



Annual Diversity Report

Massachusetts Trial Court

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Fiscal Year 2020

MESSAGE FROM CHIEF JUSTICE AND COURT ADMINISTRATOR

This fourth annual Diversity Report illustrates the work we have done this year to continue our effort to integrate diversity, equity, and inclusion in all that we do. We acknowledge the progress our court system has made over the past few years – but we are not where we could or should be.

Over the past few months, we have found ourselves facing the twin pandemics of COVID-19 and systemic racism. As a court system, we have seen communities we serve disproportionately affected by the virus. We also recognize that too often, African Americans and other people of color are not treated with the same dignity and respect in our courts as White members of our communities. This injustice is not a recent phenomenon, but a legacy that we must confront.

We will continue to lean into the discomfort and have these important conversations about our justice system. We want to hear about your experience in our courts, as well as your ideas on how we can improve that experience, so that we can build a more equitable system together.

We must examine our practices and identify and root out bias in all forms. All who interact with our courts – both internal and external court users – should feel respected and heard.

Now is the time to translate commitments to action. For that, we are proud to lead an organization that is dedicated to continuous improvement and the delivery of justice. It is the daily work of judges, clerks, court officers, probation officers, administrative staff, and facilities crews that makes it possible for us to reach our organizational goals.

None of this will be easy. We will make mistakes along the way. But this is critical work that we must do in order to succeed in our mission to provide fair and impartial administration of justice.

We, as a Trial Court, are committed to achieving racial equality and justice for all.



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Chief Justice of the Trial Court



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TABLE OF CONTENTS

MISSION STATEMENT OF THE MASSACHUSETTS TRIAL COURT	2
OVERVIEW	2
TRIAL COURT DEMOGRAPHIC DATA	5
COMPARISON TO EEO WORKFORCE BY CATEGORY	12
DEMOGRAPHICS BY COURT DEPARTMENT	13
COURT SERVICE CENTERS	27
OFFICE OF JURY COMMISSIONER	27
PROTECTED CLASS INVESTIGATIONS	29
PLANS FOR FISCAL YEAR 2021	31

MISSION STATEMENT OF THE MASSACHUSETTS TRIAL COURT

The Trial Court is committed to:

- fair and impartial administration of justice;
- protection of constitutional and statutory rights and liberties;
- equal access to justice for all in a safe and dignified environment with policies and practices that strengthen and support diversity, equity and inclusion;
- efficient, effective and accountable resolution of disputes;
- prompt and courteous service to the public by committed and dedicated professionals utilizing best practices in a manner that inspires public trust and confidence.

The Executive Office of the Trial Court

The Executive Office of the Trial Court (EOTC) is led by the Chief Justice of the Trial Court and the Court Administrator. EOTC oversees judicial and court operations, including the Office of Court Management. EOTC works with the seven Trial Court Departments and Commissioners of Probation and Jury to implement policies and initiatives that promote an environment of continuous improvement and ensure the most effective use of resources to allow the delivery of quality justice. EOTC also oversees the development and implementation of strategic planning for the Trial Court.

OVERVIEW

This fourth Annual Diversity Report aims to continue sharing the Trial Court's efforts around advancing diversity, equity, and inclusion in Fiscal Year 2020 (FY20). Diversity, equity, and inclusion remains an integral part of the Trial Court's strategic efforts and vision where all are welcome and unfailingly treated with dignity and respect.

Over the past year, the Trial Court has undertaken several efforts to build a more inclusive and equitable workforce. These efforts include increased community outreach, expanded education and training programs for leadership and court staff, and research to understand the court user experience.

Data in this report includes a snapshot of the Trial Court workforce at the end of FY20 (Figure 1), total hires and promotions by race and by gender in FY20 (Figure 2), and 5 years of data for positions with the largest number of staff. This report also contains an overview of staffing in the offices and departments of the Trial Court (Figures 4-14). A comparison of overall court staffing to Equal Employment Opportunity (EEO) workforce availability can be found on pages 12 and 13. Along with demographic data, the report includes information on translation services (Figure 15), Court Service Centers, and juror utilization (Figure 16). Aggregate data on complaint disposition is also available (Figure 17).

In Fiscal Year 2021 (FY21), the Trial Court will continue to expand outreach to listen to and acknowledge the experiences of our community members with the justice system. Plans for FY21 also include increased education and training to support court staff in the provision of justice and expanded recruitment efforts to hire and promote a diverse workforce. The Trial Court is committed to reexamining current practice, recognizing challenges, and acting to eradicate disparities.

Current & Ongoing Efforts

Strategic Plan 3.0

The Trial Court's third 3-year action plan, Strategic Plan 3.0, took effect on July 1, 2019. Diversity, Equity, and Inclusion is a core strategy of this plan, and reflects the Trial Court's commitment to a workplace that is diverse, equitable, and inclusive to all employees and users of the court. Each court department developed milestones for the next three years focused on the following tactics under this strategy:

- Build leadership capacity around diversity, equity, and inclusion
- Increase diversity of workforce through recruitment, outreach, career development, and promotion
- Deploy training on cultural competency and make diversity, equity, and inclusion part of all trainings
- Establish policies, data, and compliance standards to ensure diversity, equity, and inclusion

In addition to these areas of focus, efforts to advance diversity, equity, and inclusion can be found in the other four strategic areas of the plan: User Experience, Judicial System Excellence, Operational Excellence, and Responsiveness to Societal Challenges.

The Trial Court recognizes that cross-departmental partnerships are necessary to the success of the plan. Over the past year, the Executive Office of the Trial Court has been intentional in reaching out to departments to build the collaborative capacity for implementation of these efforts.

Signature Counter Experience

Signature Counter Experience, a customer service training program for court staff, continues to be rolled out through the Trial Court. Court staff participate in this training as a team to better understand the interactions among themselves, as well as their interactions with court users. The training includes discussion of how biases of court staff may affect interactions with court users. 347 sessions have been facilitated to date, and only 15 courts have yet to experience the program. In-person administration of the program was halted due to COVID-19, and the program will be delivered in a virtual format in 2021.

Leadership Capacity Building Workshop

Trial Court leaders across the state continue to be invited to Leadership Capacity Building workshops to build capacity in addressing issues of race and bias in the courts. These three-day workshops focus on having difficult conversations around matters of race, gender, and identity, and building the capacity of leaders. Over 90 court leaders including justices, department heads, and commissioners participated in these workshops during FY20. The program is being reworked for virtual delivery in 2021.

Beyond Intent

Beyond Intent: Understanding the Impact of Your Words and Actions is a new training program launched in the fall of 2019. The program addresses the negative impact of micro-aggressions and gives participants the opportunity to develop the necessary skills to improve communication and team dynamics. 4 sessions of this program were administered in FY20. Future sessions in 2021 will be facilitated virtually.

Jobs in the Trial Court

In December, the Trial Court and Massachusetts Bar Association partnered to present a program, “Jobs in the Trial Court,” at Bunker Hill Community College. Judges and clerks participated in the program to explain their roles and perspectives on career advancement in the court. Speakers also spoke about different job opportunities available at the court and provided their perspectives on the merits of working for the Trial Court.

Cultural Appreciation Week 2019

The Trial Court celebrated its second Cultural Appreciation Week in September 2019. The celebration centered on the theme “Being Who You Are in the World, As You Are.” During this statewide event, Trial Court employees shared food, music, art, and stories, as well as participate in activities to learn about each other’s cultures. The Trial Court engaged community stakeholders, including law enforcement partners, schools, interfaith organizations, community organizations, and arts and performing groups, to participate in these events.

Bentley University

In Fall 2019 five graduate students from Bentley University conducted a research project observing court users in two courthouses in Boston over a three-month period. Their findings described the experiences and emotions of court users as they navigated through the courthouse. They reported that they were impressed with the helpfulness of court employees and recommended a variety of ways the Trial Court might improve the experience of court users, including the use of greeters, improved signage, forms, web materials, case scheduling, and waiting areas for court users conducting court business.

In Spring 2020, a class of students from Bentley University conducted an interview study asking people about their experience navigating unfamiliar places with complicated procedures. Places they researched included the airport, doctor’s offices, and immigration. The students asked questions to learn more about what made these experiences positive or negative, and provided recommendations to the Trial Court on how to create a more positive experience for court users.

The Trial Court also partnered with a User Experience Researcher affiliated with Bentley University to study the court’s response to the COVID-19 emergency. The study focused on how court employees and attorneys experienced the shift of court business to online, and gather feedback on what changes should continue after the emergency.

Employee Pulse Check

In October 2019, the Trial Court conducted its first employee pulse check, a short survey designed to measure employee engagement. The survey contained 15 questions related to workplace experiences and employee engagement. Employees were also to provide suggestions on how the Trial Court could meet the needs of court users and what the system could improve over the next 3 years. The pulse check will be administered on a regular schedule to continually measure progress in improving the work environment of the Trial Court.

Policies Governing Sexual Harassment and Discrimination

In November 2019, the Trial Court issued the Policy Prohibiting Discrimination, Harassment, and Retaliation, and Complaint Resolution Procedures. This Policy is the outcome of a long process to revise internal policies and procedures for investigating complaints, and to restate the Trial Court’s commitment to an inclusive workplace free from unlawful discrimination in any form.

Community Engagement Pilot Project

Massachusetts was chosen as one of six states to participate in a pilot community engagement project with the National Center for State Courts. The 3 pilot sites in Massachusetts, Springfield, Holyoke, and Chicopee, led 6 community engagement sessions in FY20 focused on substance use disorder in their respective communities. The sessions sought to identify the barriers to seeking substance use treatment and solutions that could be implemented to address those barriers. NCSC provided technical assistance over the course of the pilot.

Community Listening Sessions

The Trial Court continues to hold external listening sessions to hear firsthand the community's experience with the courts. In January, a group of Trial Court judges along with representatives from Probation and Security met with a group of detainees at a local House of Corrections to listen to their thoughts and concerns regarding their experience with the courts. Topics discussed included experience with different court departments, medication assisted treatment, specialty courts, and health.

In February 2020, 25 judges from the Massachusetts Judiciary participated in a listening session at Roxbury Community College. This listening session was the Trial Court's first listening session specifically for African American communities. Over 200 members of the community had the opportunity to share their experiences and comments for the court on how justice can be achieved for all.

Following the Roxbury event, the Trial Court was invited by the Brockton Branch of the NAACP to virtually co-facilitate a conversation on race with its members in June. Participants were informed of Trial Court efforts to combat disparate treatment of marginalized groups, and offered their perspectives on how the court could improve. After receiving feedback from community members and the judiciary, smaller community conversations on race are currently being planned to take place virtually and regionally across the state throughout the remainder of 2020, with local leadership tasked with facilitating the dialogues about issues of race and achieving justice for communities and individuals who historically have experienced disparate treatment in the justice system.

Virtual Town Hall in Chelsea

In collaboration with local government & community partners, the Trial Court hosted a number virtual town hall in Chelsea featuring local officials, court & community leaders to address COVID-19 concerns related to local resources & accessing the courts. The session was held in English and Spanish, and featured a speaker from each Trial Court department in addition to community leaders. Speakers discussed how to contact the courts and provided guidance on ongoing case activities. Town halls in additional communities will take place in upcoming months.

