Annual Report on the State of the Massachusetts Court System

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COMMON

Fiscal Year 2023



Message from Court Leaders



Chief Justice Kimberly S. Budd Supreme Judicial Court



Chief Justice Mark V. Green Appeals Court



Chief Justice Jeffrey A. Locke Trial Court



Court Administrator Thomas G. Ambrosino Trial Court

Throughout Fiscal Year 2023, Massachusetts courts continued to improve services, advance technology, and upgrade operations. Court teams took advantage of operational changes made during the pandemic, incorporating innovative services into regular practice. The Trial Court launched its 2023-2025 strategic plan outlining focused steps identified by each court department to enhance the delivery of justice.

We greatly appreciate the support of the Legislature and Governor in passing the \$165.5 million Judiciary IT Bond Bill in mid-2022 – a critical investment in our future. In mid-2023, they supported access to justice by funding additional judges for the Probate and Family Court and additional staff for Court Service Centers to better serve self-represented litigants.

We are excited about the progress underway on many fronts and are grateful for the efforts of everyone working in our court system – judges, clerks, registers, court officers, probation officers, facilities employees, and all staff. Their daily efforts shape a judicial workforce characterized by tireless dedication to the delivery of justice. We also appreciate our productive collaborations with state and local bar associations, public counsel, and prosecutors, as well as with our partners in the other branches of government.

We look forward to the challenges of the new year guided by our collective commitment to fair and equitable access to justice across the Commonwealth.

Sincerely,

Kimberly S. Budd *Chief Justice of the Supreme Judicial Court*

Mark V. Green Chief Justice of the Appeals Court

Jeffrey A. Locke *Chief Justice of the Trial Court*

Thomas G. Ambrosino *Court Administrator of the Trial Court*





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Section 1

Supreme Judicial Court

Appellant

The Supreme Judicial Court (SJC), originally called the Superior Court of Judicature, was established in 1692 and is the oldest appellate court in continuous existence in the Western Hemisphere. The SJC serves as the leader of the Massachusetts court system; it exercises final appellate authority over the decisions of all lower courts applying Massachusetts law and is responsible for general superintendence over the administration of the state court system.



JUSTICES AND OFFICIALS

As of June 30, 2023

CHIEF JUSTICE Kimberly S. Budd

JUSTICES

Frank M. Gaziano David A. Lowy Elspeth B. Cypher Scott L. Kafker Frank M. Gaziano Dalila Argaez Wendlandt Serge Georges Jr.

EXECUTIVE DIRECTOR

Carol R. Lev

CLERK FOR THE COMMONWEALTH

Francis V. Kenneally

CLERK FOR THE COUNTY OF SUFFOLK

Maura S. Doyle



Section 1: Supreme Judicial Court



Annual State of the Judiciary Address. From left: Court Administrator John A. Bello, Trial Court Chief Justice Jeffrey A. Locke, Supreme Judicial Court Chief Justice Kimberly S. Budd, and Mass. Bar Association President Grace V.B. Garcia

State of the Judiciary Address by Chief Justice Kimberly S. Budd

Supreme Judicial Court Chief Justice Kimberly S. Budd delivered her annual State of the Judiciary address on November 15, 2022, in the SJC courtroom at the John Adams Courthouse in Boston. This was the first State of the Judiciary address to be delivered in person (in addition to being livestreamed) since 2019. The 2020 address was canceled due to the sudden death of SJC Chief Justice Ralph D. Gants and the 2021 address was delivered virtually by Chief Justice Budd due to the COVID-19 pandemic. Trial Court Chief Justice Jeffrey Locke, Court Administrator John Bello, and Massachusetts Bar Association President Grace Garcia also participated in the program.

Chief Justice Budd began by noting the many changes that had been required to keep the courts operating during the pandemic, including conducting court hearings via videoconference, expanding use of electronic signatures and email to file and serve court papers, and providing virtual access to court service centers and clerks' offices. "We could not have undertaken these changes as quickly as we did without the concerted efforts of everyone in our court system, so I want to sincerely thank the more than 6,000 people who work in the court system for their dedication to serving the people of the Commonwealth during this difficult time," she said. Chief Justice Budd also said that the SJC was reviewing the many emergency measures that had been put in place during the pandemic to determine which ones to incorporate into regular practice going forward, with input from the SJC's advisory committees and the thousands of responses to the attorney survey. She also noted that to fully realize the potential of many of these changes, the courts would need to complete major technology upgrades, which would be possible thanks to the Legislature's enactment of a bond bill for court information technology.

Chief Justice Budd then discussed some of the SJC's ongoing initiatives, including anti-racism efforts and projects to review and update requirements for bar admission; standards for responding to people with substance use disorders and mental health conditions; guidelines for civil hearings involving self-represented litigants; and SJC Rule 3:03, which permits qualified law students to practice in the courts. She thanked the judges, clerks, court staff, attorneys, professors, and other professionals who volunteered their time to serve on the committees carrying out these projects. Finally, she noted the number of significant leadership transitions that had recently taken place in the court system, including the retirements of Trial Court Chief Justice Paula Carey, Superior Court Chief Justice Judith Fabricant, and District Court Chief Justice Paul Dawley. She observed, "It is a mark of the strength of our system that in each case we have been able to fill these roles with similarly talented, energetic, and experienced leaders" Trial Court Chief Justice Jeffrey Locke, Superior Court Chief Justice Heidi Brieger, and District Court Chief Justice Stacey Fortes. And she expressed her confidence that the court system would be similarly successful in finding a worthy successor to Court Administrator John Bello, who had announced his intention to step down at the end of the calendar year.

Following Chief Justice Budd's remarks, Chief Justice Locke and Court Administrator Bello joined her for a discussion moderated by MBA President Grace Garcia. They addressed questions relating to lessons learned from the pandemic; the status of trials; continuing use of new technologies; efforts to promote diversity, equity, and inclusion for both court employees and court users; and restorative justice.

Appointment of Court Administrator of the Trial Court

On December 16, 2022, the Justices of the SJC announced their appointment of Thomas G. Ambrosino to succeed John Bello as the next Court Administrator of the Trial Court, effective January 30, 2023. In making this announcement, SJC Chief Justice Kimberly Budd stated that Mr. Ambrosino is an experienced leader who has managed public sector entities with vision, professionalism, and compassion, and whose background and proven accomplishments make him an excellent match for this important leadership role. Chief Justice Budd also thanked Mr. Bello for his years of dedicated service to the court system.

Mr. Ambrosino's executive experience includes service as the Mayor of Revere, Massachusetts for more than 10 years; as Executive Director of the SJC; and most recently as the City Manager of Chelsea, Massachusetts for more than seven years. He is also a lawyer who formerly practiced with a large law firm and as a sole practitioner.

The position of Court Administrator for the Trial Court was created by court management legislation enacted in 2011. Working together with the Chief Justice of the Trial Court, the Court Administrator is responsible for shaping administrative functions that support the Trial Court's delivery of justice to the people of Massachusetts, including budget preparation and oversight, labor relations, information technology, capital projects, security, and personnel policy. The Justices of the SJC are statutorily responsible for appointment of the Court Administrator pursuant to G. L. c. 211B, § 6B.

Revisions to Massachusetts Rules of Professional Conduct Adopted

On July 13, 2022, the Justices of the SJC adopted extensive revisions to the Massachusetts Rules of Professional Conduct governing the practice of law in Massachusetts. Among other changes effective October 1, 2022, these revisions:

- Allow lawyers to give modest gifts to pro bono clients for food, clothing, shelter, transportation, medicine, and other basic living expenses, in accord with the SJC's June 2020 emergency order on humanitarian aid;
- Prohibit lawyers from using coercion, intimidation, undue influence or a quid pro quo to enter into or continue sexual relations with a client;
- Add harassment and conduct manifesting bias and prejudice to the types of conduct prohibited in representing a client; and
- Update the Preamble and Scope and the rules governing lawyer advertising to conform more closely to the American Bar Association's Model Rules.

Return of Salem Witch Trial Papers to Judicial Archives

On January 12, 2023, the SJC and the Peabody Essex Museum (PEM) announced the beginning of the transfer of 527 court documents concerning the

Section 1: Supreme Judicial Court

Salem Witch Trials from PEM to the Judicial Archives at the Massachusetts State Archives facility in Boston. This historic collection, which was held at PEM's Phillips Library since 1980, was returned to the State Archives following that facility's expansion and modernization. The papers have a particular significance for the SJC because the Court was originally established in 1692 as the Superior Court of Judicature in the wake of the Salem Witch Trials.

"We are grateful to PEM for its capable stewardship of these invaluable documents and gratified that the state can now welcome the Salem Witch Trials documents home to the Judicial Archives," said SJC Chief Justice Kimberly S. Budd.

Restorative Justice Committee Created

Building on initial exploratory work undertaken by an informal working group in collaboration with Trial Court leaders, in March 2023 the Justices of the SIC established a Committee on Restorative Justice. The Committee was charged with developing, implementing, and overseeing pilot programs to make restorative justice available as an option in selected cases for individuals at the pretrial/ presentencing stage, or individuals who have already been sentenced and are on probation. SJC Chief Justice Kimberly S. Budd was named as Chair of the Committee and Superior Court Associate Justice Peter B. Krupp was named as Vice-Chair. The Committee also included representatives from the Superior Court, District Court, Boston Municipal Court, and the Massachusetts Probation Service, and later added representatives from District Attorney's offices and the Committee for Public Counsel Services.

