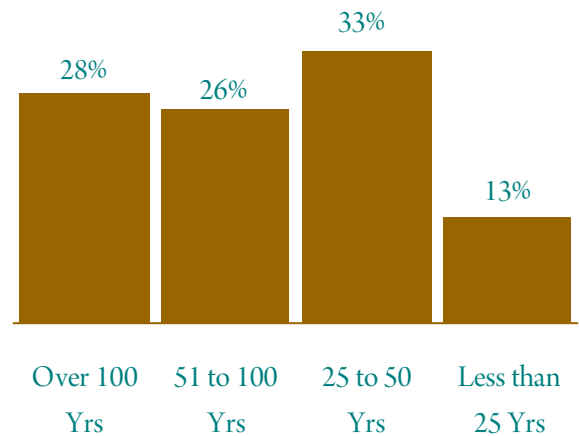


Court Facilities by Owner, FY2010



Age of Court Facilities

Mean age State-Owned Facilities – 68 years
Mean age County-Owned Facilities – 88 years



Facility Square Footage by County

(in thousands of sq. ft.)