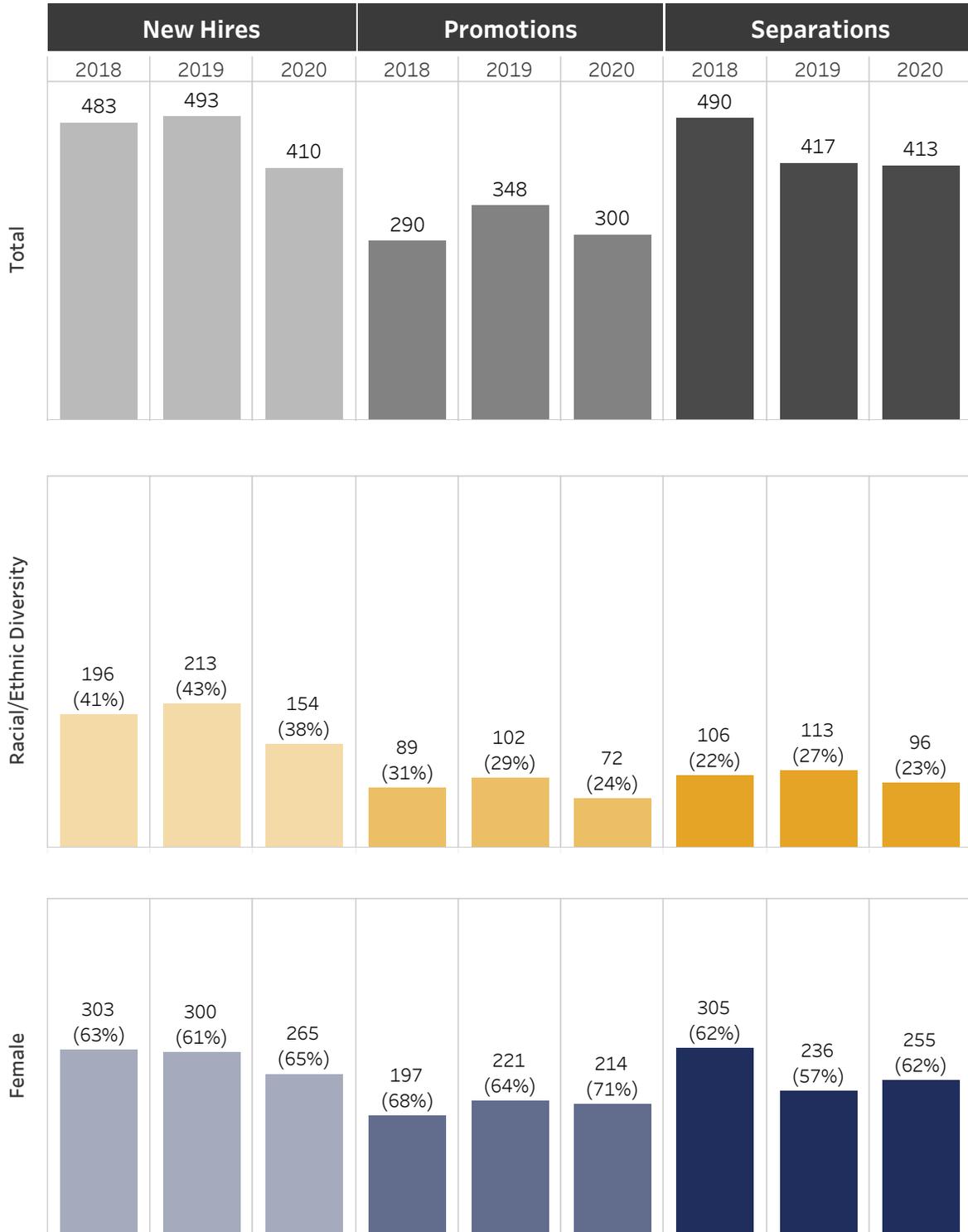
TRIAL COURT DEMOGRAPHIC DATA

The overall number of Trial Court employees in FY20 was 6,290. The number of racially/ethnically diverse Trial Court employees increased by 37 or 2.3%, from 1,606 to 1,643. The number of female Trial Court increased by 40 or 1.1%, from 3,626 to 3,666.

Figure 1
Trial Court Demographic Profile, Year-End FY2020, Selected Titles

		Total	% R/E Diversity	% Female
Court Officials	Trial Court Chief Justice	8	13%	38%
	Justice	355	11%	44%
	Clerk of Court/Register (Elected)	29	7%	41%
	Clerk Magistrate/Recorder	87	5%	29%
	Asst. Clerk/Judicial Case Manager/Asst. Judicial Case Manager/Asst. Register/Deputy Recorder	438	13%	53%
Probation Department	Chief Probation Officer	96	23%	41%
	Assistant Chief Probation Officer	184	19%	48%
	Probation Officer	709	30%	60%
	Associate Probation Officer	195	39%	69%
Security Department	Director, Deputy, and Regional Director	7	29%	14%
	Chief Court Officer	41	24%	17%
	Assistant Chief Court Officer	75	28%	19%
	Court Officer	713	28%	18%
	Associate Court Officer	162	34%	30%
Facilities Department	Director/Manager	16	6%	6%
	Maintenance	390	43%	25%
All Court Departments	Office/Clerical	2,262	27%	86%
Entire Trial Court		6,290	26%	58%
Massachusetts Labor Market (2010 Labor Pool Census)			21%	49%

Figure 2
FY2018-FY2020 Hirings, Promotions, and Separations
Racial/Ethnic Diversity and Females



Equal Employment Opportunity Job Categories

The Equal Employment Opportunity (EEO) job categories, defined by the federal government, that are relevant for positions at the Trial Court are listed below. These categories are used at the federal level to establish some degree of consistency and comparability across all reporting entities. Census data are reported in EEO categories in order to establish an official source on the percentages of women and diverse candidates in these types of positions in the workforce by state and by county. Data on the availability of women and diverse candidates at the state and local levels is used as a benchmark to assess an organization's effectiveness in recruiting and appointing diverse and female candidates in these job categories.

Officials and Administrators: Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. Trial Court positions in this category include: *Deputy Court Administrator, Chief Probation Officer, Program Manager, Supervisor of Probation Services, Case Manager.*

Professionals: Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Trial Court positions in this category include: *Probation Officer, Assistant Clerk/Register, Assistant Chief Probation Officer, Associate Probation Officer, Law Clerk.*

Professionals – Elected & Appointed: A subset of the "Professionals" category. Trial Court positions in this category include: *Justice, Clerk of Court, Register, Recorder, First Justice, and Chief Justice.*

Office/Clerical: Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly non-manual though some manual work not directly involved with altering or transporting products is included. Trial Court positions in this category include: *Case Specialist, Probation Case Specialist, Case Coordinator, Sessions Clerk, Operations Supervisor.*

Protective Service: Sworn: Occupations in which workers are entrusted with public safety, security, and protection from destructive forces. Trial Court positions in this category include: *Chief Court Officer, Assistant Chief Court Officer, Court Officer, and Associate Court Officer.*

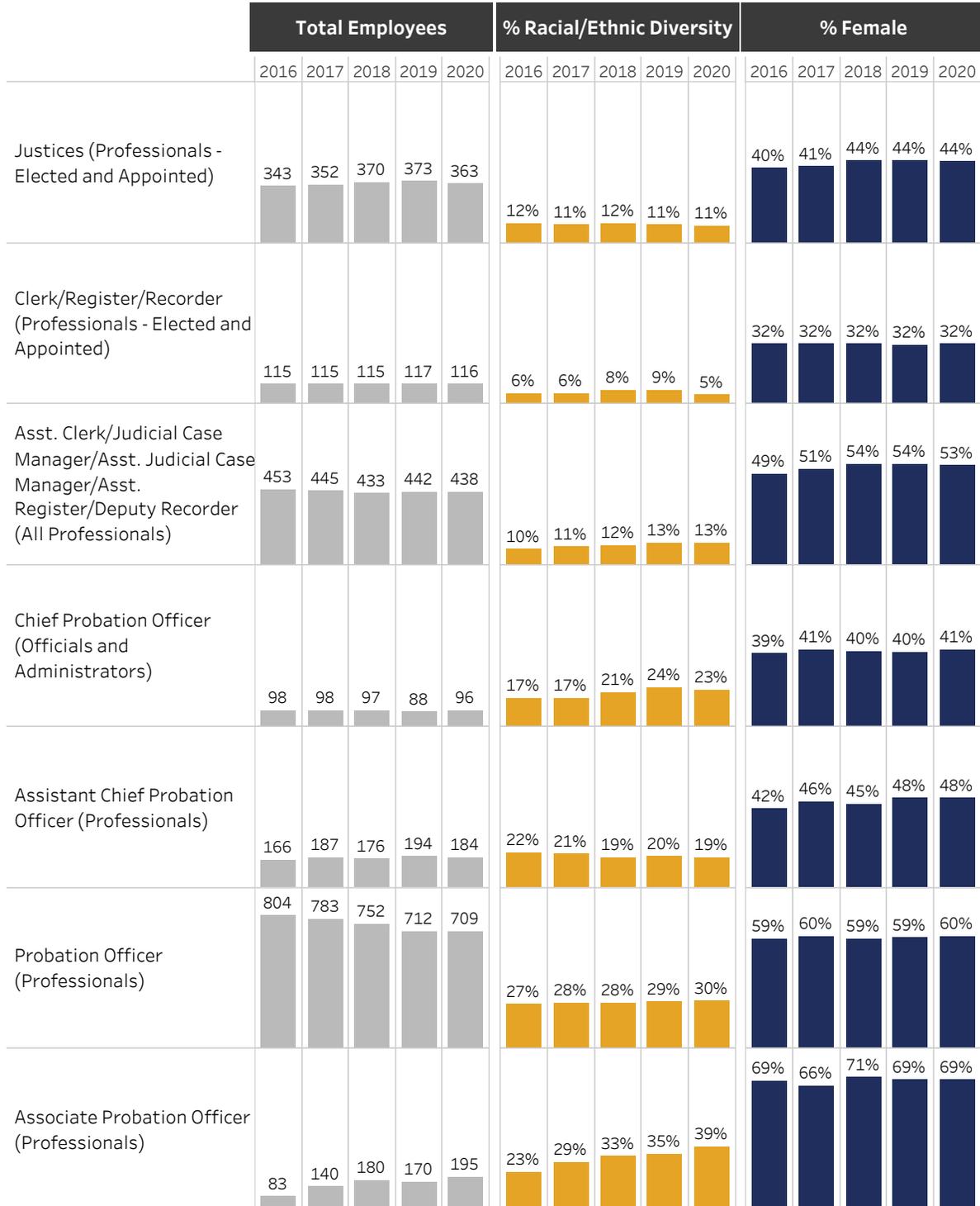
Skilled Craft: Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the process involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Trial Court positions in this category include: *Senior Maintenance Technician.*

Technicians: Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Trial Court positions in this category include: *Facilities Systems Supervisor.*

Service Maintenance: Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Trial Court positions in this category include: *Custodian.*

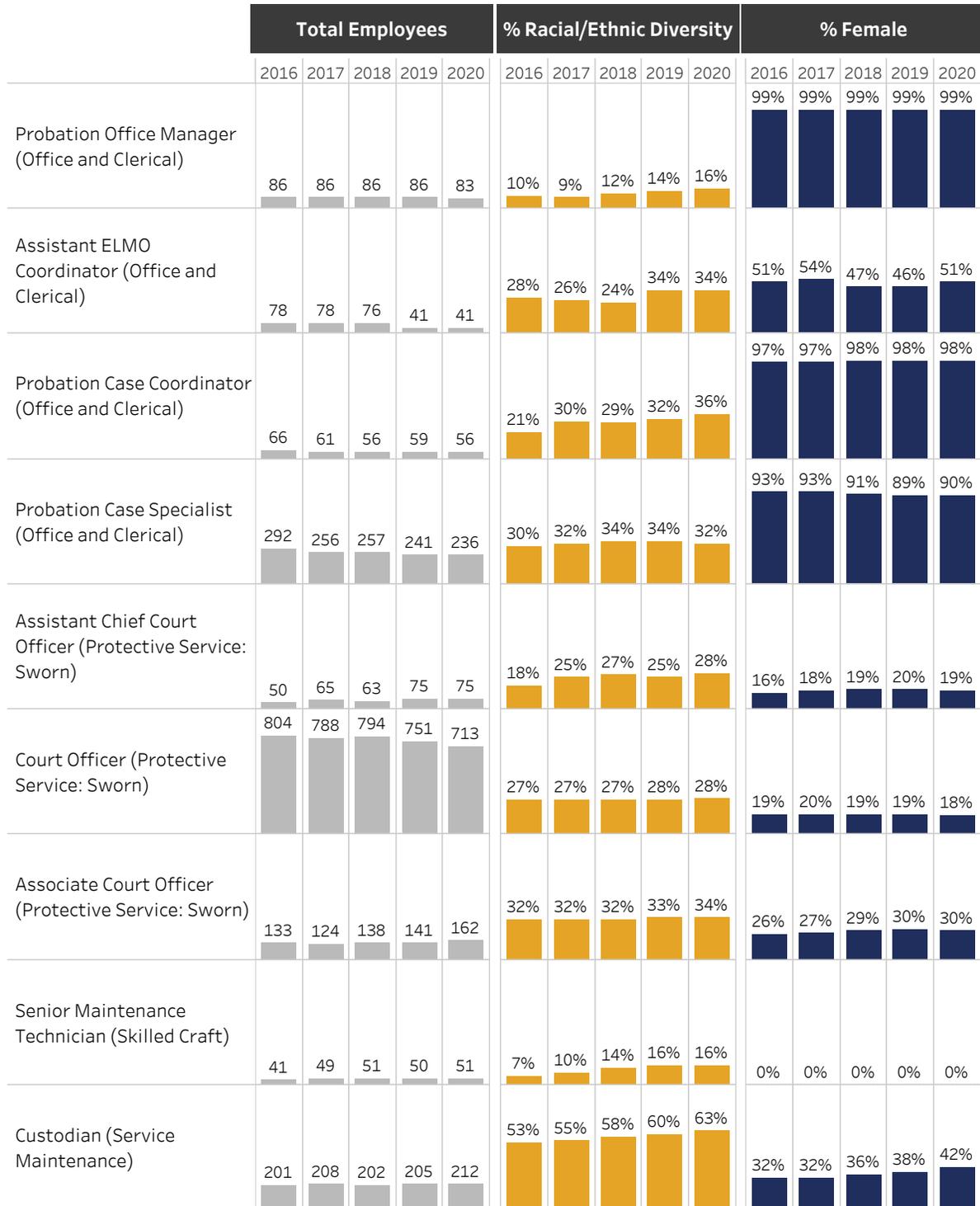
**Figure 3: Trial Court Employees, Top 25 Titles with EEO Category
% Racial/Ethnic Diversity, % Female, End of FY2016 to FY2020**

(In order to view related positions together, titles are displayed in the same order as in Figure 1.)