Clients' Security Board William J. LeDoux Award

On April 13, 2023, SJC Associate Justice Frank M. Gaziano presented the Clients' Security Board's William J. LeDoux Award to Attorney Mary M. Howie for her outstanding efforts in helping Massachusetts clients recover significant financial losses resulting from the misuse of funds by an attorney who was disbarred in 2019. Named in honor of a former member and chair of the Board, the William J. LeDoux Award recognizes a lawyer who, serving pro bono, has demonstrated extraordinary skill and perseverance in representing one or more claimants before the Board.

The Clients' Security Board was established by the SJC in 1974 to reimburse clients whose lawyers have stolen their funds and then been suspended or disbarred or have resigned from the bar or died. The SJC appoints seven volunteer attorneys to make all awards and acts as public trustee for the Clients' Security Fund. Since 1974, the Board has awarded over \$57 million to more than 2,400 claimants. All funds used to make awards come from Massachusetts lawyers through their annual registration fees.

End of COVID-19 Public Health Emergency



In light of federal and state orders declaring the end of the COVID-19 public health emergency effective May 11, 2023, the SJC rescinded several emergency orders, including its latest order concerning access to courthouses and court facilities.

Access to Justice Commission Report & Conference

In September 2022, the Access to Justice Commission issued a report entitled Creating a More Equitable System: Lessons Learned During the COVID-19 Pandemic. The report was based on feedback from members of the Commission and its committees, court staff, representatives from community organizations, and non-attorney advocates who work with self-represented litigants. The report's recommendations included:

- Increase consistency and uniformity in court practices to improve efficiency within the court system;
- Increase staffing for Court Service Centers;
- Consolidate scheduling of matters such as • consumer debt cases to facilitate lawyer for the day programs;
- Use staggered scheduling to reduce waiting times for litigants;



From left: SJC Justices Dalila Argaez Wendlandt, Elspeth Cypher, Frank Gaziano, Chief Justice Kimberly Budd, David Lowy, Scott Kafker, and Serge Georges Jr.



SJC Justice Serge Georges Jr. with high school students on Student Government Day

Section 1: Supreme Judicial Court

- Hold early case conferencing and dispute resolution events;
- Allow filing by email;
- Allow certified electronic filing service providers to transmit documents into the e-filing system; and
- Permanently adopt procedural rules permitting e-signatures on behalf of self-represented litigants to be submitted by Court Service Center personnel and lawyers temporarily advising selfrepresented litigants.

Many of these recommendations have since been implemented by the Trial Court.

On April 12, 2023, the Commission's Racial Equity and Justice Committee sponsored a program on Court Data on Race and Ethnicity in Civil Cases in collaboration with Massachusetts Continuing Legal Education and numerous bar associations. The program convened court leaders and other experts to discuss the value and challenges of collecting racial and ethnic data in civil cases to identify and remedy disparities.

The Access to Justice Commission was established by the SJC in 2005 to provide 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 for their essential civil legal needs. SJC Associate Justice Serge Georges Jr. co-chairs the Commission.

Community Outreach

Each year, the Supreme Judicial Court engages in numerous activities to inform and educate the public about the Court's work, the judicial system, and the rule of law.

Special Sitting in Plymouth County. On Friday, October 7, 2022, the SJC held a special sitting at the Plymouth County Superior Court, hearing oral arguments in three cases. The Justices then participated in a question-and-answer session with students from Plymouth North High School. The sitting, which was open to the public, was part of the Court's continuing effort to broaden public awareness and understanding of the Massachusetts court system.

Judicial Youth Corps. The Supreme Judicial Court's Judicial Youth Corps (JYC) provides a 12-week summer internship and legal education program for high school students, with the assistance of judges, lawyers, court employees, bar associations, and other dedicated supporters. Participating students gain experience in the courts and learn about the rule of law and the role of the judicial branch. The Court's Public Information Office administers the program, which is funded by foundations and grants. During the summer of 2023, the program engaged 22 Boston students and 15 Worcester students in a rich learning experience that included conducting mock trials, attending hearings, and meeting with guest speakers.

Student Government Day. The SJC participated in the Commonwealth's 76th annual Student Government Day program on March 31, 2023. This event invites students from across the Commonwealth to learn about the three branches of state government. During morning activities at the State House, SJC Chief Justice Kimberly S. Budd spoke to students about the role of the judiciary in state government. A contingent of students then visited the John Adams Courthouse, where they visited the SJC courtroom and met with Associate Justice Serge Georges Jr., as well as SJC Clerk for the Commonwealth Francis Kenneally, and SJC Clerk for the County of Suffolk Maura Doyle.

Tours of the John Adams Courthouse. The SJC's director of education and public programs, staff attorneys, and law clerks regularly provide guided tours of the John Adams Courthouse, explaining the history and practices of the state's appellate courts and the governing principles of our legal system. Visitors include tourists, senior citizens, families, educators, scholars, students from elementary school to law school, and members of the legal community and the other branches of government. Visitors often speak with SJC and Appeals Court Justices, attorneys, law clerks, and/or interns during their visit. Following the suspension of all tours due to the



SJC Chief Justice Kimberly S. Budd with 2023 Judicial Youth Corps students

pandemic in March 2020, courthouse tours resumed on a limited basis in FY2023. During the past fiscal year, approximately 1,850 people received guided tours of the courthouse and over 200 people sat in on oral arguments as part of their visit. Prospective visitors may request a tour using an online form.

Online Information. The Supreme Judicial Court website provides extensive information for lawyers, litigants, educators, students, journalists, and other members of the public. The website offers access to court calendars and dockets, as well as briefs filed by the litigants in all non-impounded cases before the SJC. Court staff regularly update and post content to the SJC's webpages, including appellate opinions, recently entered cases, SJC orders, press releases about court events and initiatives, and notices of committee vacancies, rule changes, and invitations to comment on proposed rules. The SJC also maintains historical and educational content for students and educators on the website. In addition, webcasts of SJC oral arguments, produced in partnership with Suffolk University Law School, provide a valuable resource enabling the public and others to view live and archived oral arguments online.



Want to learn more? Scan with your phone to visit the Massachusetts Supreme Court page on Mass.gov Section 2

Appeals Court

The Appeals Court was established in 1972 to serve as the Commonwealth's intermediate appellate court. The court has a chief justice and 24 associate justices. The justices sit in a "quorum" or panel of three justices, with the composition of judicial panels changing each month. The Appeals Court is a court of general jurisdiction that hears criminal, civil, and administrative matters. All appeals from the Trial Court (with the exception of first-degree murder cases) are initially entered in the Appeals Court.

Similarly, the court receives all appeals from the Appellate Tax Board, the Industrial Accident Review Board, and the Commonwealth Employment Relations Board.





JUSTICES AND OFFICIALS

As of June 30, 2023

CHIEF JUSTICE

Mark V. Green

JUSTICES

Amy Lyn Blake Robert A. Brennan Andrew M. D'Angelo Kenneth V. Desmond Jr. Joseph M. Ditkoff John Englander Marguerite T. Grant Rachel E. Hershfang Kathyrn E. Hand Vickie L. Henry Christopher Hodgens C. Jeffrey Kinder James Lemire

COURT ADMINISTRATOR

Gina L. DeRossi

Joseph F. Stanton

Gregory I. Massing William J. Meade James R. Milkey Eric Neyman Peter J. Rubin Peter Sacks Sookyoung Shin Sabita Singh Paul H. Smyth Mary T. Sullivan Ariane D. Vuono Maureen E. Walsh Gabrielle R. Wolohojian



Section 2: Appeals Court



Oral argument session at Essex Superior Court. From left Essex Superior Court Assistant Clerk Anne Mitchell, Essex Superior Court First Assistant Clerk Carlotta Patten, Appeals Court Justices William Meade, Robert Brennan, Amy Blake, Essex Superior Court Clerk of Courts Thomas Driscoll

Appeals Court Celebrates 50 Years

In October 2022, the Appeals Court celebrated the 50th anniversary of its creation in 1972. The court marked the occasion with two days of panel discussions and exhibits. Several events were recorded and posted to the court's YouTube channel.

Appellate Caseload

The Appeals Court panel caseload in FY23 increased 16% over FY22: specifically, 1,404 new appeals were entered, 198 more than FY22. Of the appeals entered, civil cases outnumbered criminal cases at 62% of all new entries. The court decided 765 cases.

During FY23, the Appeals Court held most of its oral arguments in person at the John Adams Courthouse, as well as other courthouses, law schools, and universities across the Commonwealth. As a public health precaution due to the COVID-19 pandemic and to acknowledge situations that arise when attorneys or parties may need to appear remotely, the Appeals Court permitted parties to request a remote oral argument. Remote arguments are conducted on the Zoom videoconference platform with a livestream to the Appeals Court's public YouTube channel. During FY23, the court's YouTube channel generated approximately 60,000 views of oral arguments and 11,000 hours of watch time.

Technology Enhancement

The Appeals Court launched a voice-activated camera system for courtroom oral arguments in hearings livestreamed from the John Adams Courthouse to the court's public YouTube channel. The court also held many remote hearings and some hybrid hearings.

Modernization of the Appellate Courts Case Management System

Throughout FY23, the Appeals Court collaborated with the Supreme Judicial Court and Gartner Consulting to develop a Request for Proposals for a new appellate case management system. The RFP was published in August 2023. The court will conduct vendor selection in FY24, while performing additional work to develop the new system.

