



Justice in the Balance

Budget Overview for the Massachusetts Trial Court

February 23, 2016

Justice in the Balance: Courts Work for the Public



The courts play a vital role for the people and businesses of the commonwealth. There is much more to the work of the courts than the occasional high-profile criminal case that attracts public attention. The bulk of our work involves everyday problems that affect the lives of ordinary individuals.

Abused & Neglected Children

Our courts play a life-altering role in the lives of abused and neglected children. Courts decide whether to:

- place a child in foster care
- allow adoption of a child
- reunite a child and parent or terminate parental rights

In FY 2015, Massachusetts courts handled:

- 3,384 Care and Protection petitions
- 2,621 adoptions and child welfare filings

Families in Crisis

The problems of families in crisis require a significant amount of court time and resources. In FY 2015:

- 23,954 divorce cases
- 16,650 paternity cases
- 49,271 modifications, including child support
- 13,229 guardianships
- 13,903 adult mental health cases

Troubled Youth

Massachusetts Juvenile Court judges and staff work with thousands of troubled youths:

- to ensure community safety
- to hold young people accountable for their conduct
- to guide troubled youths to law abiding lives

In FY 2015, the Juvenile Court handled:

- 10,362 juvenile delinquency complaints
- 216 youthful offender indictments
- 6,160 Child Requiring Assistance (CRAs) petitions

Victims Seeking Protection

By issuing no-contact and protective orders, Massachusetts courts help shield victims of violence, abuse and harassment from further harm. In 2015 Massachusetts courts handled:

- 31,155 abuse prevention or other restraining orders (fiscal year), and
- 12,505 harassment orders (fiscal year)
- 5,317 emergency calls to judges nights, holidays and weekends, through the judicial response system; many of these involve victims seeking protection

Justice in the Balance: Courts Work for the Public



Civil Justice

Massachusetts residents from every walk of life rely on the courts to resolve their civil disputes. In FY 2015, Massachusetts courts handled:

- 106,071 small claims cases
- 16,679 collection of private debt cases
- 79,993 other civil cases including business litigation, medical malpractice, construction claims, employment and discrimination cases, contracts, and other torts.
- 8,371 section 35 commitments.

Housing Issues

The rights of tenants, landlords, lenders and homeowners are protected in the courts. In FY 2015, Massachusetts courts handled:

- 40,946 landlord / tenant cases, including 28,062 by the Housing Court
- 9,739 foreclosure cases

Today,

- 10 Housing Court judges conduct weekly sessions in 18 locations
- 31% of Massachusetts is not yet served by a Housing Court

Criminal Justice & Public Safety

The courts are essential to the criminal justice system in Massachusetts. Criminal cases require substantial court time and resources. In FY 2015:

- 219,740 criminal cases filed
- 2,688 referrals to intermediate sanctions at community correction centers
- 14,135 referrals to community service
- 85,285 cases currently receive probation supervision for criminal and non-criminal issues

Jury Service

Jurors play an integral role in the resolution of civil and criminal cases. In FY 2015, across the state:

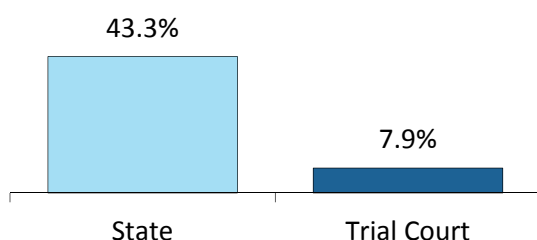
- 656,712 jurors were summonsed
- 435,563 jurors were scheduled to appear
- 206,909 jurors served

Justice in the Balance: Court Resources in Perspective



Fiscal Oversight: Managed Resource Allocation & Controlled Growth

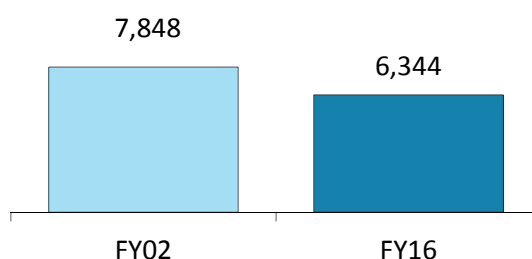
% Growth, State and Trial Court Budgets
FY08 to FY16



Total State Budget: Increased \$11.6 billion or 43.3%, from \$26.8 billion to \$38.4 billion.

Trial Court Budget: Increased \$46 million or 7.9%, from \$585.5 million to \$631.5 million.