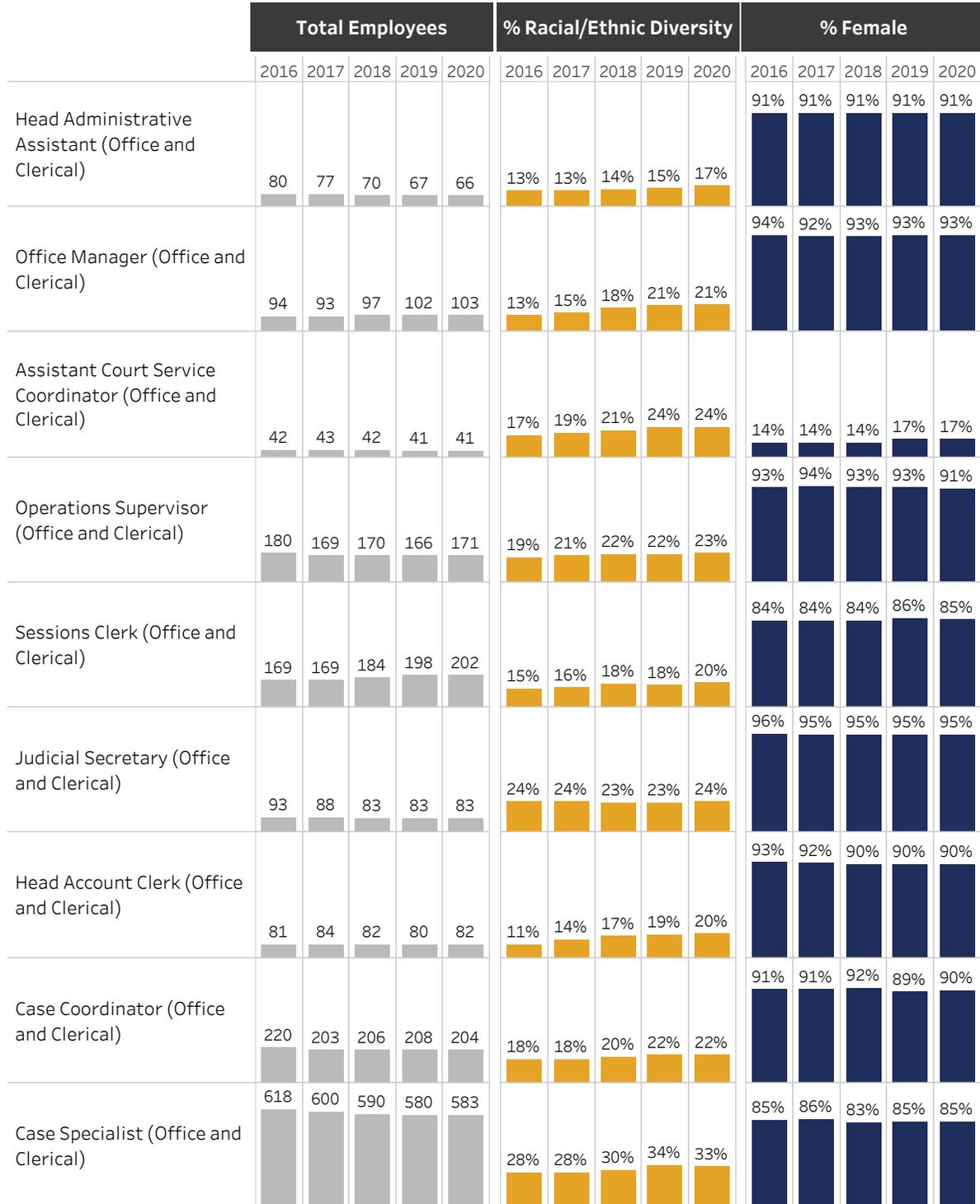
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COMPARISON TO EEO WORKFORCE BY CATEGORY

Officials and Administrators

- The total number of Officials and Administrators increased by 12 or 5.2%. The number of racially/ethnically diverse Officials and Administrators increased by 1, from 55 to 56 (23.6% to 22.9% of total Officials and Administrators). This represents a 1.8% increase in the number of racially/ethnically diverse Officials and Administrators. The percentage of racially/ethnically diverse Officials and Administrators remains above parity (12.2%).
- The number of female Officials and Administrators increased by 8, from 111 to 119 (47.6% to 48.6% of total Officials and Administrators). This represents a 7.2% increase in the number of female Officials and Administrators. The percentage of female Officials and Administrators remains above parity (42.5%).

Professionals

- The total number of Professionals increased by 44 or 2.3%. The number of racially/ethnically diverse Professionals increased by 25, from 461 to 486 (24.6% to 25.3% of total Professionals). This represents a 5.4% increase in the number of racially/ethnically diverse Professionals. The percentage of racially/ethnically diverse Professionals remains above parity (17.0%).
- The number of female Professionals increased by 38, from 1,077 to 1,115 (57.4% to 58.1% of total Professionals). This represents a 3.5% increase in the number of female Professionals. The percentage of female Professionals remains above parity (54.5%).

Professionals – Elected and Appointed

- The total number of Elected and Appointed Professionals decreased by 11 or 2.2%. The number of racially/ethnically diverse Elected and Appointed Professionals decreased by 6, from 51 to 45 (10.4% to 9.4% of total Elected and Appointed Professionals). This represents an 11.8% decrease in the number of racially/ethnically diverse Elected and Appointed Professionals. The percentage of racially/ethnically diverse Elected and Appointed Professionals remains below parity (17.0%).
- The number of female Elected and Appointed Professionals decreased by 6, from 202 to 196 (41.2% to 40.9% of total Elected and Appointed Professionals). This represents a 3.0% decrease in the number of female Elected and Appointed Professionals. The percentage of female Elected and Appointed Professionals remains below parity (54.5%).

Office and Clerical

- The total number of Office and Clerical staff decreased by 5 or 0.2%. The number of racially/ethnically diverse Office and Clerical staff increased by 6, from 598 to 604 (26.3% to 26.7% of total Office and Clerical staff). This represents a 1.0% increase in the number of racially/ethnically diverse Office and Clerical staff. The percentage of racially/ethnically diverse Office and Clerical staff remains above parity (17.0%).
- The number of female Office and Clerical staff decreased by 4, from 1,942 to 1,938 (85.5% to 85.5% of total Office and Clerical staff). This represents a 0.2% decrease in the number of female Office and Clerical staff. The percentage of female Office and Clerical staff remains above parity (63.2%).

Protective Service: Sworn

- The total number of Protective Service: Sworn staff decreased by 17 or 1.7%. The number of racially/ethnically diverse Protective Service: Sworn staff remains at 284 (28.2% to 28.7% of total Protective Service: Sworn staff). The percentage of racially/ethnically diverse Protective Service: Sworn staff remains above parity (17.9%).
- The number of female Protective Service: Sworn decreased by 10, from 209 to 199 (20.7% to 20.1% of total Protective Service: Sworn). This represents a 4.8% decrease in the number of female Protective Service: Sworn. The percentage of female Protective Service: Sworn staff remains above parity (13.7%).

Service Maintenance

- The total number of Service Maintenance increased by 8 or 2.7%. The number of racially/ethnically diverse Service Maintenance increased by 11, from 146 to 157 (48.5% to 50.8% of total Service Maintenance). This represents a 7.5% increase in the number of racially/ethnically diverse Service Maintenance. The percentage of racially/ethnically diverse Service Maintenance remains above parity (31.2%).
- The number of female Service Maintenance increased by 14, from 84 to 98 (27.9% to 31.7% of total Service Maintenance). This represents a 16.7% increase in the number of female Service Maintenance. The percentage of female Service Maintenance remains below parity (45.8%).

Skilled Craft

- The total number of Skilled Craft increased by 1 or 2.0%. The number of racially/ethnically diverse Skilled Craft remains at 8 (16.0% to 15.7% of total Skilled Craft). The percentage of racially/ethnically diverse Skilled Craft remains above parity (15.1%).
- The Trial Court continues to have no female Skilled Craft staff. The percentage of female Skilled Craft remains below parity (5.8%).

Technicians

- The total number of Technicians increased by 5 or 20.8%. The number of racially/ethnically diverse Technicians remains at 3 (12.5% to 10.3% of total Technicians). The percentage of racially/ethnically diverse Technicians remains below parity (20.3%).
- The number of female Technicians remains at 1 (4.2% to 3.4% of total Technicians). The percentage of female Technicians remains below parity (57.2%).

DEMOGRAPHICS BY COURT DEPARTMENT

Figures 4 through 14 contain demographic data of staff by race/ethnicity and gender in the Executive Office and Office of Court Management, seven Court Departments, Massachusetts Probation Service, Facilities Management, and the Security Department, a comparison of staff to the total available workforce in each EEO job category, and the most common job titles held in each office/department.

Figure 4: Executive Office of the Trial Court / Office of Court Management, June 2020

(Subtotals may not sum to 100% due to employees for whom race/ethnicity or gender is unknown; P = Parity - 2010 Census estimation of available workforce that is racial/ethnic minority or female in this job category.)