Electronic Filing

During FY23, 94.5% of all briefs were filed electronically (97% criminal, 93% civil). The Appeals Court mandates electronic filing for most documents with limited exceptions, including impounded documents or documents filed by self-represented litigants. Self-represented litigants generally elect to electronically file, except individuals committed to an institution who do not have the technical ability to electronically file.

Online Guided Interviews for Self-Represented Parties

The Appeals Court continued its collaboration with Suffolk University Law School's Legal Innovation and Technology Lab (LIT Lab) to create online guided interviews that result in filings for submission to

Intracourt Electronic Transmission of Records

The Appeals Court continued to expand its pilot program with the Trial Court for electronic assembly of the record and transitioned all local courts to receive electronic Appeals Court notices. The number of Trial Court locations participating in the electronic assembly pilot has increased steadily.

En Banc Pilot

In 2023, the Appeals Court announced a new en banc pilot program and held the first en banc rehearing. Under the pilot, draft published and rescript opinions are circulated to the justices for review, after which any justice may call for a vote by the justices on whether to grant en banc review. En banc review is granted only upon a majority vote of the justices on the basis that either the draft panel decision would



Appeals Court 50th Anniversary Women's Panel Program. From left First Asst. Clerk Lena Wong (Ret.); Supreme Judicial Court Justice Elspeth Cypher, Appeals Court Justice Raya S. Dreben (Ret.), Staff Attorney Jane Hong (Ret.), Appeals Court Administrator Gina DeRossi

the court. The online interviews were created by the LIT Lab in collaboration with the Appeals Court Clerk's Office. The LIT Lab became the first certified third-party electronic filing service provider in the Commonwealth. The LIT Lab and the Appeals Court intend to increase the number of interviews that generate e-filings. conflict with a decision of the U.S. Supreme Court, the Supreme Judicial Court, or the Appeals Court. En banc review is necessary to maintain the uniformity of the court's decisions, or the proceeding involves one or more questions of "exceptional importance." In April 2023, the Chief Justice and all 24 Associate Justices participated in the first rehearing and Section 2: Appeals Court

subsequent decision under the pilot. The rehearing was held via Zoom and livestreamed to the court's public YouTube channel.

Remote Oral Argument Policy



The Appeals Court introduced a policy that oral arguments for panel cases will generally be conducted in person at the John Adams Courthouse. However, the court reserves the right to modify this policy for specific time periods for reasons such as a public health emergency. Cases scheduled for off-site ("away") sittings will not be conducted remotely. In individual panel cases, upon a party's motion and showing of good cause, the court may allow parties to participate remotely (a) by telephone, (b) by remote video conferencing, or (c) by some combination. In all cases, public access to the argument will be maintained.

Civil Appeals Clinic

The Appeals Court continued to collaborate with the Volunteer Lawyers Project and the Supreme Judicial Court's Access to Justice Program to host the Pro Bono Civil Appeals Clinic. The biweekly clinic, now hosted online, provides pro bono attorneys to assist indigent self-represented parties with appellate questions.

Public Access to Case Records

The Appeals Court continued posting briefs of non-impounded cases and audio recordings of oral arguments in panel cases on the court's website. In addition, oral arguments held before Appeals Court justices were livestreamed via Zoom to the court's public YouTube channel and are publicly accessible in its YouTube archive. Access to the posted documents and recordings is free. In addition, the court continued to convert archived microfiche case records to the portable document format (PDF) upon request.

Participation on Judicial Branch Committees & Bar Associations

Justices and staff of the Appeals Court serve on numerous judicial branch and bar association committees, including the Standing Advisory Committee on the Massachusetts Rules of Appellate Procedure, Massachusetts Rules of Civil Procedure, Massachusetts Rules of Criminal Procedure, and Massachusetts Evidence Law. Justices and staff also serve on the board of editors of the Boston Bar Association's Boston Bar Journal and the Massachusetts Bar Association's Massachusetts Law Review.

Outreach

The Appeals Court published four issues of its newsletter, The Review, during FY23, as an additional way to communicate with the bar and other stakeholders.

Appeals Court justices and personnel served as speakers on multiple state and national legal education programs for lawyers and judges. These included seminars discussing appellate practice, evidence, and diversity in the legal profession. Appeals Court justices and personnel also served as speakers on various programs affiliated with bar associations and Massachusetts law schools.



Appeals Court Chief Justice Mark Green and Appeals Court Justice Amy Blake

Appeals Court Holds Oral Argument Sessions Across the Commonwealth

As part of an ongoing effort to broaden public awareness, understanding, and accessibility of the Massachusetts court system, the Appeals Court conducted a record number of off-site sittings (informally known as "Appeals on Wheels") during the 2023 fiscal year. The sittings were held at:

- UMass Law, Dartmouth
- Western New England University School of Law
- Massachusetts School of Law, Andover
- UMass Amherst
- New England Law | Boston
- Suffolk University Law School
- UMass Boston
- Boston University School of Law
- Worcester Trial Court
- Essex Superior Court (Newburyport)
- Barnstable Superior Court



Oral argument session at Barnstable Superior Court

Virtual Appellate Clerk

The Appeals Court Clerk's Office continued to host the Virtual Appellate Clerk Help Center via Zoom, where court personnel are available to assist attorneys and self-represented parties, answer questions, and provide information about available resources.

Justices Hold Educational Conference

Appeals Court Justices convened for their annual education conference in May. Discussion topics included court hearings in the digital age, a judicial perspective from the Boston Municipal Court, Housing Court issues in the Single Justice Session, community justice & reentry work, and youthful offender and age considerations in delinquency cases.



John Adams Courthouse, Boston



Want to learn more? Scan with your phone to visit the Appeals Court page on Mass.gov Section 3

Trial Court

The Massachusetts Trial Court operates under the general superintendence of the Supreme Judicial Court and includes seven court departments – Boston Municipal Court, District Court, Housing Court, Juvenile Court, Land Court, Probate and Family Court, and Superior Court. The Chief Justice of the Trial Court and the Court Administrator oversee the court departments, as well as the Massachusetts Probation Service and the Office of Jury Commissioner. The Trial Court has 385 authorized judicial positions and employs more than 6,400 staff who handle approximately 700,000 case filings annually in 94 locations statewide.

EXIT

1



CHIEF JUSTICES AND OFFICIALS

As of June 30, 2023

CHIEF JUSTICE Jeffrey A. Locke

COURT ADMINISTRATOR

Cheryl A. Sibley

Joseph R. Jackson

Deputy Court Administrator

Deputy Court Administrator

Thomas G. Ambrosino (eff. January 2023)

John A. Bello (through December 2022)

DEPARTMENT LEADERSHIP

BOSTON MUNICIPAL COURT Roberto Ronquillo Jr. *Chief Justice*

DISTRICT COURT Stacey J. Fortes *Chief Justice*

Philip J. McCue Deputy Court Administrator

HOUSING COURT Diana Horan (eff. March 2023) Chief Justice

Timothy F. Sullivan (ret. March 2023) Chief Justice

JUVENILE COURT

Amy L. Nechtem *Chief Justice*

LAND COURT Gordon H. Piper *Chief Justice*

PROBATE & FAMILY COURT John D. Casey

Chief Justice

SUPERIOR COURT Heidi E. Brieger

Chief Justice

Pamela J. Wood Commissioner Deputy Court Administrator

MASSACHUSETTS PROBATION SERVICE

Dianne Fasano (eff. April 2023) Acting Commissioner

OFFICE OF JURY COMMISSIONER

Edward J. Dolan (ret. April 2023) Commissioner

Commissioner

Benjamin O. Adeyinka Deputy Court Administrator

Thomas R. Capasso Deputy Court Administrator

Jill K. Ziter Deputy Court Administrator

Domenic DiCenso Deputy Court Administrator

Elaina M. Quinn

Section 3: Trial Court

Introduction

The event with the greatest impact on court operations in Fiscal Year 2023, passage of the Judiciary's IT Bond Bill by the legislature and governor in August 2022, represented a milestone in enabling a digital transformation to meet the expectations of court users and court staff. The authorized investment of \$165.5 million will enable faster, more accessible, more secure, and more integrated systems.

In FY23, court teams took advantage of operational changes made during the pandemic to tackle pending cases and made a major impact on the backlog. Court metrics reflect that for the past two years the clearance rate, or throughput, has exceeded 100 percent, which indicates that the number of cases handled exceeded the number of new cases received.

New case filings exceeded 713,200, a 4 percent increase from FY22. The number of pending cases declined by 13 percent and the cases pending beyond time standards also declined. From FY21 to FY23 the case backlog declined by almost 32 percent.

This year, the Trial Court announced plans to form a new office of Access, Diversity, and Fairness to encompass the Office of Language Access, Office of Court Service Centers & Law Libraries, Office of Access to Justice & the User Experience, Office of Alternative and Online Dispute Resolution, and the

Edward W. Brooke Courthouse, Boston

Office of Diversity, Equity, and Inclusion. The goal is to ensure consistency and collaboration among the Trial Court's many diversity, access, and fairness initiatives and build a more robust culture of inclusion and equity for court staff and users.

A new strategic plan became effective in FY23. This annual report includes fiscal year accomplishments in the following priority areas:



Service with Dignity

Timely & Equitable Delivery of Justice



Embracing & Enhancing Technology



Workforce Advancement & Support



Service with Dignity

The concepts of service and dignity have resonated with judges and court staff in the 10 years since they evolved through the strategic planning process. Each year, efforts expand to reinforce the importance of court user experiences in courthouses and online through interaction with court staff and court processes. Equitable, universal access to justice is a strategic priority that incorporates the court's commitment to identify and eliminate systemic racism. Enhancing how all court and probation users experience the court system drives this priority.