Trial Court Staffing Levels
FY02 to FY16

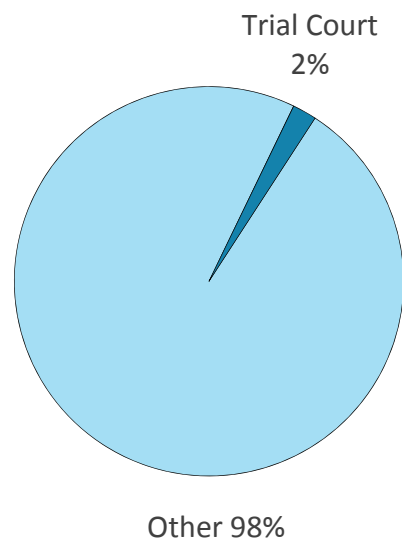


Reduction of 1,504 positions or 19.9%.

Trial Court Appropriations

In FY16 the Trial Court represented 2% of the overall state budget

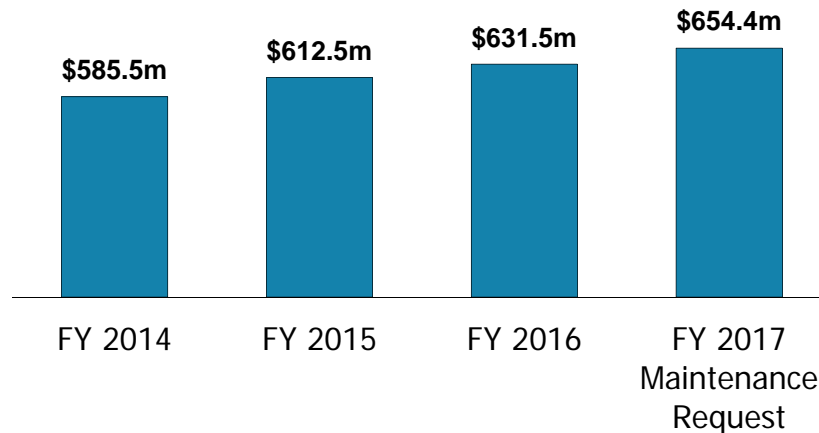
From FY08 through FY16, the impact on Judicial Branch resources has been far greater than on other branches of state government:



Justice in the Balance: Court Resources in Perspective



FY 2016 Funding Request



Maintenance Request: Funding of \$654.4 million for 6,520 positions represents a 17% staffing reduction since FY2002.

Budget Modules: Specialty courts, safety, efficiency, and access to justice initiatives are proposed in addition to maintenance request.

- **Specialty Courts:** Expand Specialty Courts to Enhance Public Safety - \$2.8 million
- **Security Systems Enhancements:** Replace Outdated Security Equipment in Excess of 10 Years Old - \$4.1 million
- **Housing Court:** Expand the Housing Court Department statewide to Enhance Access to Justice - \$1.2 million
- **Probation Officer Staffing:** Increase Probation Officer Staffing to Enhance Public Safety - \$6.9 million
- **Court Facilities:** Complete Necessary Repairs and Deferred Maintenance Projects - \$10 million
- **Alternative Dispute Resolution Programs:** Fund a Core Infrastructure and Training to Enhance Access to Justice – \$2.2 million
- **HOPE/MORR Expansion:** Expand use of HOPE/MORR Supervision for High Risk Offenders that Reduces Recidivism and Enhances Public Safety - \$1.2 million
- **Access to Justice/Self-Represented Litigants:** Expand Forms, Videos and Electric Signage in Multiple Languages to Enhance Access to Justice - \$785,000
- **Telecommunication Enhancements:** Complete Phone System Upgrades and Create a Central Messaging Platform to Reduce Costs and Increase Efficiency - \$4.6 million

Justice in the Balance: Public Impact



Since 2013, the Trial Court has introduced major operational and management reforms to improve efficiency and accountability in the delivery of justice. The Trial Court is committed to evidence-based decision making in its efforts to address recidivism, respond to the opioid epidemic, and enhance public safety. Technology has enabled extensive process enhancements and broadened access to justice. Fiscal stability for the next three years will ensure successful digitization and enable the Trial Court to complete its transition to a 21st century court system. Our maintenance request of \$654.4 million will be critical to ensuring our ability to stay the course.

Accomplishments of Strategic Plan 1.0 – One Mission: Justice with Dignity and Speed

Evidence-based Practices Improve Outcomes and Enhance Public Safety

- Transformation in Probation through workforce development and evidence-based case management practices for pretrial and sentenced offenders
- Expanded to 37 specialty court sessions to coordinate services and measure results to improve outcomes
 - 25 Drug Courts, 6 Mental Health Courts, 5 Veterans Treatment Courts, 1 Homeless Court
 - Center of Excellence partnership with UMass/Medical
- Developing comprehensive, validated, state-of-the-art risk assessment instruments
- Expanding Project HOPE/MORR model of supervision for high-risk offenders with swift, certain, measured consequences for violations; currently in Salem and Worcester
- Judicial departments collaborate to develop common practices using data-driven decision making