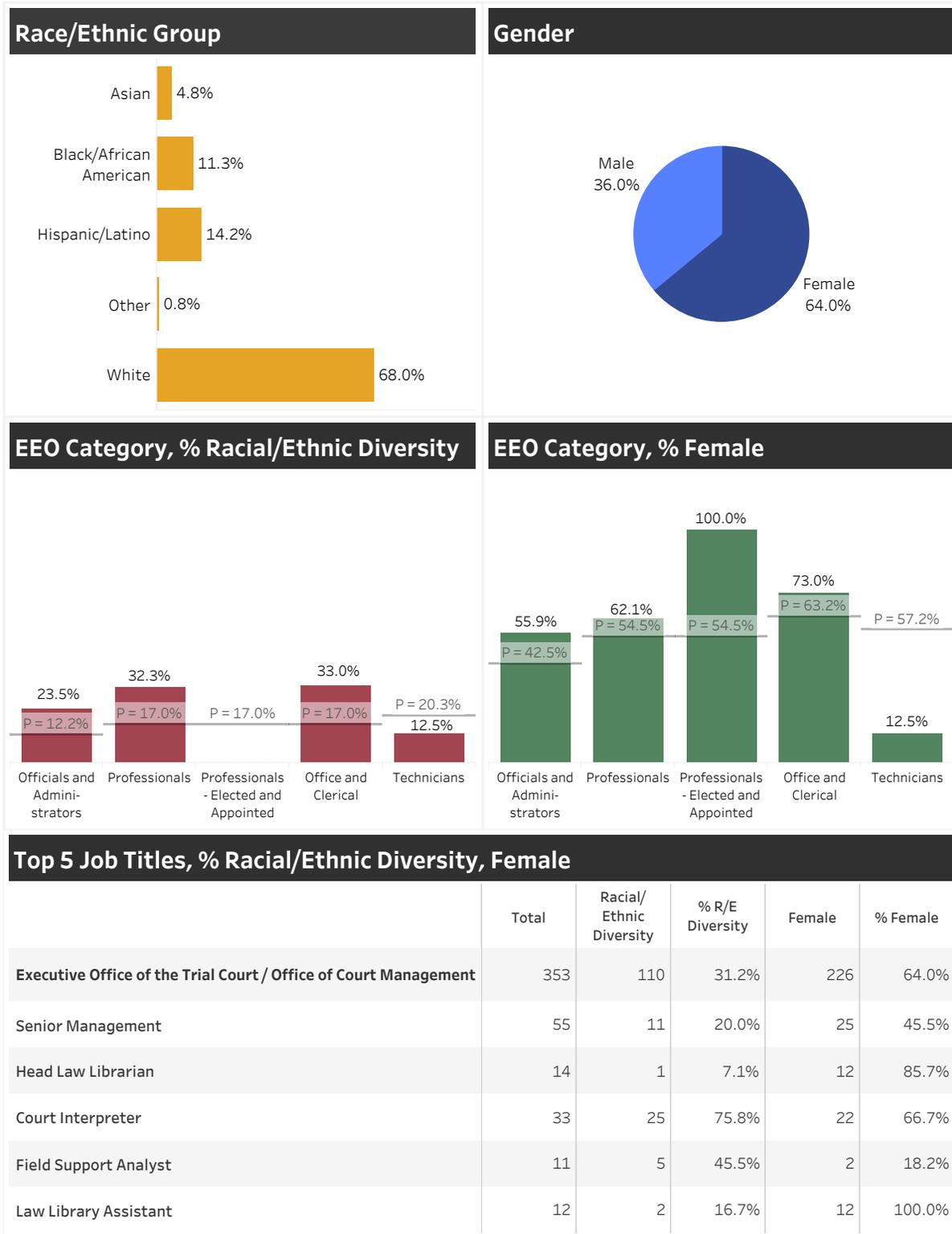


Figure 5: Boston Municipal Court, June 2020

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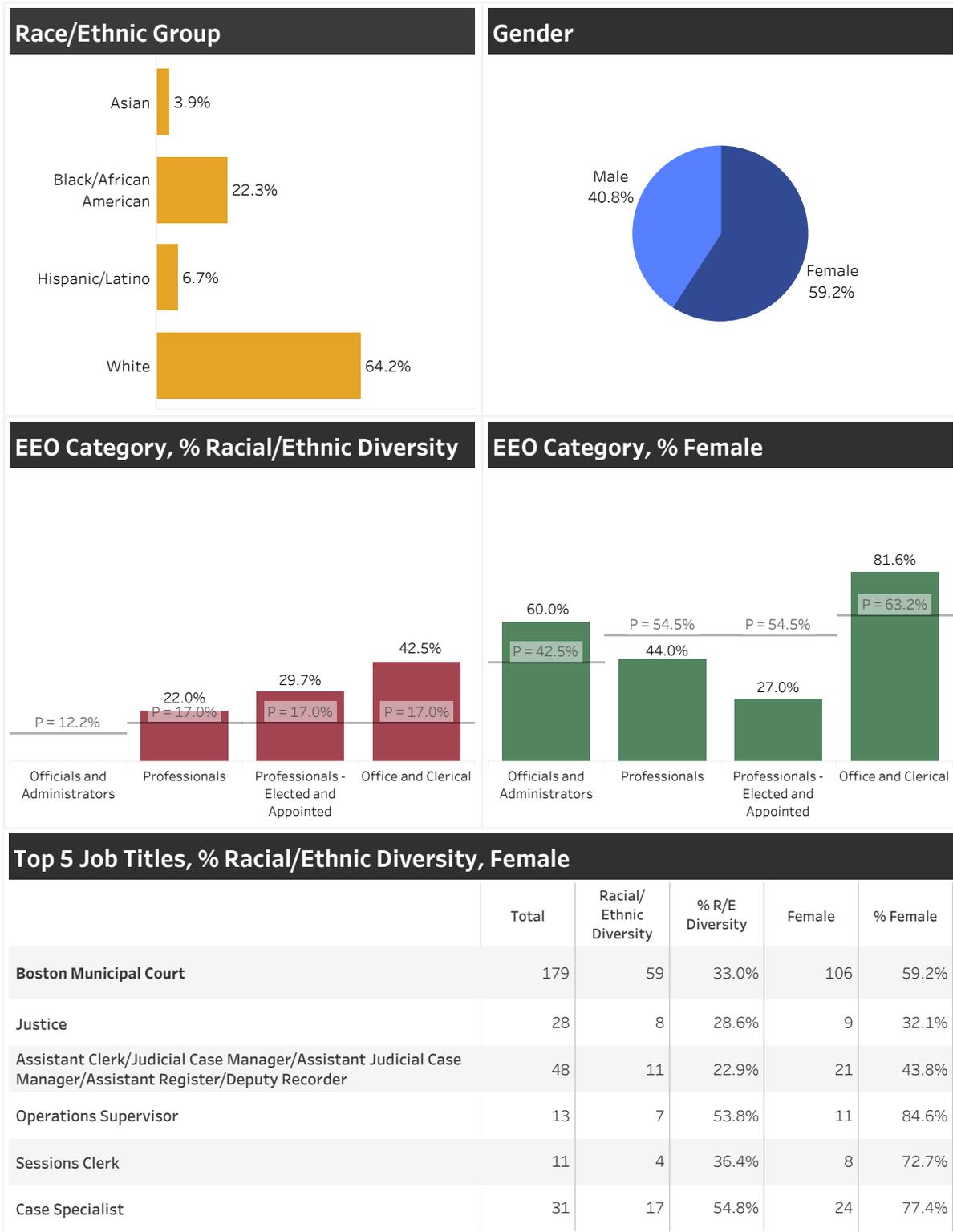


Figure 6: District Court, June 2020

(Subtotals may not sum to 100% due to employees for whom race/ethnicity or gender is unknown; P = Parity - 2010 Census estimation of available workforce that is racial/ethnic minority or female in this job category.)

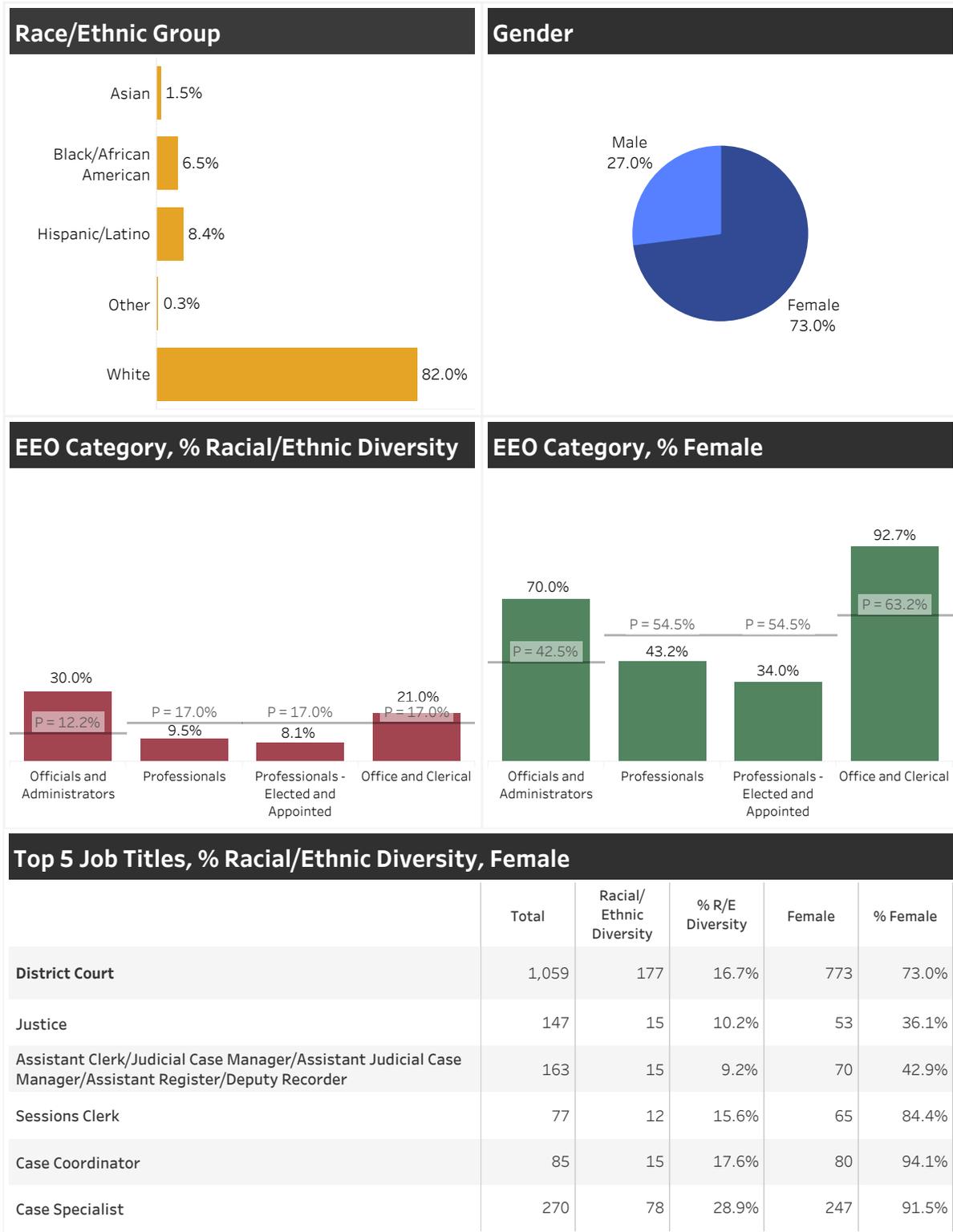


Figure 7: Housing Court, June 2020

(Subtotals may not sum to 100% due to employees for whom race/ethnicity or gender is unknown; P = Parity - 2010 Census estimation of available workforce that is racial/ethnic minority or female in this job category.)

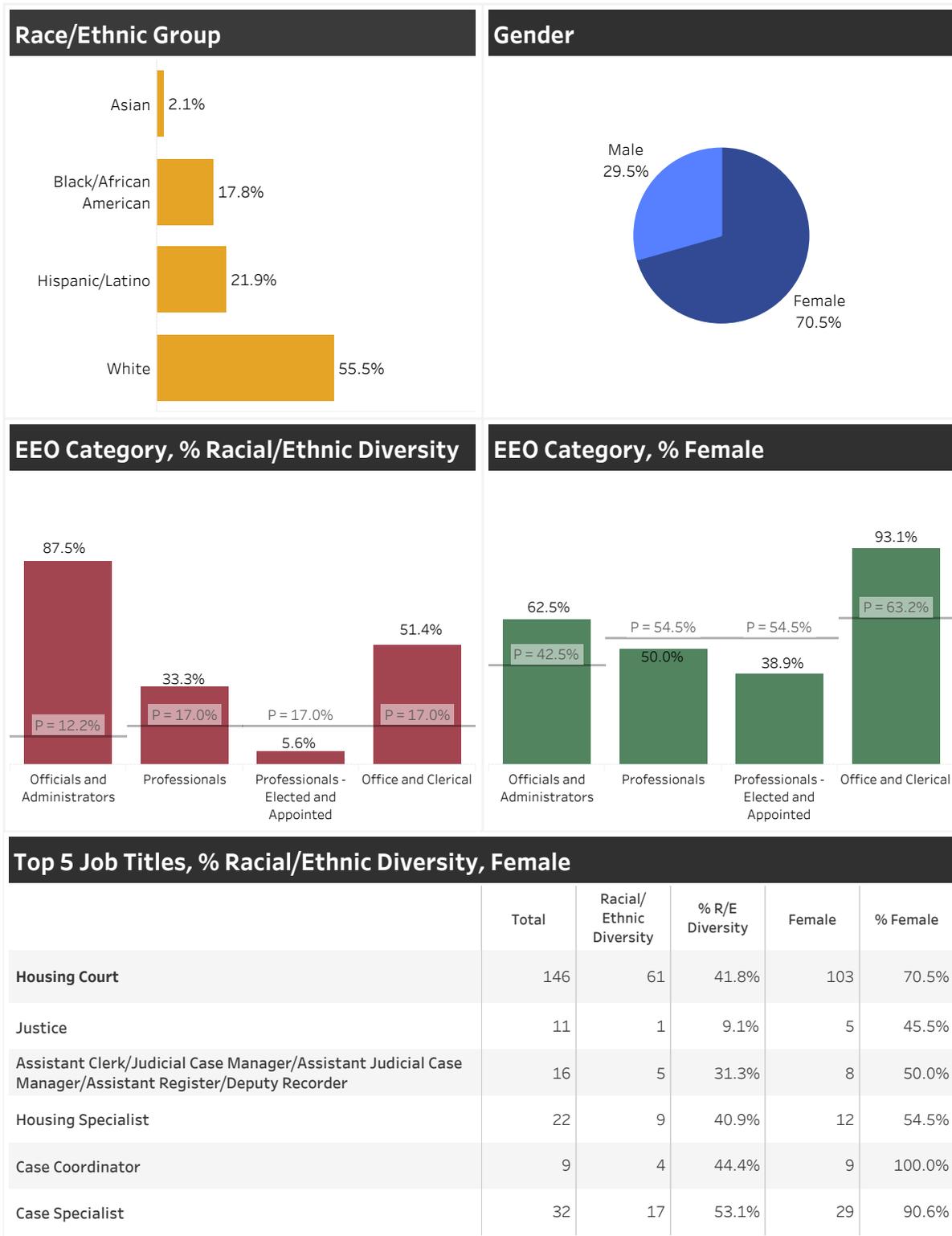


Figure 8: Juvenile Court, June 2020

(Subtotals may not sum to 100% due to employees for whom race/ethnicity or gender is unknown; P = Parity - 2010 Census estimation of available workforce that is racial/ethnic minority or female in this job category.)