In FY23, courts continued to launch innovative practices and enhance services to the public such as:

- Expand the number and type of specialty courts
- Improve services to the growing number of selfrepresented litigants
- Expand Probation Service programs
- Continue to address racial inequities in the justice system

Language Access and Court Records

The Office of Language Access (OLA) continued to improve language services for diverse, Limited English Proficiency communities. In FY23, OLA added 17 full-time and 14 per diem interpreters for 12 languages, including Spanish, Portuguese, Chinese, Arabic, Haitian Creole, Hebrew, Korean, Persian, Romanian, Thai, and Vietnamese.





FY23 Top Language Requests:

- Spanish 64%
- Portuguese 20%
- Other 5%
- Haitian Creole 3%
- Cape Verdean Creole 3%
- Chinese (Mandarin) 1%
- Vietnamese 1%
- Arabic 1%
- American Sign Language (ASL) .5%
- Communication Access Realtime Translation (CART) - .5%
- Russian .5%
- Khmer .5%

Total Language Requests: 170,682 for 104 languages; 10,729 more requests than FY22.

Court Service Centers

Court Service Centers used a hybrid model that provided in-person and remote assistance (via Zoom) to court users throughout the Commonwealth and beyond. This model meets the needs of in-person court users entering the seven courthouses with a CSC, in addition to those who are not served by a CSC but need legal assistance. The Virtual Court Service Section 3: Trial Court

Center is open daily to provide court users with general information, forms assistance, and intakes for local centers. Due to increasing demand, the legislature and Governor approved expanded staffing for CSCs in FY2024.

Court Service Center Activity in FY23: 39,791 court users served; 20,116 on-site and 19,675 remote. The Virtual Court Service Center fielded nearly 3,900 calls in the last six months of FY23.

Law Libraries

The Trial Court's 15 public law libraries offered assistance through chat, text, email, and phone. In FY23, the Law Libraries partnered with public libraries and communities across the state on their work and the services and resources available to the public. A Trial Court presence to provide virtual assistance now exists in public libraries in Chelsea, Quincy, Boston, and Chicopee.

Law Library staff presented to the State Library of Massachusetts, the Massachusetts Library Association, the American Association of Law Libraries Annual Meeting, the NELLCO Law Library Consortium, and to more than 100 high school students on Law Day. The Brockton Law Library discussed how to navigate the Law Libraries with the Minuteman Network of public libraries.

Law Libraries:



Served 46,229 patrons, an increase of 44% over FY22, including:

- 28,487 self-represented litigants, a 61% increase over FY22
- 23,967 on-site visitors, a 60% increase over FY22
- 8,536 chat or text sessions
- 8,575 email inquiries

Responded to 24,863 questions and 12,750 requests for limited assistance



Delivered 4,458 online documents

Received over 238,000 hits/month to legal research database on Mass.gov

Specialty Courts Expand Services and Sessions

Specialty Courts address underlying issues that can lead to justice involvement - such as substance use and mental health disorders, PTSD, and the effects of trauma. These sessions provide an alternative to incarceration through intensive probation supervision, mandated participation in treatment, random drug screens, and regular court appearances before a judge.

In FY23, the number of specialty court sessions increased to 58. New Family Treatment Courts were planned for Juvenile Court in FY24 to address substance use disorders, mental health, and the effects of trauma on parents and families involved in Care and Protection cases.

Specialty Courts received federal grants of more than \$18 million including:

- \$2 million from the Substance Abuse and Mental Health Services Administration (SAMHSA) to provide case management and peer support services in the Springfield Drug Court;
- \$4 million to pilot the use of Assisted Outpatient Treatment through Boston's Mental Health Courts:
- \$6 million for Project NORTH to enhance courtcoordinated treatment services in 13 courts serving 77 communities: and
- \$6.1 million in SAMHSA grants to support case management and peer support in Barnstable, Greenfield, Lawrence, and Lowell.

Type of Specialty Court	2013	2023
Drug/Recovery Courts	18	31
Mental Health Courts	3	14
Veterans Treatment Courts	1	7
Family Treatment Courts	0	1
Family Resolution Court	0	1
Young Adult Court	0	1
Homeless Court	0	2
Community Court	0	1

Project NORTH Provides Court-Based Support for Substance Use Recovery

Project NORTH (Navigation, Outreach, Recovery, Treatment, and Hope) provides court-based navigation to treatment, recovery support, and overdose prevention services to court-involved persons impacted by substance use disorders, including assistance with transportation and short-term sober housing. The program operates in courthouses in Barnstable, Boston, Brockton, Fall River, Lawrence, Lowell, Lynn, New Bedford, Pittsfield, Quincy, Springfield, Taunton, and Worcester, and in FY24 in Chelsea and Haverhill.

Between January 2022 and June 2023, Project NORTH Recovery Support Navigators met with 1,128 court-involved persons and made over 1,300 referrals to community-based services. 85% of clients who were referred to services connected with care in the community. Project NORTH facilitated access and short-term rental assistance for over 400 people in certified sober housing.

Grant Funds New Initiative

A three-year federal grant from the Bureau of Justice Assistance will support reentry education and employment outcomes for probationers. The Massachusetts Probation Service Office of Community Corrections will pilot the High-Tech Career Reentry Project. The program will provide technology credentials that prepare justice-involved individuals for valuable jobs in information technology.

Parenting Program

Probate and Family Court developed an evidencebased co-parenting education program for all parents, married or unmarried, who face disagreement as to custody or parenting time. The curriculum will launch in FY24.



Juror Counseling Program

The Office of Jury Commissioner established a first-inthe-nation, short-term counseling program for jurors who find themselves troubled after jury service due to the nature of the case, exposure to disturbing evidence, or some other aspect of their experience. Jurors can access up to three one-hour confidential sessions with a dedicated counselor, who will assist them in obtaining additional assistance, if necessary.

Massachusetts Probation Service Initiatives:

- The Barnstable County Fatherhood Program celebrated its 25th anniversary. MPS Fatherhood Programs in Barnstable, Norfolk, Middlesex, and Suffolk counties have impacted over 3,000 fathers. They provide vital parenting skills and help strengthen relationships with their children.
- MPS and the Massachusetts Parole Board partnered to provide sober housing beds. MPS also manages transitional residential re-entry housing with Community Resources for Justice providing more than 150 transitional beds.

In FY23, sober houses supported 221 participants per month totaling close to 4,113 total bed days paid (19 days per participant) per month.

• MPS participated in Project PACK, which assists survivors of sexual assault in Massachusetts with Post-Assault Comfort Kits (PACKS). The PACKS contain personal care items and are given to survivors/patients who report an assault to a hospital or a Children's Advocacy Center (CAC) for treatment or evidence collection. MPS employees generously donated over 1,000 items via collection boxes across the state.

Community Justice Support Centers

Community Justice Support Centers work with community-based partners to deliver treatment, education, career counseling, and clinical case management as an alternative to jail and prison. The 18 Support Centers also provide a network of reentry services for those returning to the community after incarceration. In FY23, events at the centers highlighted these resources focused on rehabilitation and the public safety needs of the community. Support Centers also launched the Ralph Gants Reentry Services Program to provide clients returning from prison with access to treatment, education, and employment services. The legislature funded these services, which benefitted 175 clients in FY23, in honor of the late SJC Chief Justice.

In FY23, 1,502 participants matriculated through CJSC programs, 53,500 received ancillary services including drug and DNA testing, Fatherhood/ Motherhood, Intimate Partner Abuse Education programs, and HiSET/GED or employment support. There were seven CJSC "grand re-opening" events across the state during the year.

Judicial Outreach

Judges and judicial volunteers participated in over 70 outreach events in 60 locations, including visits to schools, universities, libraries, and community organizations as part of the American Bar Association's National Judicial Outreach Week. In Massachusetts the initiative is a month-long program focused on "Preserving the Rule of Law." Judges and staff educated students and communities about the importance of their work. A new Judicial Speakers Bureau enables schools and organizations to schedule judicial speakers throughout the year. Courts across the state also plan Law Day events in May. The Trial Court continued its collaboration with the Massachusetts Bar Association on its Tiered Community Mentoring Program. The program, based in Boston and Worcester, provides urban students with opportunities in the legal community, helping them build a diverse mentoring network and providing information, guidance and real-life experiences so that they can make informed decisions regarding their future. In FY23, 12 high school, undergraduate, and law school students participated in summer internships.

National Adoption Day Raises Awareness

On one of the happiest days in the courts, more than 101 children across the state joined their forever families in November 2022 on National Adoption Day. The annual event raises awareness of the need for adoptive parents and celebrates families that have adopted children from state foster care.

Access & Fairness Survey Results Show Satisfaction & Areas for Improvement

In June 2023, the Trial Court conducted a survey on access and fairness at 25 courthouses across the state. The survey was completed by more than 1,300 court users and gathered feedback on the court's accessibility and its treatment of customers in terms of fairness, equality, and respect. The survey was conducted statewide in 2009 and at 25 courthouses in 2017. Most court users agreed with statements on



Judge Thomas Kaplanes with middle school students in Stoughton

the court's accessibility and fairness of treatment. However, more work is needed to ensure that all populations perceive the courts as accessible and fair.