Security Training Focused on Public Safety of Court Users & Staff

- Security job structure revised to maximize efficiency
- Training expanded and improved to meet public safety standards and to seek national accreditation
- Introduced six-week training academy for 125 new Court Officers in FY15; training academy will expand to eight weeks in FY16
- Expanded training requirements for current officers
- Introduced routine drug testing of all security staff
- Trained all COs as Emergency First Responders & on active shooter protocol
ALICE (Alert, Lockdown, Inform, Counter, Evacuate)

Workforce Management and Training Improve Quality of Justice

- 19.9% percent fewer staff than in FY2002
- Established effective accountability systems
- Removal of 'for cause' standard has increased ability to address performance issues
- Decisions on hiring now made collaboratively to place staff where most needed
- Introduced on-line job application, screening and tracking system; behavior-based interviews
- Conducted competitive exams for Probation & Security hires / promotions; physical abilities test for Security in FY16
- Expanded in-house training – up 61% in FY15 over FY14 – and cross-training on responsibilities
- Implemented manager performance reviews in FY15; union performance reviews in FY16
- Michigan State Judicial Administration program introduced for leadership development

Justice in the Balance: Public Impact



Accomplishments of Strategic Plan 1.0 – One Mission: Justice with Dignity and Speed

continued

Access to Justice Expanded to All Court Users

- Created Court Service Centers in six court complexes; three additional sites planned
- Approved Language Access Plan and created language access portal on website
- Expanding use of interpreters beyond courtroom
- Signature Customer Service Experience training to improve skills and understanding

Technology Provides the Foundation for Change

MassCourts Establishes Common Case Management System

- Rollout of single, web-based case management system completed in 2015; replaced 14 legacy systems
- 1M transactions daily; contains 21.5M cases; 18M CARI records converted to DCJIS interface
- Public internet access portal to many court records established at masscourts.org
- Attorney portal gives access to most dockets and schedules; 7,700 registered attorneys
- E-filing of new cases
 - criminal complaints: rollout underway; working with police departments
 - civil e-filing pilots: Worcester District Court, BMC-Brighton, Essex Probate/Family
- Electronic data exchanges with:
 - Registry of Motor Vehicles, Board of Bar Overseers, Committee for Public Counsel Services, Department of Revenue, Alcoholic Beverage Commission, EOHHS.

Mass.Gov/courts Improves Access to Information and Enhances Efficiency

- Single Judiciary external website launched in 2014 on mass.gov platform
- Fillable forms, translated forms, general instructions, court rules, self-help information
- On-line scheduling jury service
- On-line access to expansive law library resources; live chat/text capability with law librarians; e-books of court rules
- Language access portal provides translated resources and forms

Videoconferencing Reduces Costs, Delays, and Enhances Safety

- Expanded videoconferencing use to arraignments, non-evidentiary matters, probation violation hearings, probable cause hearings, warrant removals; coordinated by clerks, probation, security and sheriffs
- Expanded videoconferencing reduces custodial transportation costs, delays, and hearing time