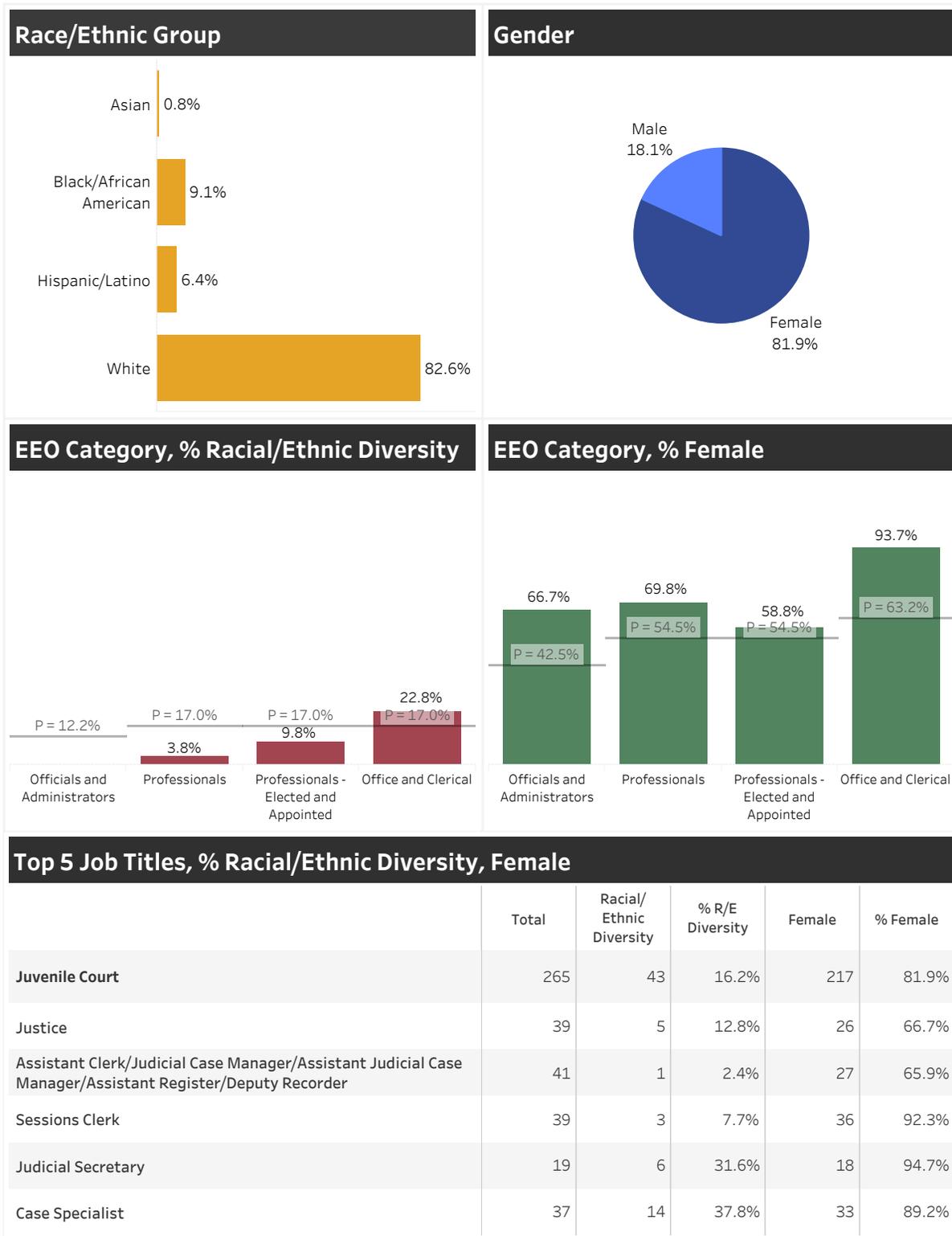


Figure 9: Land Court, June 2020

(Subtotals may not sum to 100% due to employees for whom race/ethnicity or gender is unknown; P = Parity - 2010 Census estimation of available workforce that is racial/ethnic minority or female in this job category.)

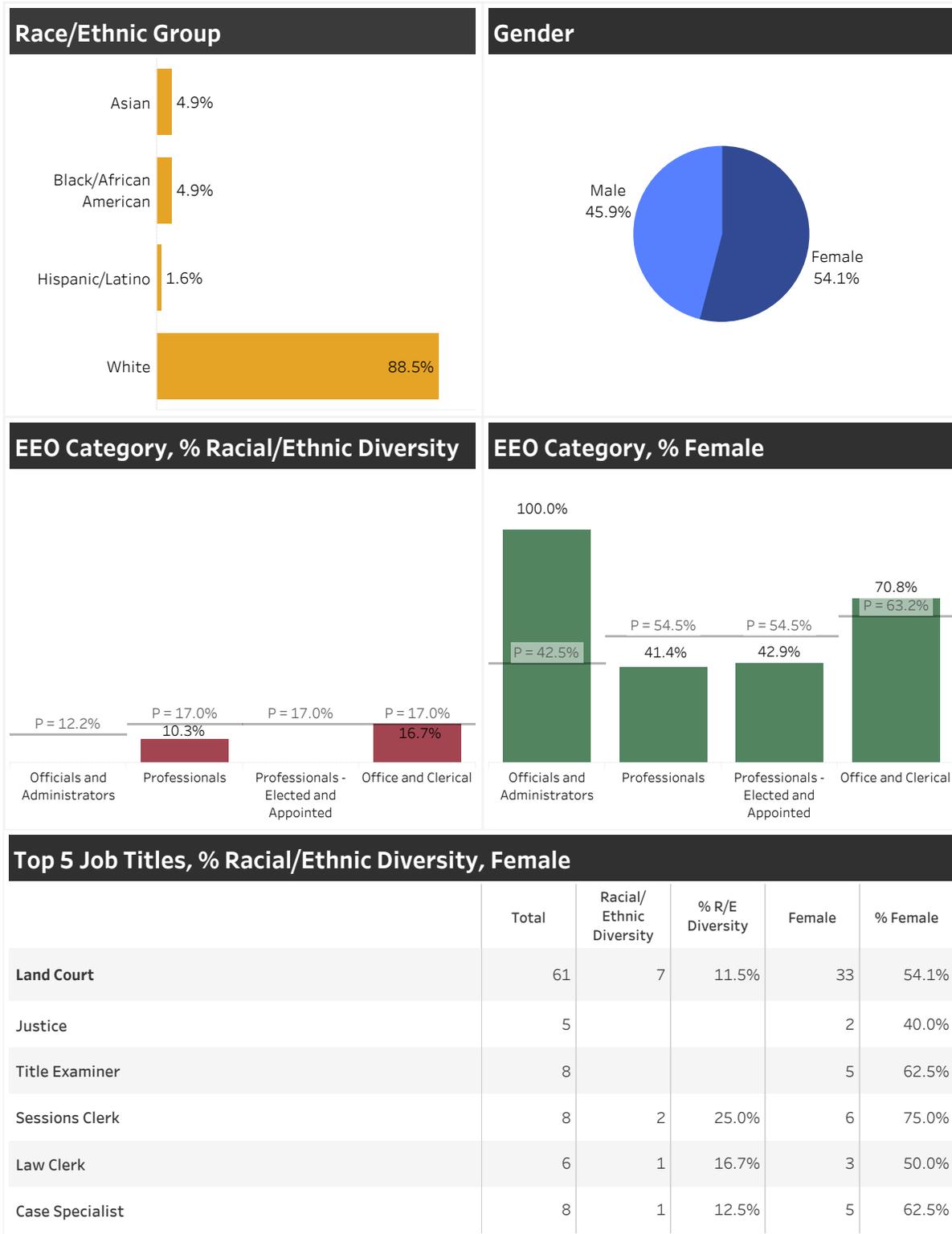


Figure 10: Probate & Family Court, June 2020

(Subtotals may not sum to 100% due to employees for whom race/ethnicity or gender is unknown; P = Parity - 2010 Census estimation of available workforce that is racial/ethnic minority or female in this job category.)

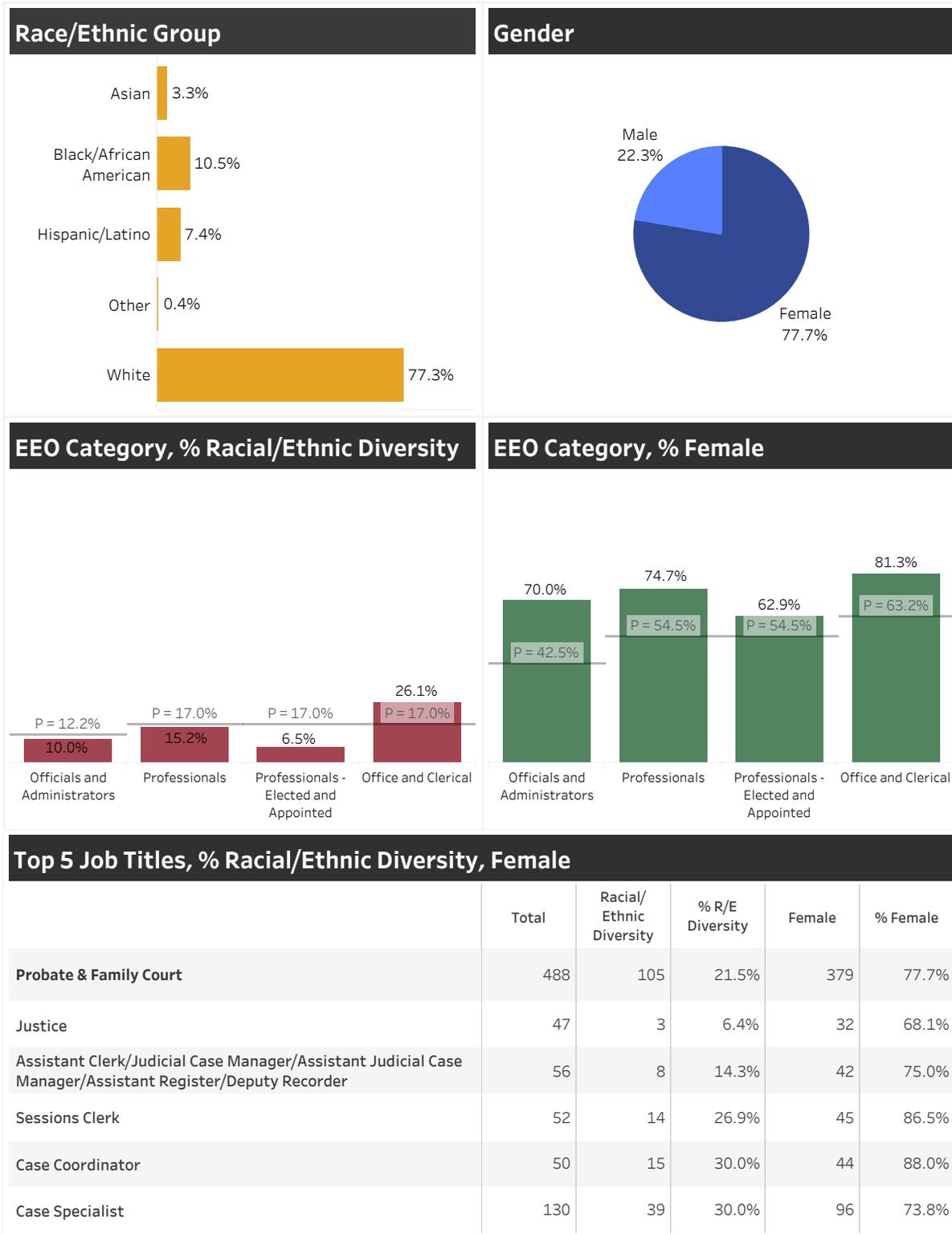


Figure 11: Superior Court, June 2020

(Subtotals may not sum to 100% due to employees for whom race/ethnicity or gender is unknown; P = Parity - 2010 Census estimation of available workforce that is racial/ethnic minority or female in this job category.)