Statewide Courthouse Upgrades

Improving the condition of courthouses reflects a commitment to providing a dignified setting for court staff and court users. In FY23, the Facilities Management and Capital Planning Department completed more than 140 renewal projects to enhance access to justice and improve the overall appearance of courthouses. Over \$5 million was invested in improvement projects such as paving, landscaping, painting, HVAC, carpeting, and lighting in over half of the Trial Court's 94 courthouses.

Timely & Equitable Delivery of Justice

The timely and impartial administration of justice is a cornerstone of the Court's mission: Access to Justice with Dignity and Speed, and a key Trial Court strategic priority. FY23 marked one year since the return to full operations following the COVID-19 pandemic, and the court made significant efforts to ensure timely case processing and improve clearance rates. The court worked to expand eFiling and digital case flow, improve business processes and forms, innovate practices, and build on other advances made during the pandemic.

Addressing the Timely Disposition of Cases

The Trial Court implemented a variety of strategies during the pandemic to manage and dispose of cases, including virtual hearings and remote services such as e-Notice delivery. These strategies, coupled with efforts by all court departments to prioritize backlogged cases, aided in the steady decline of the pending caseload, which peaked in FY 2021 as a result of the pandemic.

The FY23 Case Flow Metrics Report measured the performance of the timely disposition of cases and outlined benchmarks that assist court leaders in managing operations. From FY 2021 to FY 2023, the case backlog declined by 144,872, or nearly 32 percent. In FY 2023, the average rate of pending

caseload growth dropped by approximately 4,000 cases per month, reflecting the Trial Court's commitment to timely case processing.

FY23 Case Flow Metric Report Data:

- Metrics case filings increased 5% in FY23 to 669,407 cases
- Number of cases disposed or completed increased 8% to 697,616
- Clearance rate surpassed 100% for the second consecutive year
- **362,573** cases, **70%** of those subject to time standards, were disposed on a timely basis
- Number of cases pending beyond time standards decreased by 22%
- More than 1.8 million events were scheduled in FY23, of which 69% were held



Scan with your phone to view the Case Flow Metric Report Data.

Case Management Program Leads to Timely and Effective Case Resolution

Probate and Family Court completed implementation of its Pathways case management program to maximize resources and divert cases from the courtroom to settlement conferences. First implemented as a pilot in early 2021, it is now fully operational in all 14 divisions of the court. The initiative connects self-represented litigants or attorneys with appropriate resources and information, simplifies processes, and provides an understanding of the different kinds of dispute resolution options available.

In FY23, the court updated Pathways training guidelines and materials, created new court forms and a new process flowchart, and launched case manager mediation training that will continue into FY24.

State Bench Expanded

The FY24 budget appropriation included eight additional Probate and Family Court judicial positions, increasing the statutory number of judges from 51 to 59 in the Court. This expansion will help mitigate a shortage of judges and speed up the processing of complicated family caseloads. Ninety percent of Probate and Family Court cases involve at least one self-represented litigant, which increases the responsibility and time required by the judge to explain proceedings. The volume and complexity of cases also often require written findings.

Form Standardization Enhances Consistency

A Trial Court forms working group, with representatives from multiple court departments, aims to simplify and standardize all forms and instructional materials to enhance access to justice and to ensure consistency and court efficiency. Forms updated and promulgated in FY23 include the Interim Fillable Abuse Prevention Order (G.L. c. 209A) and Harassment Prevention Order (G.L. c. 258E) forms along with the Waiver of Counsel and Tender of Plea forms.

Department Initiatives Improve Access to Services

- Boston Municipal Court established a Volunteer Lawyer for the Day program (LDP) to serve unrepresented litigants in consumer debt cases (small claims) in each of its eight municipal courts. The LDP programs will increase access to justice and better serve the communities. The programs will be sponsored and administered by a state or local bar association, law school, or legal services organization.
- Land Court implemented mandatory eFiling for attorney filings in Servicemembers and Tax Lien cases and introduced permissive eFiling in Miscellaneous and Permit Session cases. The court updated eFiling information, including a training video on its website, and conducted public training to assist filers.

- Probate and Family Court created a new feegenerating service, Professional Parenting Time Supervisors, to reduce gaps in services related to supervised parenting time for parties that do not qualify for a Department of Public Health-funded visit. PPTS is a short-term means to ensure the safety and welfare of child(ren) until further investigation and determinations can be made or safety issues eliminated. A list of qualified PPTS will be available to judges in late FY24.
- Superior Court adopted a new standing order for the continued use of videoconferencing of certain criminal and civil proceedings, enhancing accessibility and efficiency in the judicial process and benefiting attorneys and litigants.

Alternative Dispute Resolution

Legislative funding for ADR services provided nearly \$1.1 million for programming and \$500,000 for permanency mediation services. Programming funds supported free mediation and conciliation services in the Boston Municipal Court, District Court, Juvenile Court, Probate and Family Court and the Superior Court Departments.

In FY23, the Trial Court issued a request for proposals to continue funding permanency mediation for children in the custody of the Department of Children and Families who have active cases in certain county divisions of the Juvenile Court and Probate and Family Court Departments.

Text Alerts Reduce Failure to Appear



The Massachusetts Probation Service continued to implement and expand programs and services to probationers to support criminal justice reform.

The Interactive Text Response program (ITR) alerts court users of upcoming court dates in an effort to reduce the number of warrants issued for "failure to appear" cases and reduce pretrial detention. In FY23,



MPS Victim Services Unit and Court Administrator Thomas Ambrosino attend Massachusetts Office for Victim Assistance Victim Rights Month awards ceremony at the State House, April 2023

the "failure to appear" rate for pretrial hearings decreased from 14 to 11 percent, with an estimated 465 failures to appear avoided through multiple reminders. Court departments are working to expand this service to civil cases.

More than 445,800 text alerts were sent in FY23, an increase of almost 104% from FY22.

Integration of Criminal Data Sources

The Probation Service also continued progress in moving to a web-based platform that enables up to 2,000 authorized users to access multiple state and federal criminal justice data sources, including the National Crime Information Center, the National Law Enforcement Telecommunications System, the Mass. Dept of Criminal Justice Information Services (DCJIS), and the MassCourts Equivant / Court Activity Record Information (CARI).

Embracing & Enhancing Technology

A transformation continues for the judiciary, driven by technology and network infrastructure improvements, expanded online services and virtual hearings, and an effort to modernize court facilities and improve the ways court users interact with the courts. In FY23, the Trial Court continued to improve and expand online processes, digitize court operations, upgrade IT infrastructure, and build a robust foundation for remote services. The Judiciary IT Bond Bill, first filed in FY2020 and delayed by the pandemic, was passed by the legislature and signed by the governor. The bill authorized investment of \$165.5 million over ten years to enable the court to expand its much-needed digital transformation and greatly improve the experience of court staff, court users, and connected agencies. It includes funding for systems, security, and infrastructure to match the changing expectations of the public and staff. Court departments are working simultaneously to modify business processes, improve operational effectiveness, and shift to a more paperless system.

Investment is focused in three main areas: digital courthouse and courtroom, a modern secure judiciary, and operations excellence. Close to \$94 million of the capital investment required targets digital courthouse and courtroom updates, such as digital signage, Wi-Fi for courthouses, and updates to MassCourts, the state's online case management system. Another \$35 million focuses on modern security projects meant to improve both physical and digital court security; and a final \$35 million will support operations excellence to improve court administrative systems.

Section 3: Trial Court

The Judicial Information Services Department (JISD) is leading this multiyear transformation for the appellate and trial courts through a coordinated, strategic approach to the many technology projects needed.

Digital transformation underway

Bandwidth/Wi-Fi Expansion: JISD is implementing infrastructure upgrades to the court's network capacity, increasing performance and capacity through the installation of next generation

networking technology and Wi-Fi. In FY23, network upgrades and Wi-Fi were installed in five pilot courthouses with another 60 coming online in FY24.

Electronic Security System Upgrades: The Trial Court began a five-year project to modernize electronic security systems across all court locations. The upgrades include additional cameras, centralized monitoring, improved duress systems, and inbuilding communication to more efficiently monitor court activity and improve threat handling capability.



Conference on Race and Fairness, September 2022

Enhanced Digital Security: The Trial Court continued to make significant progress on its IT security posture to safeguard sensitive court information and minimize the risk posed by malicious cybersecurity threats to the Judiciary.

Mandatory cybersecurity training for all judges and employees took place in FY23. The court also launched a phishing simulation program to help judges and employees identify and report suspicious emails.

The "phish prone" percentage decreased from 33% in November 2022, when the program launched, to 10.5% by July 2023. Over 58,000 suspicious emails were reported and close to 8,400 were potential threats unrelated to the simulation program, leading to 1,300 incidents investigated and remediated by the Information Security Team.

Desktop Modernization: The Trial Court is undergoing a comprehensive desktop modernization project to ensure that judges and staff have the technology to meet their job responsibilities efficiently. This includes replacing outdated equipment, including laptops, desktops, docking stations, dual monitors, cameras, and headsets. By the end of 2023, all courthouses received upgrades with over 7,000 pieces of equipment distributed.

eCourts: The MassCourts case management system has become mobile friendly, opening access to individuals without a computer and simplifying the payment process to improve the user experience. A cross-departmental project to optimize MassCourts is further improving processes and ease of use.

Department Initiatives

- Boston Municipal Court formed an eCourts Optimization Committee to enhance efficiency and fairness using technology. The committee will suggest technological solutions and process improvements to boost access to justice and best meet the needs of court users.
- District Court continued to improve and add technology tools. The distribution of 300 new

computers through the Desktop Modernization project improved the computer systems used by judges, clerks, and staff, providing key resources.

