

FY2023 Budget Testimony:
Joint Committee on Ways & Means Budget Hearing

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Remarks by

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Representative Williams, Senator Moore, members of the Joint Committee:

Good afternoon. I very much appreciate the opportunity to appear before you on behalf of the Judicial Branch and I'm pleased to be with you today. Let me begin by thanking you and your colleagues in the Legislature for your support of the Judiciary during another very difficult year. Your financial support in Fiscal Year 2022 has enabled the Judicial Branch to make the necessary operational adjustments, expand technology and implement remote court operations, while continuing to prioritize the health and safety of the public and court staff.

Because you will hear from others from the judicial branch, and because I want to leave time for your questions, my remarks will be brief. I will provide a couple of highlights of the Fiscal Year 2023 Judiciary Budget request, and then discuss the Supreme Judicial Court Budget in more detail. You will also hear from Chief Justice Mark Green regarding the Appeals Court Budget, and Chief Justice Jeffrey Locke and Court Administrator John Bello on the Trial Court Budget.

Let me begin by saying that it is not lost on the Justices and I that the ongoing COVID-19 pandemic has forced the Commonwealth to contend with significant public health and economic challenges during the past two fiscal years, and we recognize that we all will continue to face challenges again in Fiscal Year 2023. As a result, we continue to implement reforms and leverage new technologies throughout the court system to create efficiencies to improve the

delivery of justice. As always, our goal for the coming fiscal year is to get a budget that provides the necessary resources to ensure that we can provide a high quality of justice in a safe and efficient manner.

The Justices and I fully support the Trial Court's Fiscal Year 2023 maintenance budget of \$835,900,721. This maintenance budget will support a workforce of 6,527 positions. Funding at this level is essential to maintain stability as courts begin to address backlogs and resume normal business operations. The budget includes the funding needed to annualize the costs of backfilling critical hires, as well as improve staffing levels in Trial Court technology. The FY2023 Budget Request does include cost of living adjustments for all union, confidential and non-statutory management court staff.

As has been the case for the past few years, the Trial Court budget includes two budget modules for specific initiatives that the Judiciary asks the Legislature to consider funding in Fiscal Year 2023. The funding would be used to improve and expand the existing Digital Notification system currently in place that reminds defendants of court appearance obligations. If funded, the second initiative would establish an Employment Services Division within the Massachusetts Probation Service to work with formerly incarcerated individuals under community supervision to secure employment. You can find more details on these modules in the budget request.

The Governor's FY23 H-2 Budget recommendation funds the Trial Court at \$809 million, 297 thousand, 658 dollars. The FY23 H-2 Budget is \$26.621M below the FY23 Trial Court Maintenance Budget Request. The Governor's FY23 H-2 Budget will reduce the Trial Court's ability to fill many of the critical staff vacancies across court departments, as well as the resources necessary to address many court operations that were put on hold during the COVID-19 pandemic this year. The Governor's H-2 Budget did, however, include funding for the Digital Notification Initiative expansion module mentioned above.

The Trial Court Information Technology Bond Bill, the first since 1997, is currently with the Legislature. The court system receives and creates millions of documents each year. Unfortunately, we have historically underinvested in information technology, dedicating less than 3% of the annual budget to IT. The past two years has made plain the critical importance of equipping the courts with up-to-date information technology systems. We had to embrace technology in order to continue to deliver court services to during the pandemic.

To ensure that we maintain and improve our delivery of court services, access to courts in both civil and criminal cases will require a major investment in our systems, security and infrastructure. This bond funding will be extremely important in FY2023 to keep current IT projects moving forward next year. The funding will provide the Judiciary with the resources necessary to innovate and

streamline court processes, to improve the experience of court users, to allow court users to conduct many transactions successfully from their office or home, to protect our information system from cyberattacks, and to secure our courthouses from potential threats. Court Administrator Bello will provide additional details on these IT initiatives.

I'd like to turn now to the specific request of the Supreme Judicial Court. For Fiscal Year 2023, the Justices have requested \$10 million, 821 thousand, 397 dollars in the Supreme Judicial Court administration account and \$2 million, 094 thousand, 491 dollars for the Clerk of the Supreme Judicial Court for Suffolk County. These modest requests provide base funding for court operations, Appellate Court IT expenses, and the funding necessary to maintain an already small staff at a manageable level. The Governor's FY23 H-2 Budget recommendation funds the Supreme Judicial Court slightly below our FY23 Budget total.

There are a number of non-judicial and non-affiliate organizations that, for budgetary purposes, are included within the sequence of accounts associated with the Supreme Judicial Court. You will recall that the Supreme Judicial Court has no control over the budgets of these agencies, and we do not oversee their spending. Consequently, our general practice has been merely to forward the budget requests of these agencies without formal recommendations, and we do so again this year.

We note, however, that included in this budget proposal is a \$6 million increase for the Massachusetts Legal Assistance Corporation for Fiscal Year 2023. This funding supports the critical work of legal aid programs in addressing the needs of some of the Commonwealth's most vulnerable residents and will help them cope with the greatly increased demand for legal services during these very difficult times.

I want to thank the Joint Committee Chairs, Senator Rodrigues and Representative Michlewitz, the chairs of today's hearing, Representative Williams and Senator Moore, and all the members of the Joint Committee, for this opportunity to address the budgetary needs of the Judiciary, and to share the Justices' views on the Governor's budget recommendations contained in H-2. I also thank you for the careful and considered analysis you have given to our budget requests in prior years, in particular during this past year, and I know that you will give similar care to this year's request. I also want to reiterate the continued commitment of the Justices and all court leaders to work cooperatively with you and the committee staff as you prepare a budget that preserves the quality of justice in a fiscally prudent manner.