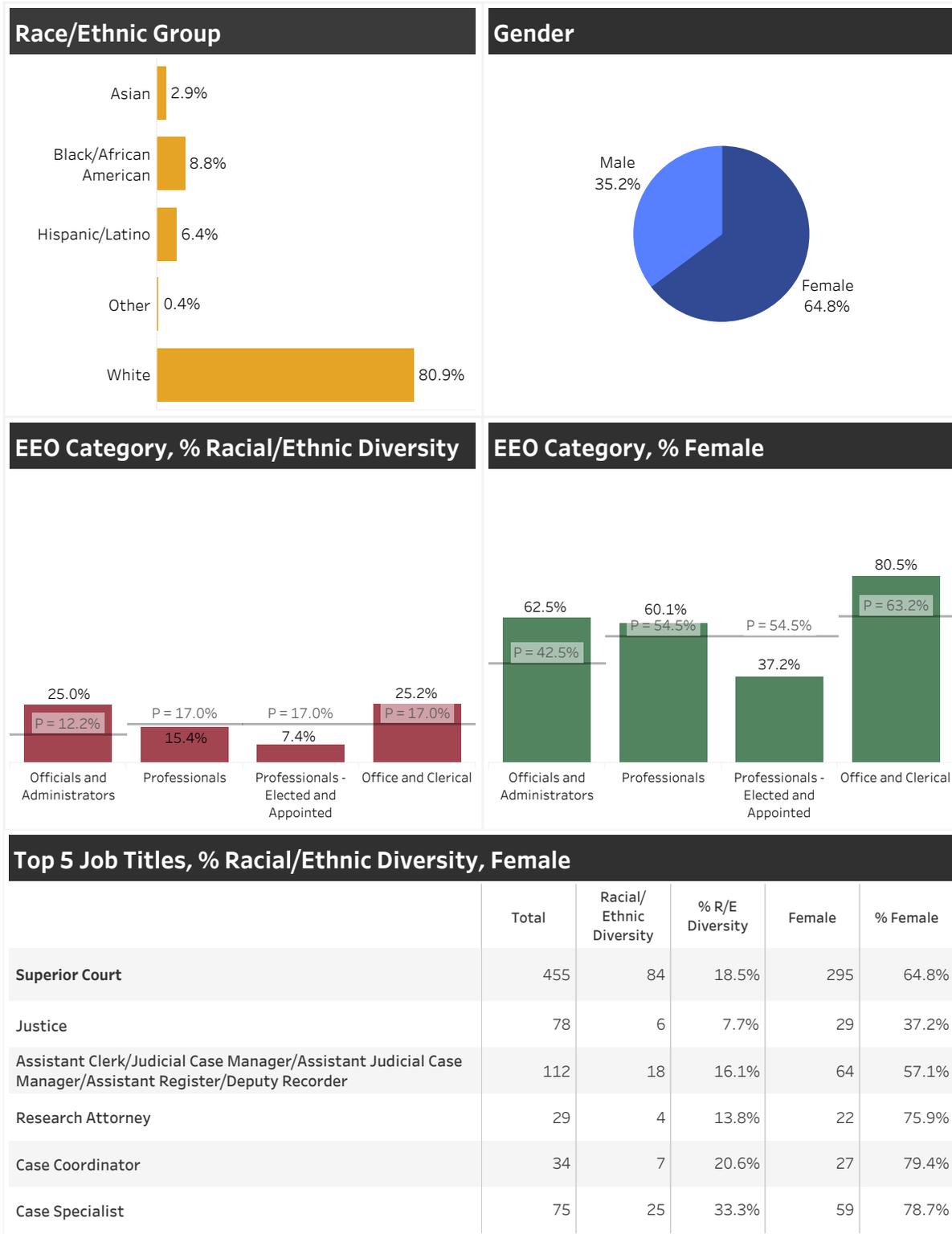


Figure 12: Massachusetts Probation Service, June 2020

(Subtotals may not sum to 100% due to employees for whom race/ethnicity or gender is unknown; P = Parity - 2010 Census estimation of available workforce that is racial/ethnic minority or female in this job category.)

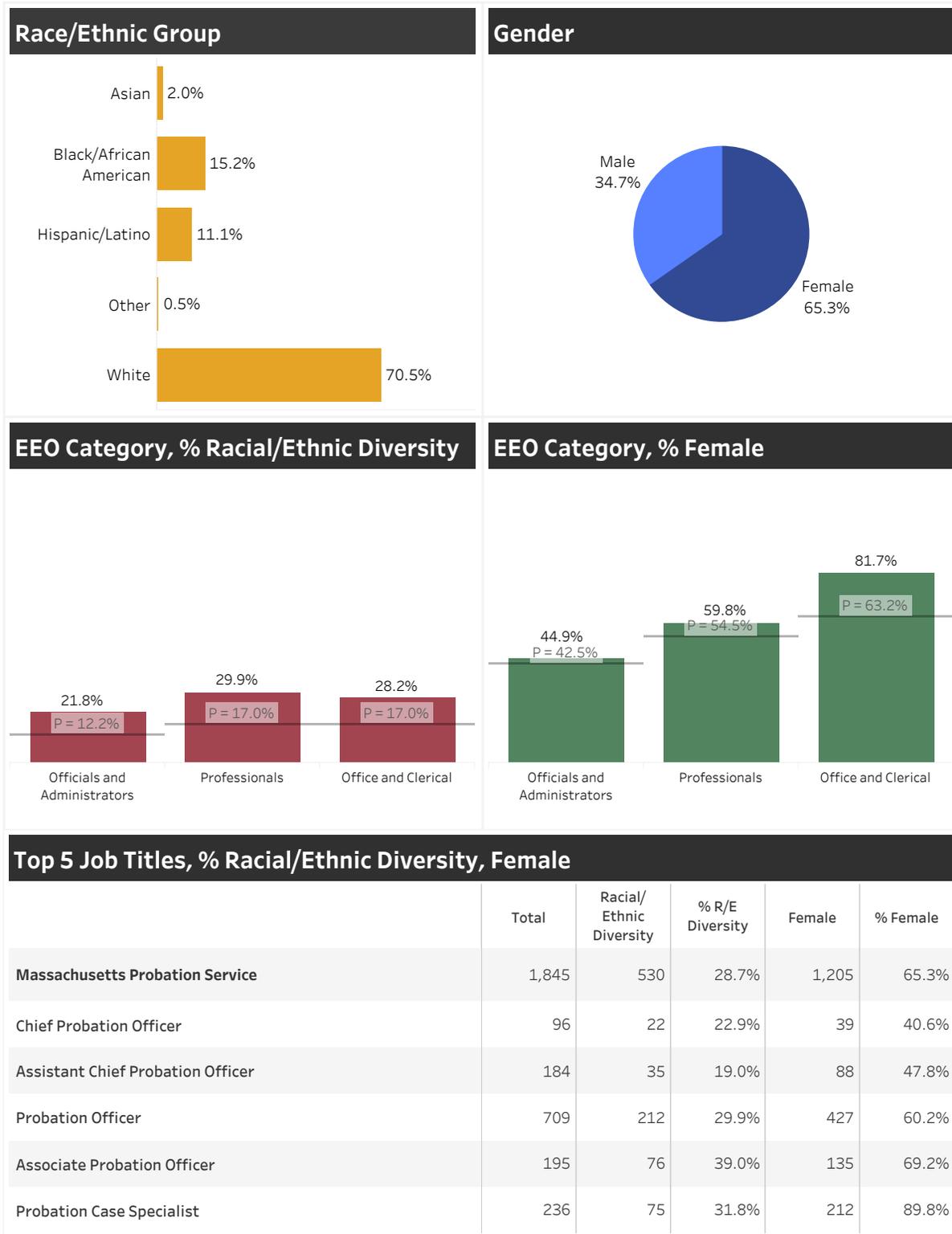


Figure 13: Facilities Department, June 2020

(Subtotals may not sum to 100% due to employees for whom race/ethnicity or gender is unknown; P = Parity - 2010 Census estimation of available workforce that is racial/ethnic minority or female in this job category.)

