



**TESTIMONY OF
HEIDI E. BRIEGER
CHIEF JUSTICE of the TRIAL COURT
&
THOMAS G. AMBROSINO
COURT ADMINISTRATOR**

**ON THE TRIAL COURT
FISCAL YEAR 2026 BUDGET REQUEST**

FOR THE JOINT COMMITTEE ON WAYS AND MEANS

March 28, 2025

Trial Court Chief Justice Heidi E. Brieger
Trial Court Fiscal Year 2026 Budget Request
Joint Ways and Means Committee Hearing Testimony
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Introduction

Good afternoon, Chair Kilcoyne, Chair Cronin, and Honorable Members of the Joint Ways and Means Committee. My name is Heidi Brieger and I am honored to serve as the Chief Justice of the Trial Court. I am entering my second year as Chief Justice of the Trial Court. We greatly appreciate your continued support for the Trial Court and our operations without which we could not provide access to justice to thousands of court users daily across the state.

FY26 Budget Request

Our FY26 maintenance budget estimate is \$985.5M. This amount supports approximately 6,624 employees and 94 courthouses. As Court Administrator Tom Ambrosino will explain in more detail, our maintenance budget request is our single most important priority. \$985.5M is the amount that will allow us to continue to serve the public and your constituents at the same level as we are this year.

Trial Court Progress

Since last July, we have received 543,000 case filings - 30,000 more than at this time last year. Our clearance rate has returned to the pre-pandemic range of 95-100%. Housing, Juvenile, and Land Courts have clearance rates over 100%, meaning they are clearing out the very last of their remaining backlog.

We are actively working on our time to disposition, that is, making sure that cases are being disposed of with established time standards. Since becoming Chief Justice, this has been one of my primary focuses, because if a case is not disposed of within our time standards, it means that a court user is waiting for a decision or an outcome that could significantly impact their personal lives. It means that justice is delayed.

In FY25, 74% of all cases were disposed of within time standards. This is up 5% since FY23. If we break this down to criminal cases only, our numbers are even better. In FY25, 86.1% of criminal cases, in Superior, District, and Boston Municipal Courts were disposed of within time standards, up 6.4% from FY23. I expect these numbers to be even better next year when I come before you.

Why am I telling you about case filings, clearance rates and time to disposition? These metrics are all benchmarks of a healthy, well-functioning court system. It means that we are effectively delivering justice, ensuring that court users can access our courts without delays, and maintaining public trust and confidence in the court system. We are asking for your help today so that we can continue this progress and ensure the continued strength of our courts.

Self-Represented Litigants (SRLs)

Coming to this position from Superior Court, I was accustomed to civil and criminal cases where both parties are represented by counsel. This is not the reality in our other court departments. We are seeing a tremendous increase of self-represented civil litigants in almost all corners of the court system with exception of Superior Court and Land Court. Our “customers” are no longer mostly attorneys but unrepresented court users.

In Housing Court summary process cases, 91% of parties appear without counsel. This is up almost 4% from three years ago. The numbers are similar in District Court which also has jurisdiction over these cases. 66% of civil cases in District Court involve parties without attorneys. In Probate and Family Court, 66.5% of domestic relations cases and 94% of joint petitions for divorce had at least one self-represented individual.

Cases involving SRLs require more court resources to assist these litigants e.g. SRLs may not understand court procedures, rules, or forms and how to file them. Our court service centers answer litigants’ basic questions, help with court forms and give information about court rules, procedures, and practices. In the courtroom, judges make

the time to ensure these litigants understand what is happening. Clerks and Registers' office staff spend time making sure self-represented parties understand filing requirements.

From an IT perspective, we are also doing what we can to improve our customer service and how court users experience a courthouse visit. Thanks to the Legislature's passage of the first Judiciary IT Bond Bill in twenty years, we now have Wi-Fi available in 87 out of our 94 courthouses, and it is being used by 33,000 court users monthly. By the summer's end, we expect that all 94 of our courthouses will have Wi-Fi.

We have also successfully piloted digital courthouse signage in the Chelsea Trial Court, and we expect that all courthouses will have this technology by 2027. Digital signage is a powerful tool that will assist self-represented litigants statewide with interactive maps and directional signage to help find courtrooms, clerk's offices, and court service centers. It will also reduce confusion and late arrivals due to difficulty finding the right location.