- Housing Court launched the electronic Summons and Complaint (eSummons) in the summary process (eviction) case type. By the end of FY23, court users were able to electronically purchase, download, and print an eSummons online. Over 8,000 eSummonses were purchased in FY23.
- Juvenile Court launched a Virtual Resource Hub to provide information about processes, timelines, and the legal framework to help court users understand proceedings so that they can effectively navigate the process, participate in the proceedings, and assist their attorney. The Hub includes a visual timeline of the Care and Protection case process with links to relevant statutes, rules, caselaw, and fillable PDF forms.
- Land Court launched its Survey Division Records Search website, a free, publicly available site that allows users to remotely access, view, and download the electronically stored records of the Survey Division. The records consist of survey plans, data and calculations, and correspondence pertaining to registered land throughout the Commonwealth.



Scan with your phone to visit the Land Court Survey website.

- The Superior Court is testing and developing best practices for the use of new Judicial Tools software that enables judges and staff to access and use all MassCourts documents on the bench.
- The Probation Service formed a digital forensics team to assist with monitoring probationers with online restrictions. The team will procure hardware and software tools to investigate and analyze electronic devices to assist probation officers with their checks and oversight of compliance in the evolving technology landscape.

• MPS progressed in the selection of a vendor for a state-of-the-art system to modernize overall case management to achieve more efficient case handling. This system will improve data collection and management for easy retrieval and reporting, better assess the performance of programs, and improve risk assessment capabilities.

Workforce Advancement & Support

A skilled workforce lies at the heart of the Trial Court's efforts to continuously improve the delivery of justice. Investing in the growth, advancement, and professional development of employees is a strategic priority. The Trial Court also is committed to increasing the diversity of staff at all levels to reflect the community and to improving morale across the system. Essential to this approach is open two-way communication with staff through regular pulse checks, listening sessions and other channels.

Employee Pulse Check

In FY23, the Trial Court conducted its second employee pulse check survey to measure current levels of employee engagement and monitor trends over time. The pulse check is a valuable tool for facilitating communication between court leaders and employees, and for planning, prioritizing, and measuring the success of the court's strategic initiatives. Over 1,500 Trial Court employees from all court departments completed the survey for a participation rate of 23.9 percent. The findings describe a knowledgeable, engaged workforce and reflect improvements in employee engagement since the prior survey in FY2020. Court leaders are addressing comments and concerns, and plan to conduct the pulse check on a yearly basis.

Recruitment, Hiring and Retention

Massachusetts was severely impacted by the national worker shortage following the pandemic. In FY23, the Human Resources Department launched a comprehensive marketing effort to attract job applicants. This included the redesign of the Trial Court's career website, a new multimedia eight-week campaign of traditional and digital ads in English, Spanish, and Portuguese with the slogan, *In our court, every player has an impact,* on social media, in print, and with robust participation in career fairs across the state. By the end of the campaign, the Trial Court saw a 52% increase in monthly job applications, 45% increase in applicants per job posting, and 33% increase (over 30,000 hits) on its redesigned career website.

Advancing Diversity, Equity, and Inclusion

The Trial Court is deeply committed to integrating diversity, equity, and inclusion into its work and strives to provide equal access to justice in a safe and dignified environment. Diversity, Equity, and Inclusion (DEI) is a cornerstone within Strategic Plan 23-25, embedded as a key component in the priorities of each court department.

This year, the court continued efforts to build a more inclusive, representative workforce through expanded recruitment, increased community outreach, expanded education and training programs, and surveys to better understand the court user experience.

To ensure consistency and collaboration among the many diversity, access, and fairness initiatives, court leaders in FY23 announced the restructure of DEI efforts under an Office of Access, Diversity, and Fairness. This new framework will ensure the integration and coordination of efforts and will help the court build a more robust culture of inclusion and equity for court staff and users alike.

Office of Diversity, Equity, and Inclusion (ODEI)

The Office of Diversity, Equity, and Inclusion champions equity internally and externally, advances an inclusive court culture, and supports continuous improvement. ODEI's work focuses on building organizational capacity to advance diversity, equity, and inclusion (DEI) goals to improve the experience of court users and personnel. In FY23 ODEI:

• Developed a new court-wide training called *Full Court P.R.E.S.S.* for all court personnel, in



2023 Cultural Proficiency Champions meet to plan Cultural Appreciation Week

collaboration with the Judicial Institute for launch in late 2023.

- Completed delivery of the program *Beyond Intent* in the Probate and Family Court to build the capacity to communicate clearly and understand the impact of one's words and actions.
- Published a comprehensive DEI glossary and reference guide to expand awareness of language.
- Showcased the *Signature Counter Experience* program on how to navigate DEI in court spaces.
- Partnered on academic research projects related to equity and access initiatives that impact operations and court user experience.
- Supported the annual Women's History Month celebration where renowned author Gloria Steinem served virtually as the keynote speaker.
- Piloted two workshops called *Words Matter* and *The Unconscious Bias in Good People*, in collaboration with the Office of Language Access and the Office of Community Corrections.

Additional Diversity Initiatives

• District Court held a Clerk Magistrate Conference on Race and Ethnic Fairness in early FY24. Topics included disparities in show cause hearings and the importance of hiring diverse court staff to reflect the communities served. In FY24, the District Court will launch a pilot to address disparities in show cause hearings.

• The Massachusetts Probation Service launched the program *Seeing RED: A Facilitated Discussion of Racial and Ethnic Disparities in the Criminal Justice Context*, to move the workforce toward racial literacy through knowledge, awareness, language and strategies.

Office of Workplace Rights and Compliance

The Office of Workplace Rights and Compliance (OWRC) is a resource for employees, supervisors, and managers, as well as court users and external community organizations to identify and help remedy issues of concern, including discrimination, harassment, or retaliation, and work to prevent its recurrence. OWRC provides training and counsels supervisors and managers on workplace culture and is developing facilitated growth-centered dialogues guidelines to be introduced within the Trial Court next year.

In FY23, OWRC convened a task force to streamline the ADA accommodation request process and create accessible forms and templates for court users to submit their requests in an easier format.



Court leaders celebrate Cultural Appreciation Champions at the Massachusetts Training and Operations Center in Clinton. From left: Boston Municipal Court Chief Justice Robert Ronquillo Jr, Court Administrator Thomas Ambrosino, Trial Court Chief Justice Jeffrey Locke, Chief Experience & Diversity Officer John Laing, and Probation Service Deputy Commissioner for Pre-Trial Services Pamerson Ifill (appointed MPS Commissioner in November 2023)

Judicial Education, Training & Professional Development

The Judicial Institute designs, delivers, and coordinates online and on-site professional education programs and skills training for judges, court officials, and staff.

In FY23, over 6,000 Trial Court employees completed one or more mandatory online programs offered through the Judicial Institute's eLearning Center, over 620 new employees completed a series of onboarding courses, and nearly 1,400 completed one or more online elective learning and development programs.

The Judicial Institute also:

- Partnered with Human Resources to launch a series of webinars for court staff on how to effectively manage challenging issues in their lives, while maintaining good health;
- Launched nearly 300 online commercially purchased courses on a range of topics;
- Designed and delivered an online program for clerks and their staff on assembling and transmitting the record on appeal in civil and criminal cases; and
- Supported annual department judicial education conferences, including the third annual District Court Conference on Race and Ethnic Fairness.

Trauma Response Task Force



The Trauma Response Task Force, now in its fourth year, is developing solutions and strategies to address the impact of trauma across the court system – on court users, staff, court partners, and jurors. It also helps educate and assist Trial Court staff who are regularly exposed to primary and secondary trauma at work. This includes efforts to integrate traumainformed practices into court operations.

In FY23, the task force held several trainings on trauma and secondary trauma, including de-

escalation strategies, post-event support strategies, and self-care for staff at Lawrence District Court, where a pilot project on addressing trauma began in FY22. The Lawrence project team, with clinicians from the Institute for Health and Recovery, developed a trauma response poster and bench card with clear guidance and examples of what trauma might look like in a court setting.

Cultural Appreciation Week

The Trial Court's sixth annual Cultural Appreciation Week included events at courthouses and offices across the state. Introduced in 2017 to unite and educate court employees around issues of diversity and inclusiveness, the FY23 theme, *Out of Many, We Are One: Equal Justice for All* celebrated the rich cultural, racial, ethnic, and gender diversity of employees, court users, and communities served.

The event was coordinated by more than 300 Trial Court and Probation Service staff volunteers who attend diversity trainings and serve as ambassadors at courts across the state. The week kicked off with an annual food and clothing drive. Probation's Community Service team delivered more than 15 tons of food and supplies to soup kitchens and food pantries statewide. Working with the Facilities Management & Capital Planning Department and the Trial Court community, they collected and delivered more than 200 boxes of cold weather gear and over 40 large boxes of toys and gifts for the Toys for Tots holiday drive.

Applause & Appreciation Day

Court leaders acknowledged the commitment and work of judges, clerks, registers, probation and all staff, and the challenges they endured during the pandemic with a day of courtwide events. Appreciation & Applause Day celebrated the successes that kept courts functioning throughout the pandemic, ensuring cases were heard and decided.