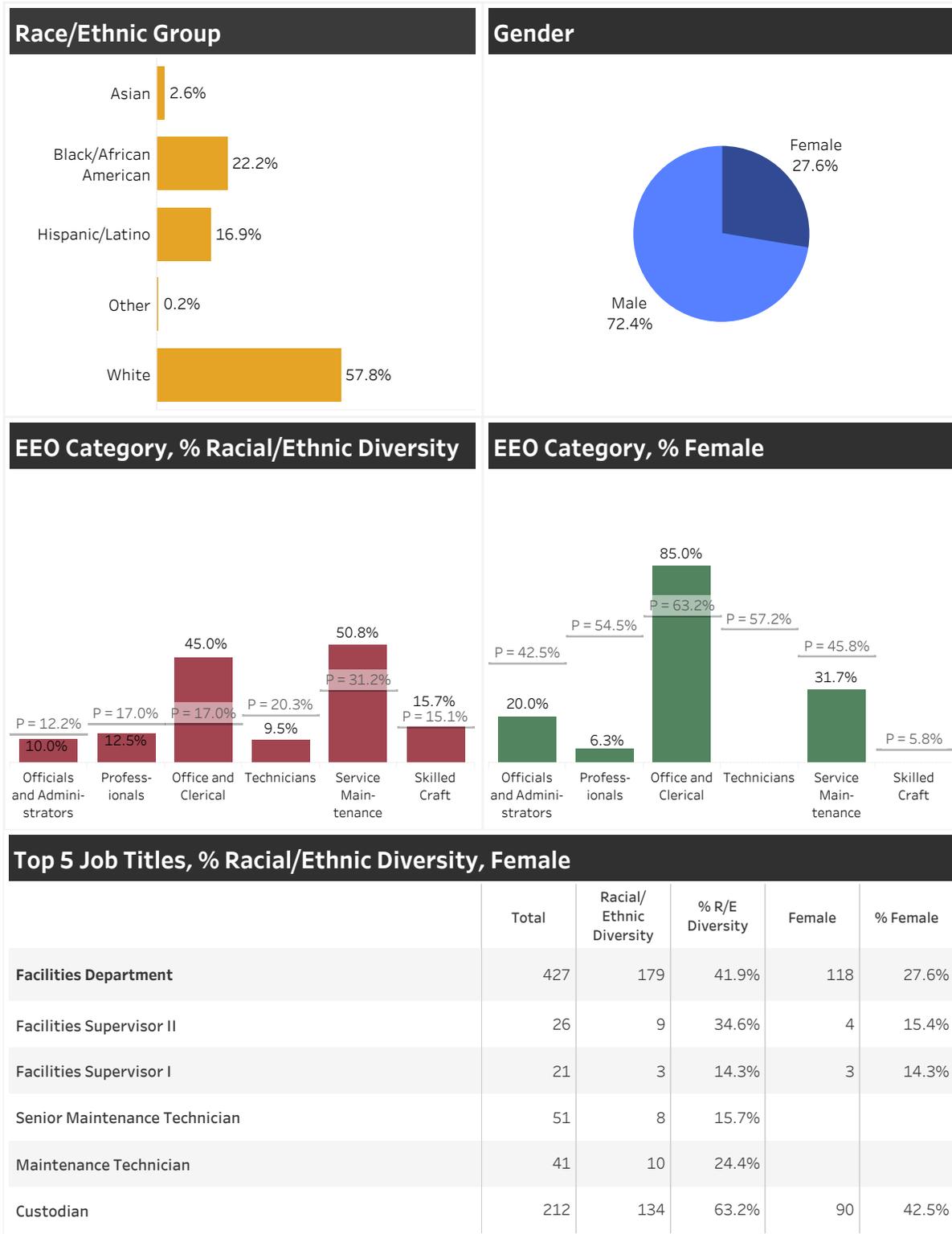
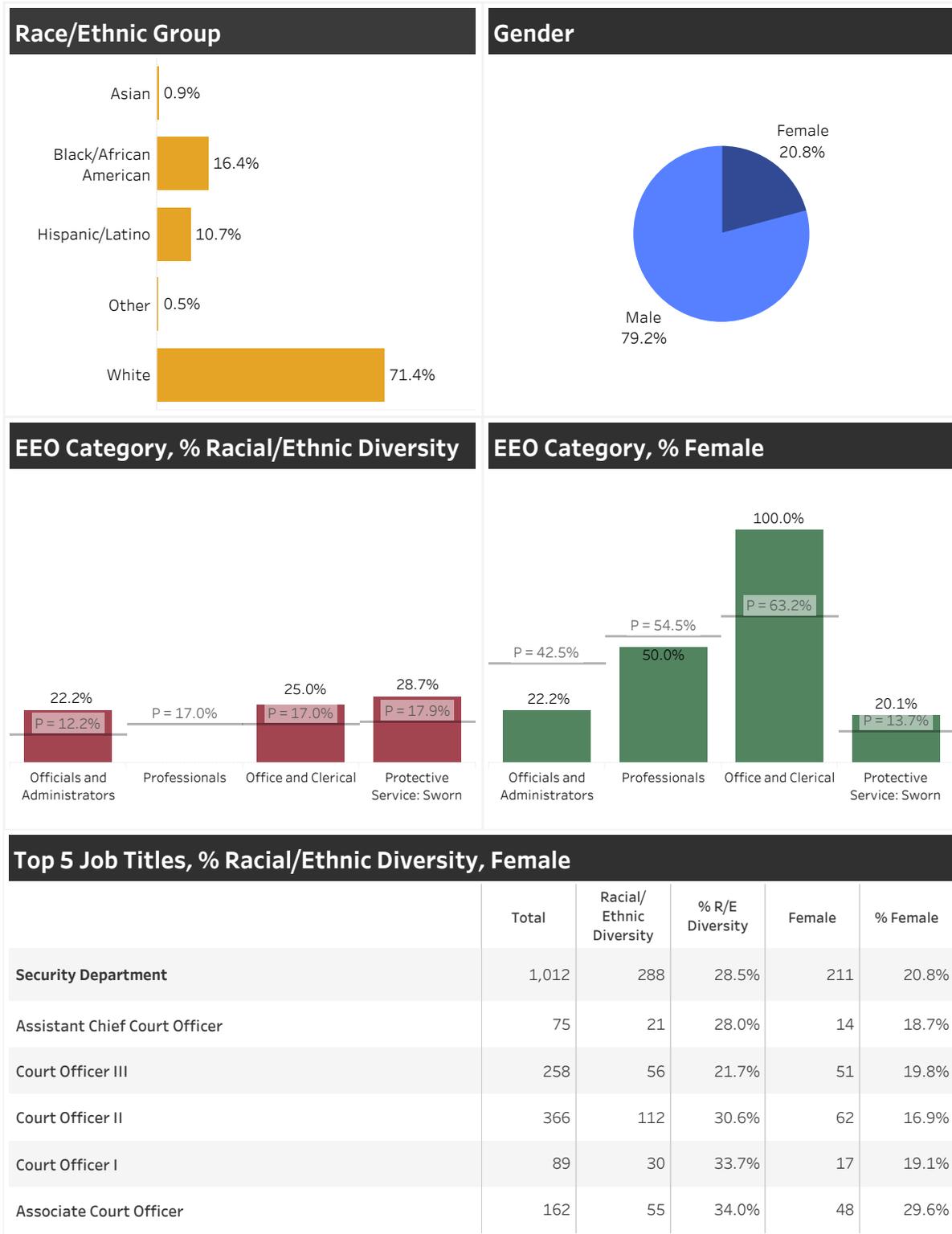


Figure 14: Security Department, June 2020

(Subtotals may not sum to 100% due to employees for whom race/ethnicity or gender is unknown; P = Parity - 2010 Census estimation of available workforce that is racial/ethnic minority or female in this job category.)



COURT INTERPRETER SERVICES

The Trial Court Office of Court Interpreter Services (OCIS) was established to allow all persons within the Commonwealth, regardless of their literacy or proficiency in the English language, to have equal access to the courts and to justice, and have access to all of the services and programs provided in court facilities.

FY20 Highlights:

- TeamWork, an interpreter scheduling software, was launched in November 2019. This software has enabled OCIS to more efficiently assign interpreters to requesting courts. In preparation for the software's rollout, OCIS hosted over 20 training sessions statewide. The Teamwork launch team received a Trial Court Excellence Award for their dedication and commitment to this project. OCIS also hosted Teamwork Open Houses statewide to follow up with staff on their use of the software.
- OCIS hired additional staff to support language access services, including additional staff interpreters and a Translation Specialist responsible for coordinating the translation of official forms, documents, and other written materials statewide. The Trial Court also purchased translation memory software to support the Translation Committee.
- In January 2020, OCIS hosted annual gatherings of the profession for per diem and staff interpreters. Retirees were presented with plaques for their service.
- The Translation Committee translated a wide variety of written materials across the court system, including signage, forms, surveys, communications materials, video scripts, and standing orders.

Language Access during COVID-19

COVID-19 has driven many technological advances to offer remote interpretation service by phone, conference bridge line, WebEx, Polycom, Zoom simultaneous interpretation, video conferencing. OCIS also staffed the Trial Court Help Line for Spanish and Portuguese speakers.

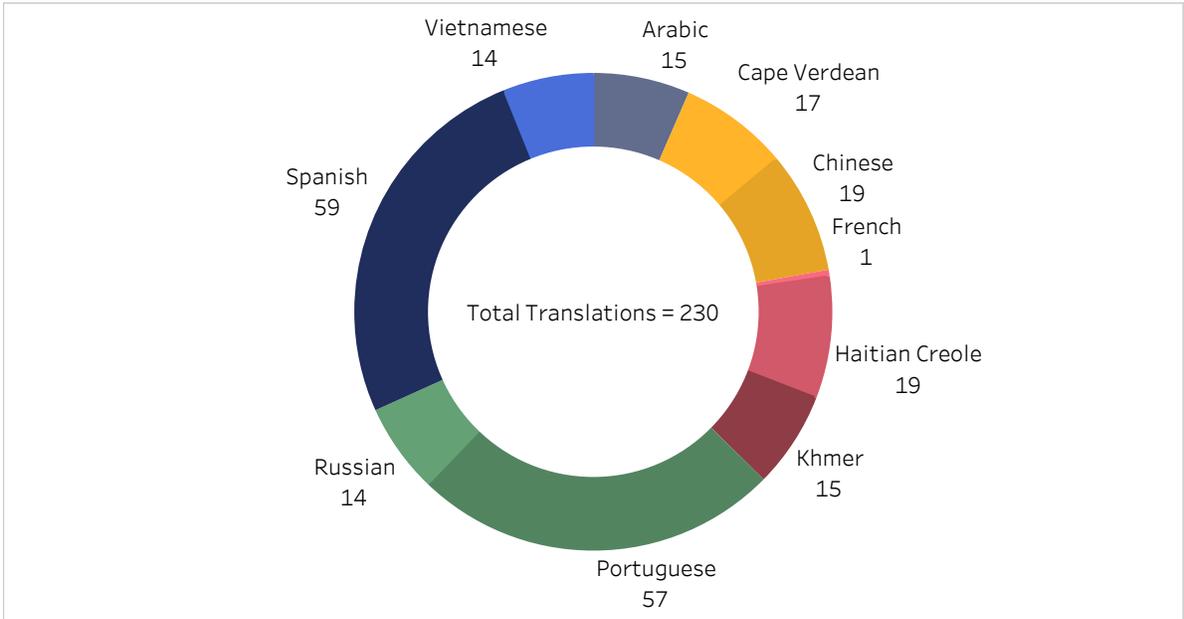
In addition, the nature of translations has expanded significantly due to these unprecedented circumstances. The records prior to March 2020 reflect the typical gamut of requests. While the need for these has continued since the onset of COVID-19, the demand for additional documents has increased significantly. The number of requests quintupled from February to March alone and these now include several lengthier documents such as Standing Orders and FAQs, as opposed to a longer document and several shorter ones. The increase, however, means that the Translations Committee serves many courts and court departments at once, improving language access throughout the Commonwealth (See Figure 15).

As the Trial Court created videos and audio recordings for its constituents, the Translation Specialist and the Translations Committee worked diligently and efficiently to adapt the scripts equitably for Limited English Proficient (LEP) and low-literacy LEP audiences, resulting in translations, and by extension on-screen text, audio narration, and prerecorded telephonic menus, including a COVID screener for people entering courthouses, that help scale barriers faced by LEP and low-literacy LEP court users. Each new request and situation has offered and will continue to offer chances to develop and enhance protocols for translation and language access, as well as to reflect upon, experiment, adjust, as well as to galvanize our approaches, practices and philosophies, enabling the Trial Court to continue to serve a diverse community despite changes to the modes of service.

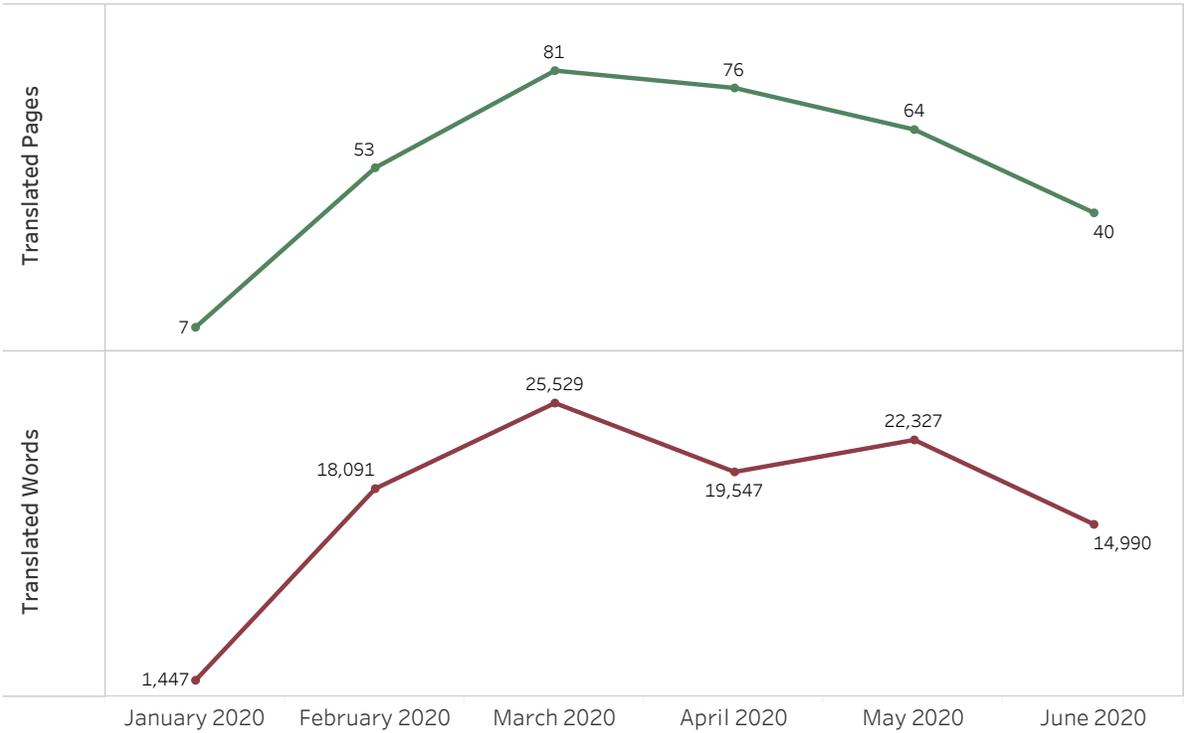
Figure 15: Translation Services, Fiscal Year 2020

These metrics serve in part to show the individual and collective scope and breadth of translation requests. For instance, a 5-page, 1358-word document requested in 7 languages would result in at least 35 pages and 9,506 words worth of translations. Thus, a month in which eleven documents of that length were requested would mean a minimum of 385 pages and 104,566 words worth of translations.