One additional technological tool that we are leveraging to assist SRLs is Zoom. We began using this platform out of necessity when we had to pivot during the pandemic to become a remote court but quickly recognized its many benefits. Using Zoom allows SRLs to attend a court hearing without having to grapple with transportation, pay for parking, take time off from work, or arrange for childcare. People with mobility issues can fully participate and individuals in more rural areas do not have to travel long distances. I am encouraging all judges to use Zoom, when appropriate.

Permanency in the Juvenile Court

Since becoming Chief Justice, the Juvenile Court has been a central focus of my efforts. I have continued the work begun by my predecessor, Chief Justice Jeffrey Locke, who established the Trial Court Permanency Working Group to examine the care and protection and permanency process, identify causes for delay reaching legal permanency and recommend best practices. The Working Group members include the Chief Justice of the Juvenile Court, the Secretary of the Executive Office of Health and Human

Services, the Commissioner of the Department of Children and Families, the Chief Counsel of the Committee for Public Counsel Services, and the Child Advocate.

As a result of this Group's collaborative work and frequent meetings, new Juvenile Court Rules are in the approval pipeline that will require for all care and protection cases: scheduling orders; consecutive day 72-hour hearings; and consecutive day trials. The Juvenile Court is also working on an additional rule under the Interstate Compact on the Placement of Children to resolve the issue of and to require home studies in all out of state placements.

The Juvenile Court has also revamped the requirements for Juvenile Court Investigators to attract more applicants to decrease the delays caused by not enough investigators and subsequently delayed reports. Additionally, the Court has implemented an "under advisement" list for pending cases that have been under advisement beyond a determined time limit to get these cases moving.

I look forward to reporting further progress of the Working Group at this hearing next year.

Pathways in the Probate and Family Court

Over the past year, another primary focus has been the Probate and Family Court and reducing delays in case resolution. To that end, the Probate and Family Court is in its second year of implementing Pathways Case Management. Pathways is a case management process that uses a problem-solving approach to help families focus on cooperative problem solving and reach resolution faster than through lengthy litigation. Using this approach, court staff intervene early in the process to inform parties of available resources and the court procedure. A timely conference is scheduled and if the parties cannot resolve their issues, the case is placed on the appropriate Pathway.

Whenever possible matters will be resolved without judicial involvement, reducing the number of cases which judges are required to hear. For litigants that means cases are scheduled sooner, and when judicial involvement is necessary, judges will have time to

reflect and write meaningful decisions. I also just approved a Standing Order that will ensure the sustainability of the Pathways case management system within the Probate and Family Court beyond the tenure of the current Chief Justice.

Judicial Vacancies

Finally, I would like to address our judicial vacancies. As today, we have seventeen judicial vacancies: five in District Court; one in Juvenile Court; four in Probate and Family Court; and seven in Superior Court.

As you know, judicial vacancies are not good for the court system. Fewer judges can lead to delays in case resolution, judicial burnout, and erosion of the public trust. We have had many discussions with the Governor's Office and we hope that these vacancies will be filled soon.

Conclusion

We are living and working in very challenging times, and none of us knows what the immediate future may hold, especially given the uncertainty of federal funding. The court system must be ready for whatever is facing us and that will require sufficient funding. We are the front door to justice, and we are asking for your help to keep that door wide open.

Thank you again for the opportunity to speak to you today. I invite all of you and your staff members to reach out to me at any time to learn more about our work in the Trial Court. I also invite you to tour the courthouses in your districts, as well as our Community Justice Support Centers. We are happy to help arrange that. Please come see us in action.

We greatly appreciate and thank you for your past and ongoing interest in and support of the court system. I will now turn this over to my partner in justice, Court Administrator Tom Ambrosino to tell you more about our budget needs.

Trial Court Administrator Thomas G. Ambrosino Trial Court
Fiscal Year 2026 Budget Request
Joint Ways and Means Committee Hearing Testimony
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Introduction

Good afternoon, Chair Kilcoyne, Chair Cronin, and members of the Joint Committee on Ways and Means. My name is Tom Ambrosino and I am the Court Administrator for the Trial Court. Thank you for the opportunity to speak with all of you today about the urgent budget needs of the court system and thank you for your continuing support of the court system for which we are deeply appreciative. Because of you, we have been able to provide court users with efficient and dignified access to justice.