Want to learn more? Scan with your phone to visit the Trial Court page on Mass.gov Section 3: Trial Court

Massachusetts Trial Court by the Numbers

Data is for Fiscal Year 2023 or as of June 30, 2023

People	
Judicial Positions Authorized by Statute	385
Total Judges and Staff	6,406
Percent Women	59%
Percent Diverse Staff	27%



Access to Justice	
Judicial Emergency Response (calls after hours)	5,903
Interpreted Events	170,682
Number of Languages	104
Law Libraries	15
Law Libraries: Patrons	46,229
Court Service Centers (In-person and remote)	39,791
Judiciary Website Unique Page Views (Mass.gov/Courts)	17.7M
Judiciary Website Users	5.5M



Digital Case Management	
Daily Transactions	1.4M
Case Scheduled Events	65.7M
Electronic Documents Delivered	204,801
Cases Initiated through eFiling	222,679
Cases with Subsequent eFiling Activity	634,414
Total eFiled Documents	1.3M
Interactive Text Reminders Sent	445,862
Public Access ePortal Inquiries	
Internet	4.5M/month
Attorney	1.7M/month
Courthouse	653K/month


Massachusetts Trial Court by the Numbers

Data is for Fiscal Year 2023 or as of June 30, 2023

Money Matters	
Operating Appropriation	\$861.8M
General Revenue Collected	\$48M
Investment in Information Technology	\$34.4M
Investment in Capital Improvements	\$22.4M



Facilities	
Number of Facilities	107
Facilities with Courtrooms	94
State/County Owned Facilities	75
Leased Facilities	32
Number of Courtrooms	434
Total Square Feet of Floor Space	5.8M



Court Business	
New Case Filings	713,229
Case Flow Metrics	
Clearance Rate	104.2%
Time to Disposition	69. 5%
Pending Cases	47.8%
Event Date Certainty	68.5%
Jury Trial Impanelments	3,200
Jurors Appearing	188,862
Juror Utilization Rate	39.2%
Probation Caseload	68,184
Violations of Probation Notices	17,441
Total GPS-monitored Caseload	3,813
Community Justice Support Centers (CJSC)	18
CJSC New Enrollees	1,502
Specialty Courts	58



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Supreme Judicial Court Structure

The Supreme Judicial Court (SJC) consists of a chief justice and six associate justices. The court usually sits at the John Adams Courthouse in Boston during the first full week of each month from September through May, hearing appeals and other cases involving a broad range of criminal and civil matters.

The SJC also maintains a single justice session, known as the Supreme Judicial Court for the County of Suffolk, which operates throughout the year. The single justice dockets include cases involving the exercise of the SJC's general superintendence power under G. L. c. 211, § 3, various requests for interlocutory relief, attorney discipline cases, matters referred to the single justice by the full court, and all petitions for admission to the Massachusetts bar.

In addition to adjudicating cases, the Supreme Judicial Court also has extensive administrative responsibilities by virtue of various statutes, as well as its inherent constitutional and common law authority as the highest court in the Commonwealth. The SJC appoints certain positions within the court system and in a number of affiliated boards, commissions, and committees. The SJC is also responsible for approving all court rules, including codes of conduct for attorneys, judges, and clerks, and it has established several committees to provide advice on those rules.



John Adams Courthouse

Supreme Judicial Court FY23 Statistics

CASELOAD	FY2022	FY2023
Direct Entries	87	80
Direct Appellate Review - Applications Allowed	28	25
Direct Appellate Review - Applications Considered	68	83
Further Appellate Review - Applications Allowed	12	12
Further Appellate Review - Applications Considered	514	393
Transferred by SJC on its Motion from Review of Entire Appeals Court Caseload	40	32
Gross Entries	167	149
Dismissals	28	15
Net Entries	139	134
DISPOSITIONS	FY2022	FY20233
Full Opinions	117	109
Rescripts	32	39
Total Opinions	149	148
Total Appeals Decided ¹	151	148
¹ Indicates the total number of appeals resolved by the Court's opinions.		

Section 4: Structure & Statistics

Appeals Court Structure

The Appeals Court is the court of last resort for the overwhelming majority of Massachusetts litigants seeking appellate relief. Appeals from the seven departments of the Trial Court and certain state agencies are docketed and decided by the Appeals Court, subject to further appellate review by the Supreme Judicial Court. A small number of appeals are transferred by the Supreme Judicial Court for direct appellate review before the Appeals Court considers the case. During FY23, the Supreme Judicial Court transferred 58 cases for direct appellate review of the 1,404 appeals docketed. The remaining cases are decided or resolved by settlement or dismissal by the Appeals Court.

In addition to its panel jurisdiction, the Appeals Court also runs a continuous single justice session, with a separate docket. The single justice reviews petitions for review of 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 judgments or criminal sentences pending appeal, motions to review impoundment orders, and petitions transferred from the Supreme Judicial Court involving pretrial custody and bail. During FY23, 745 cases were entered on the single justice docket – 56 more cases than FY22 and 163 more than during FY21, a combined 28% increase in two years. Approximately 52% of these matters were initiated by a self-represented party.

The Appeals Court again met the appellate court guideline for the submission of panel cases. By June 2023, all appeals fully briefed by February 1st had been argued or submitted to panels of justices for decision without oral argument. In total, 830 appeals were assigned to panels for decision, and the Appeals Court issued 765 written decisions, including 126 published opinions and 639 summary dispositions.



Appeals Court, John Adams Courthouse

Appeals Court FY23 Statistics

SOURCES/TYPES OF APPEALS	CIVIL	CRIMINAL	TOTAL
Superior Court	471	251	722
Probate & Family Court	102	_	102
Boston Municipal Court	11	18	29
District Court	72	241	313
Juvenile Court	79	18	97
Land Court	46	_	46
Housing Court	49	_	49
Appellate Tax Board	2	_	2
Industrial Accident Review Board	5	_	5
Employment Relations Board	3	_	3
Appeals Court Single Justice	28	8	36
Total Panel Entries	868	536	1,404
Total Panel Entries			1,404
Transferred to Supreme Judicial Court			58
Dismissed/Settled/Withdrawn/Consolidated			298
Net Annual Entries			1048

	CIVIL	CRIMINAL	TOTAL
Published Opinions			126
Summary Dispositions			639
Total Panel Decisions	486	279	765

Trial Court Structure

The Trial Court Chief Justice and the Court Administrator oversee the seven court departments, the Massachusetts Probation Service, and the Office of Jury Commissioner. They head the Executive Office of the Trial Court, which includes staff focused on specialty courts, access to justice, diversity, equity, inclusion and experience, policy, and communications, as well as the Legal Department, Judicial Institute, and Department of Research & Planning. In addition, the Court Administrator oversees the Office of Court Management, which serves all court departments in the following areas: facilities and capital projects, fiscal, human resources, technology, language access, law libraries, service centers, security, and workplace rights and compliance.

Each court department has its own Chief Justice, Deputy Court Administrator, and Administrative Office. In most Trial Court departments, each court division is managed by a First Justice appointed by the department's Chief Justice. The Superior Court Department designates Regional Administrative Justices who assist the Chief Justice in administering the department. The District Court Department also designates Regional Administrative Judges.

The Massachusetts Probation Service, led by the Commissioner of Probation, includes 105 probation offices across the state, 18 Community Justice Support Centers, as well as a training and operations center with teams that oversee electronic monitoring and warrant management. The MPS mission is to increase community safety, support victims and survivors, and assist individuals and families in achieving long-term positive change.



Suffolk County Courthouse, Boston

Trial Court Fiscal Data 2023

Overall Funding

Trial Court Operating Appropriations \$861,788,815
Capital / Bond Funds \$9,323,013
Automation Bond Funds \$9,558,257
Grants, Trusts & Intergovernmental Funds \$8,577,356
Total : \$889,247,441



Operating Accounts

Judicial Salaries	\$81,349,770
All Other Salaries	\$484,580,973
Employee-Related Expenses	\$24,882,973
Case-Driven Expenses	\$18,668,763
Law Library / Legal Research Expenses	\$5,487,000
Office and Court Operations	\$114,609,655
Facility Rental, Maintenance and Operations	\$85,327,356
	Total : \$814,905,630



Demographic Profile as of June 30, 2023

		Total	% BIPOC*	% Female
Court Officials	Judges	371	13%	45%
	Clerks, Registers, Recorder Elected & Appointed	117	9 %	42%
	Assistant Clerks / Judicial Case Managers / Assistant Registers	508	15%	57%
Probation Department		1,842	28%	67 %
Security Department		989	31%	21%
Seven Court Departments	Office / Clerical	2,263	27%	83%
Entire Trial Court		6,406	27%	59 %
	Massachusetts Labor Market (2014-2018) Equal Employment Opportunity Tabulation		23%	49%