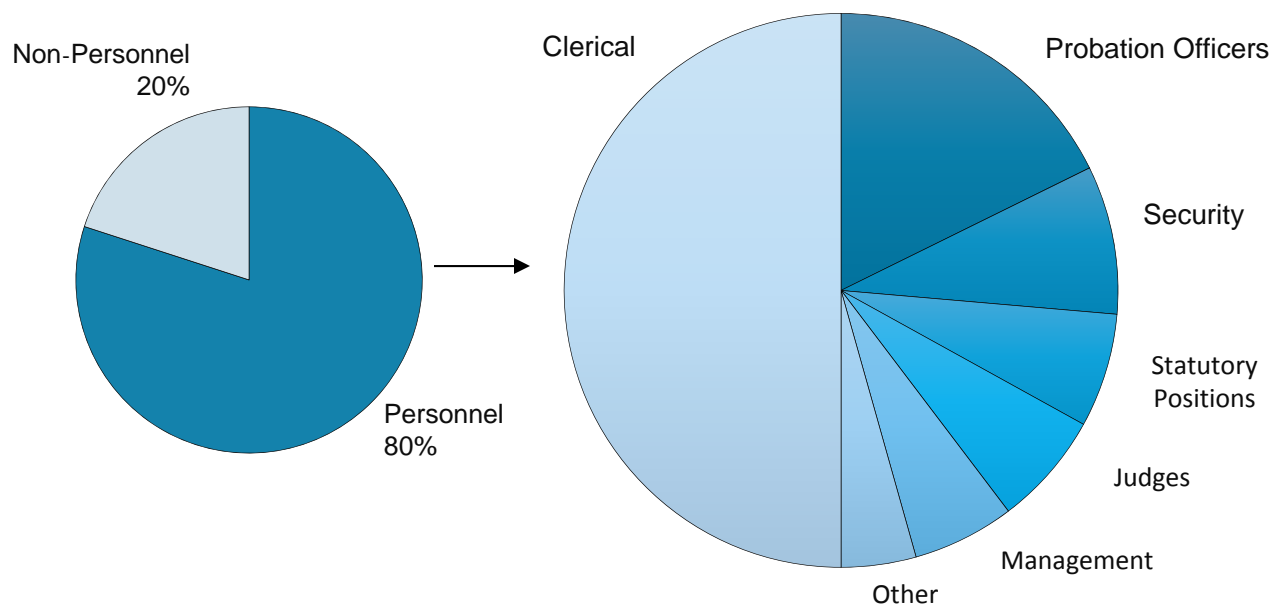
Digital Audio Recording Speeds Process

- Rollout of “For the Record” digital recording system will expand functionality, improve oversight, and speed transcript production

Justice in the Balance: Court Budget Overview



Trial Court Expenses & Personnel Expenses FY 2016 (Projected)



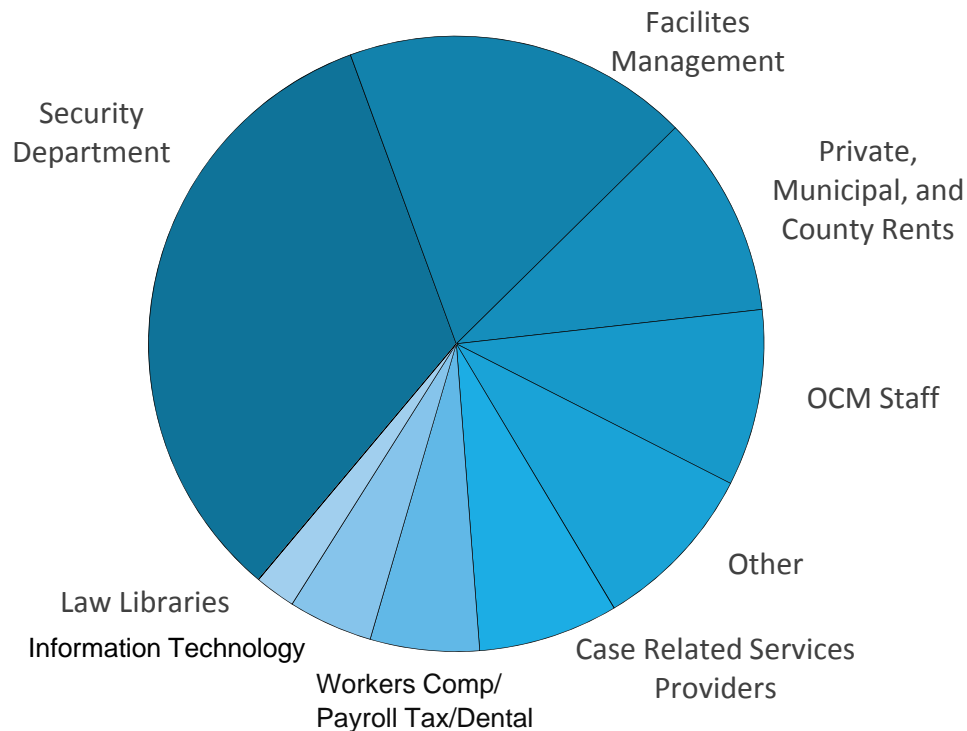
\$ Millions	%	Expense Category
56.7	11.8	Judges
63.2	13.2	Statutory Positions (Clerk Magistrates, Registers)
41.6	8.7	Management (Chief Probation Officers, Directors)
168.7	35.2	Clerical
82.6	17.2	Probation Officers
63.4	13.2	Court Officers
3.0	0.6	Other Payroll Expenses*
\$479.2 M	100%	Total

*Other payroll expenses include certain payments due to retirement, stipends, and overtime.

Justice in the Balance: Court Budget Overview



Trial Court Administration (Account 0330-0300) FY 2016 Expenses



\$ Millions	Expense Category
71.9	Security Department
41.0	Court Facilities
19.5	Case Related Service Providers (GALS, Interpreters, Court Clinics)
22.7	Private, Municipal, and County Rents
15.9	Office of Court Management Staff (Fiscal, HR, IT, Legal, Institute, etc.)
5.4	Law Libraries
13.0	Information Technology
12.5	Workers Comp, Payroll Tax, Dental
14.1	Other (e.g. Telecommunications, Printing, Equipment, Utilities)
\$216 M	Total

Justice in the Balance: Legislative Leadership



The Trial Court is appreciative of the Legislature's continued support.

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House of Representatives

Robert A. DeLeo, Speaker

Joint Committee on Ways and Means

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