Today, we come before you to ask you for your help. As Chief Justice Brieger mentioned in her remarks, our FY26 budget maintenance request is \$985.5 million. This is what we need to maintain our service to the public, especially self-represented litigants, continue to provide our current level of our operations, and continue our IT modernization under the IT Bond Bill.

Our maintenance request is 5% over last year's budget allocation. This 5% increase falls into three buckets:

I. Collective Bargaining Increases

That first bucket which makes up the overwhelming majority of our request for a 5% increase, is cost of living increases (COLAs) for our employees. We currently have approximately 6,700 employees, most of whom are union employees, members of either the National Association of Government Employees (NAGE) or the Office & Professional Employees International Union (OPEIU) Local 6. Last year, through the collective bargaining process, the Governor agreed to a 3% COLA increase in January 2025, a 2%

increase effective July 2026 and another 2% increase effective January 2026 for all public union employees.

This will incur a cost for the Trial Court of \$26.5M. Our maintenance request also included \$3.5M for COLA increases for non-statutory managers, for a total of \$30M. I fully recognize that managerial COLA adjustments are discretionary; I am not mandated to do this. However, if I do not, we will encounter salary compression where many managers will be making less than the union employees they supervise.

We are concerned about the impact this will have on our workforce. We are very concerned that failure to provide these increases, which is less than one half of 1% of our total maintenance request, will ultimately result in increased turnover. We will lose experienced managers which will reduce our ability to serve the public and provide services to court users, especially self-represented litigants.

II. Lease Costs

The second bucket of the increase in our maintenance request is \$7M in increased lease costs. We lease 53 buildings throughout the Commonwealth, most of them courthouses. We lease from counties, municipalities, and private developers and lease costs for some of these courthouses are going up, including courthouses that are subject to long term leases.

III. Information Technology Costs

The third bucket consists of \$10 million for IT costs. As you know, in August 2022, you enacted an IT Bond Bill for the Judiciary branch, our first in twenty-five years. That bill authorized \$165M in IT modernization to transform our courts into a digital court system. We have a six-year plan to get us there that requires \$27-\$28M per year in IT bond funding.

We know that bond authorization is very different from the actual allocation of bond funding and we find ourselves in the position of being allocated annually between \$10-\$13M from the Capital Budget. This is not enough to stay on track with our detailed IT Bond Implementation Plan that was approved by the Legislature. As a result, we have

had to subsidize that plan with our own operating dollars, and we have included approximately \$10M for that purpose in our maintenance budget.

IT Bond Bill Update

Now that I have given you the bad news about our IT funding, I want to share the very good news about what we have accomplished so far using a combination of bond funding and operating funds. First, thank you to the Legislature for your support of the IT Bond Bill. With your help, we are well on the way to becoming a digital court system.

I came before this body last year and told you that we had twenty-four courthouses fully wired with Wi-Fi capabilities. Today, I am proud to report that by the end of next month, we will have 92 out of 94 courthouses fully wired. The last two will be the John Adams courthouse and the Suffolk High-rise in downtown Boston. As Chief Justice Brieger told you, having Wi-Fi available to our all court users, including jurors and attorneys, is hugely beneficial.

Chief Justice Brieger also illustrated the importance of digital signage for anyone who is coming to a courthouse for the first time. It enables them to find what they need, like a map of the courthouse or daily cases on the docket, in the language that they need. Last year at this hearing, I told you that we expected to implement digital signage in Chelsea in 2024 as a pilot to our statewide rollout. I am happy to report that that digital signage is up and running in Chelsea District Court and we look forward to 2027 when every courthouse will be equipped with this technology.

Court System Impact

We know this is a budget cycle filled with uncertainty but if funding for the court system falls short, there will be a real-world impact on our court users systemwide. About 70% of our budget is allocated to salaries. In the event of insufficient funding, we will need to implement a hiring freeze as the first course of action in our contingency plan.

In an organization of approximately 6,700 employees, we lose almost 400 employees per year through attrition - mostly court officers, probation officers and our case specialists who are our front-line staff. A hiring freeze will lead to losing employees who play a critical role in public safety and helping court users at our front desks. This will have a larger impact and strain on the court system at a time when the strength of our system is more crucial than ever.

Conclusion

I will close by once again asking for your help. Our maintenance request is what we need to sustain our modernization momentum and, most importantly, to maintain our existing level of service and provide access to justice for your constituents. I thank you again for your time and your attention and I'm happy to answer any questions you may have.