*BIPOC - Black, Indigenous, and People of Color

Section 4: Structure & Statistics

Criminal Charges by Type and Offense Category

FY2023 Trial Court Criminal Charges By Offense Category



Offense	Charge Type	FY2019	FY2020	FY2021	FY2022	FY2023
	Total	65,202	59,462	58,307	64,094	64,947
	Assault	8,521	8,099	8,556	8,596	8,669
	Assault & Battery	42,843	39,441	37,305	41,758	43,066
PERSON	Kidnap	856	711	671	748	836
PER	Murder / Manslaughter	279	230	301	314	305
	Other Person	5,679	5,180	5,213	5,978	5,811
	Robbery	2,391	2,025	1,749	1,517	1,572
	Sex	4,633	3,776	4,512	5,183	4,688
-	Total	11,381	9,969	13,406	14,853	14,673
PON	Dangerous Weapon	946	866	914	1,041	1,087
WEAPON	Firearm	7,622	6,739	9,431	9,332	9,011
	Other Weapon	2,813	2,364	3,061	4,480	4,575
	Total	58,084	45,219	37,733	43,420	44,106
	Arson / Burn	230	220	291	278	337
	B&E / Burglary	6,743	5,474	5,245	5,540	5,373
≻	Forgery	3,897	2,715	1,379	1,847	2,458
PROPERTY	Fraud	2,177	1,515	1,181	1,205	1,247
ROF	Larceny	23,877	18,117	15,251	18,047	17,950
<u> </u>	Motor Vehicle	2,498	2,325	2,642	2,966	2,982
	Other Property	5,242	4,659	4,197	4,868	4,861
	Shoplifting	7,998	5,793	4,375	4,968	5,112
	Trespassing	5,422	4,401	3,172	3,701	3,786

Criminal Charges by Type and Offense Category

Offense	Charge Type	FY2019	FY2020	FY2021	FY2022	FY2023
	Total	30,145	23,414	24,239	22,739	21,497
	Distribute Class A	3,337	2,411	2,200	1,976	1,742
	Distribute Class B	4,764	3,470	3,305	3,211	3,105
	Distribute Class C	436	382	477	378	326
	Distribute Class D	1,675	1,324	1,306	1,126	992
	Distribute Class E	488	302	466	357	310
	Distribute School Zone	118	89	45	39	53
(7	Other Drug	3,009	2,153	2,078	1,613	1,408
DRUG	Possess Class A	4,055	3,012	3,173	2,994	2,573
	Possess Class B	6,233	5,307	5,249	5,084	4,929
	Possess Class C	808	653	636	718	639
	Possess Class D	125	104	136	113	127
	Possess Class E	2,071	1,610	1,794	1,512	1,492
	Possess Marijuana	70	38	59	60	65
	Trafficking Class B / Cocaine	2,144	1,787	2,221	2,352	2,530
	Trafficking Heroin	777	734	1,045	1,162	1,168
	Trafficking Marijuana	35	38	49	44	38
	Total	114,565	94,025	92,047	97,617	99,594
MOTOR VEHICLE	Motor Vehicle Other	100,167	81,459	81,250	86,123	88,537
.OM VEH	Motor Vehicle Homicide	109	79	98	112	140
	Motor Vehicle OUI	14,289	12,487	10,699	11,382	10,917
	Total	55,222	46,687	36,346	40,945	42,124
۲. ۲	License Violation	728	959	273	620	655
OTHER	Other	35,575	29,394	22,082	24,459	25,068
- 0	Public Order	12,881	10,967	8,367	9,451	9,677
	Restraining Order, Violation	6,038	5,367	5,624	6,415	6,724

Trial Court charge data has been restated for all fiscal years. Previously reported figures undercount the number of charges filed. Overall filing trends based on previously reported data remain unchanged.

Section 4: Structure & Statistics

FY23 Trial Court Case Filings by Department and Type

Case Types		ase Types	Boston Municipal	District	Housing	Juvenile
	A	ll Case Types	54,605	439,101	39,612	27,150
al 'S	Cri	minal	14,725	128,910	451	253
Criminal Matters	Cri	minal Show Cause Hearings	18,488	118,736	1,378	_
≥ ت		Subtotal	33,213	247,646	1,829	253
	Civ	il - Regular	3,518	26,404	3,455	11
		Servicemembers	_	-	-	-
		Subtotal	3,518	26,404	3,455	11
		Small Claims	6,496	62,566	770	-
ters	rs S	Supplementary Process	353	2,927	52	_
Civil Matters	Specialized Matters	Summary Process	430	5,806	33,201	-
Civil	ed N	Restraining / Harassment Orders	4,275	37,657	_	600
	ializ	Mental Health	1,596	12,452	-	146
	Spec	CMVI Appeals	400	3,321	_	_
	Civil -	Administrative Warrants	1,013	3,079	-	-
	Ċ	Other Specialized Civil	40	342	_	29
		Subtotal	14,603	128,150	34,023	775
	CM	VI Hearings	3,124	34,303	_	_
Hearings	Applications for Complaint		—	—	_	10,701
Hear	Non-MV Infraction Civil Hearings		73	1,828	305	_
	Subtotal		3,197	36,131	305	10,701
Š	Juvenile Delinquency		_	—	_	6,605
Juvenile Matters	Youthful Offender		_	-	-	121
ile M	CR/	A / CHINS Applications	_	-	-	4,284
uven	Car	e & Protection Petitions	_	-	-	2,153
		Subtotal	_	_	_	13,163
	Probate		_	-	-	9
Probate	Gua	ardianship	_	-	-	635
Pro	Chi	ld Welfare and Adoption	_	-	-	1,306
		Subtotal	_	_	-	1,950
suc	Div	orce	_	-	-	-
Domestic Relations	Paternity		_	-	_	297
tic Re	Modification / Contempt		_	-	-	-
mest	Oth	ner Domestic Relations	_	-	-	-
Do		Subtotal	_	_	-	297
	App	peals	74	770	-	-

FY23 Trial Court Case Filings by Department and Type

Case Types			Land	Probate & Family	Superior	Total	
All Case Types			9,625	122,092	21,044	713,229	
al S	Criminal		_	_	6,524	150,863	
Criminal Matters	Criminal Show Cause Hearings		-	-	_	138,602	
	Subtotal		-	-	6,524	289,465	
	Civil - Regular		2,631	_	12,824	48,843	
	Servicemembers		4,887	-	-	4,887	
		Subtotal	7,518	_	12,824	53,730	
		Small Claims	-	-	_	69,832	
ters	Civil - Specialized Matters	Supplementary Process	_	-	_	3,332	
Civil Matters		Summary Process	-	-	_	39,437	
Civil		Restraining / Harassment Orders	_	2,348	101	44,981	
		Mental Health	-	-	-	14,194	
		CMVI Appeals	_	-	_	3,721	
		Administrative Warrants	-	-	_	4,092	
		Other Specialized Civil	2,107	785	1,194	4,497	
		Subtotal	2,107	3,133	1,295	184,086	
	CMVI Hearings		_	_	_	37,427	
ings	Applications for Complaint		-	-	-	10,701	
Hearings	Non-MV Infraction Civil Hearings		_	—	_	2,206	
	Subtotal		_	-	_	50,334	
ų	Juvenile Delinquency		—	—	—	6,605	
attei	Youthful Offender		-	-	111	232	
ile M	CRA / CHINS Applications		_	-	—	4,284	
Juvenile Matters	Care & Protection Petitions		-	-	-	2,153	
Ē	Subtotal		—	-	111	13,274	
	Probate		-	42,715	-	42,724	
Probate	Guardianship		_	9,234	_	9,869	
Prot	Child Welfare and Adoption		-	5,576	-	6,882	
	Subtotal		_	57,525	_	59,475	
SU	Divorce		_	20,061	_	20,061	
ilatio	Paternity		_	13,704	_	14,001	
Domestic Relations	Modification / Contempt		-	27,618	-	27,618	
	Other Domestic Relations		_	51	—	51	
Do	Subtotal		-	61,434	—	61,731	
	Арр	peals	_	-	290	1,134	

Massachusetts Probation Service Year-End Caseload by Court Department

Supervision Type	Boston Municipal Court	District Court	Juvenile Court	Superior Court	Administrative Supervision Unit	Total Supervision Cases	Probate & Family Court
Administrative Supervision	1,454	13,517	497	646		16,114	
Care & Protection Petitions			2,842			2,842	
Child Requiring Assistance (CRAs)			2,297			2,297	
Completed Formal Investigations							231
Completed Short Term Investigations							481
Dispute Intervention Mediations	_		_				17,180
Driving Under the Influence	68	1,872			6,098	8,038	
Pre-Trial Category B	1,416	6,766	826	2,126		11,134	
Risk-Need Supervision	489	5,507	398	3,427		9,821	_
Seek Work Supervision	_	_	_	_	_	_	46
Totals	3,427	27,662	6,860	6,199	6,098	50,246	17,938

Land Court Permit Session Report

Pursuant to MGL c. 185, §3A, cases filed in the Land Court Permit Session are individually assigned to a judge who handles the case from commencement to conclusion. By statute, the cases allowed entry into the Permit Session only include specified disputes where, "...the underlying project or development involves either 25 or more dwelling units or the construction or alteration of 25,000 square feet or more of gross floor area or both." The legislation also established three timeframes or tracks for these cases to follow.

Thirteen Permit Session case were pending in the Land Court at the beginning of FY2023. During the fiscal year six new Permit Session cases were filed and nine disposed, resulting in ten cases remaining pending at the close of the fiscal year. The nine cases disposed originated out of Middlesex, Norfolk, Plymouth, and Suffolk Counties. All nine cases were completed without requiring a trial and had a combined average of fifteen months to disposition. Of the ten permit session cases pending at the close of the fiscal year, five were originally filed in the Permit Session, and five were transferred in from the Middlesex, Norfolk and Suffolk County Superior Courts. The pending cases are actions involving properties located in the counties of Hampden, Middlesex, Norfolk, Plymouth, and Suffolk.

Worcester Trial Court; Also featured on front and back covers of the report Courthouse photography by Judge David S. Ross (ret.) and Aaron Leon

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Public Information Office

John Adams Courthouse, Suite 1-100 One Pemberton Square Boston, MA 02108-1724

www.mass.gov/courts



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