Translations by Language, July 2019-June 2020



Translated Pages and Words, January-June 2020



COURT SERVICE CENTERS

The Massachusetts Trial Court established its first Court Service Centers (CSC) in 2014 in Greenfield and Boston and has since added centers in Lawrence, Brockton, Springfield, and Worcester. In FY20, the Trial Court opened up a new center in Lowell. The CSCs work to engage the public and communities to enable greater access to the justice system for self-represented litigants.

CSCs help people navigate the court system through free, in-person service to those needing assistance with all types of court matters. CSCs have computers with access to online resources that are available to court users on a first-come, first-served basis. Some CSC staff speak languages other than English, but most services provided to Limited English Proficient court users are conducted through phone interpretation. Court users also receive translated forms, as needed. CSCs collaborate with various court departments and outside agencies to offer self-represented litigants procedural and legal information, one-on-one assistance with filling out forms, access to interpreter services, assistance with legal research, as well as contact information for community resources, legal assistance programs, and social service agencies.

The CSCs do not provide legal advice but can provide legal information on how the court works and the different options available. In FY20, 40,821 people visited the CSCs. In March, CSCs closed to the public due to the COVID-19 outbreak, but staff continued to work to expand remote capabilities to continue to provide services.

OFFICE OF JURY COMMISSIONER

The Office of Jury Commissioner (OJC) tracks demographic information on three different subsections of people who are summoned for jury service: (1) those who responded to the demographic survey (including those disqualified from service); (2) those who appeared for jury service, and (3) those who appeared and were impaneled on a jury. The results are tabulated and compared against federal census figures (See Figure 16).

Historically, these figures have tracked fairly closely statewide to the population as reported in the federal census figures. The exceptions are Asians and Hispanics, who do not qualify for service due to lack of citizenship or English language facility at a much higher rate than the other groups. The OJC has reviewed census data on these groups (non-citizen/non-English speakers among Asians and Hispanics) and has confirmed that the rates of qualified citizens appearing for service is on track with their representation in the population.

The diversity and representativeness of the Massachusetts jury pools is attributed to the superior quality of the source list for the Massachusetts master juror list. Massachusetts uses the mandatory annual municipal census as its source list, which is widely believed to be one of the best source lists in the country because it is refreshed annually and is all-inclusive, unlike self-selecting, multi-year sources, such as voter registration lists or driver registration lists.

COVID-19 resulted in the immediate suspension of all jury trials and jury pools, both trial jury and grand jury, from mid-March through the end of FY20 and beyond. However, the demographic report for FY20 showed similar consistency between the jury pools that appeared from July 2019 through March 2020 and the federal census benchmark.

Figure 16:
Federal Census and Selected Juror Populations

Demographic Category	Federal Census 2010		Jurors Who Responded to Demographic Survey		Jurors Who Appeared for Juror Service Population		Jurors Who Appeared & Were Impaneled	
	Population	%	Population	%	Population	%	Population	%
Race								
Black/African American	315,902	6%	44,832	6.2%	9,050	6.5%	1,583	6.9%
White	4,217,035	82%	517,075	78.4%	113,776	81.3%	18,707	81.6%
Native Hawaiian/Pacific Islander	1,692	0%	679	0.1%	115	0.1%	19	0.1%
Asian	270,514	5%	39,339	5.4%	5,481	3.9%	881	3.8%
American Indian/Alaskan Native	13,622	0%	1,292	0.2%	214	0.2%	23	0.1%
Other	309,941	6%	70,865	9.7%	11,279	8.1%	1,717	7.5%
Total	5,128,706	100%	728,082	100%	139,915	100%	22,930	100%
Ethnicity								
Yes, Hispanic/Latino	416,775	8%	63,409	8.7%	9,374	6.7%	1,481	6.5%
No, Not Hispanic/Latino	4,711,931	92%	651,516	89.5%	128,933	92.2%	21,261	92.7%
No Response Hispanic/Latino	-	0%	13,157	1.8%	1,608	1.1%	188	0.8%

In FY21, the OJC will implement systems that will allow it to track the demographic characteristics of persons postponed or excused for COVID-19-related reasons, as well as the composition of the jury pools and juries that are impaneled during the pandemic.

PROTECTED CLASS INVESTIGATIONS

The Office of Workplace Rights & Compliance (Office) investigated complaints of discrimination, harassment, including sexual harassment, and retaliation in FY20 as detailed in Figure 17. As expected, the Office saw an increase in complaints and investigations after November 4, 2019, when the Trial Court promulgated the new Policy Prohibiting Discrimination, Harassment, and Retaliation and Complaint Resolution Procedure (Policy).

The Office received 59 complaints in FY2019. The Office received 103 complaints in FY20. The Office substantiated allegations of policy violations in 17% of the complaints. Complaints are made to the Office in a variety of ways – the complaining party may call or email the Office directly, submit an electronic complaint form, or contact the Office Hotline. Complaints are also forwarded to the Office from supervisors or other departments such as the Office of Human Resources.

Once a complaint is received, the Office reaches out to the complaining party to discuss the complaint, whether it falls within the jurisdiction of the Office and explore the options available to the party to best resolve the matter. The Office seeks to work with the appropriate persons to determine how best to address and remedy the effects of possible misconduct, and prevent its recurrence. This determination may result in one of the following:

1. **Referral:** Based on the information gathered during the initial inquiry stage, it is determined that the complaint falls within another office's purview (e.g. Human Resources or another Administrative Office).
2. **Informal Resolution:** Based on discussions with the parties prior to a formal investigation, an informal resolution sufficiently addresses the concerns raised and prevent recurrence of the conduct. Supervisors and other departments such as Human Resources may be involved to ensure this approach is appropriate and effective.

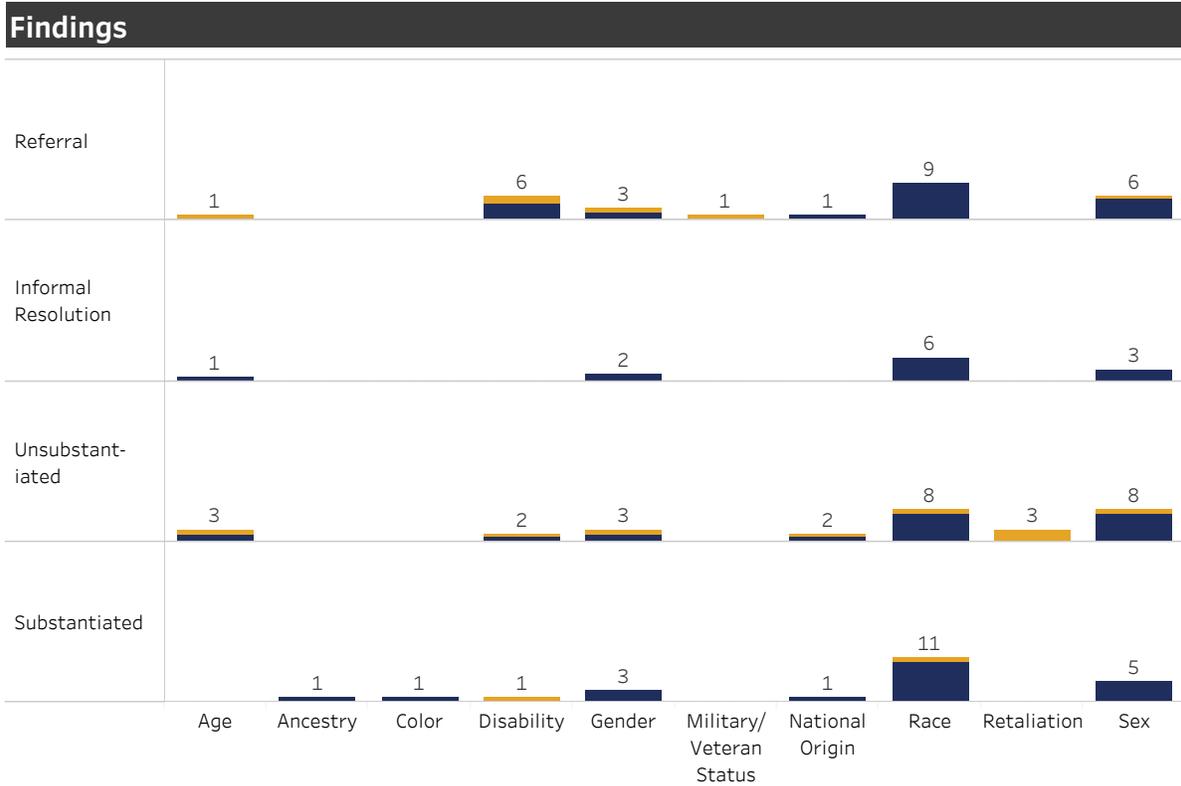
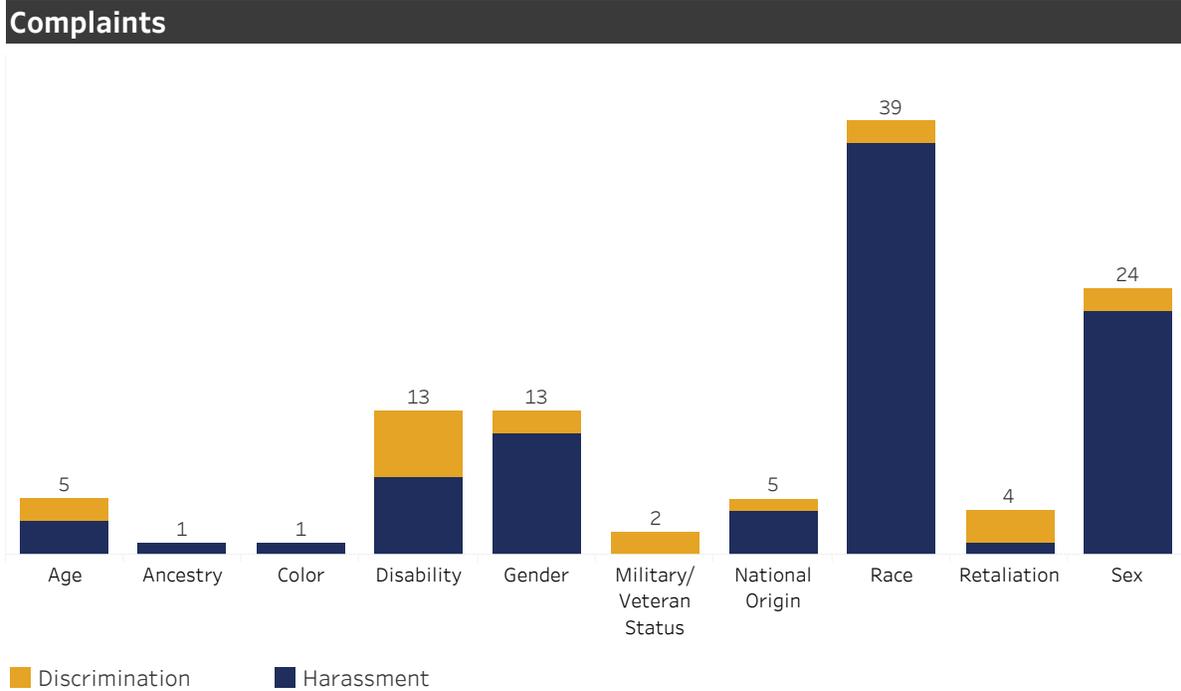
If it is determined that the matter is to be investigated, an investigator is assigned to conduct a fair and impartial investigation and determine findings of whether or not the alleged conduct more likely than occurred and if so, whether or not it violated the Policy. An investigation is concluded by determining whether the allegations are:

1. **Substantiated:** Based on the information gathered through the course of a formal investigation, there was sufficient credible information to find a violation of the Policy.
2. **Unsubstantiated:** Based on the information gathered through the course of a formal investigation, there was either no violation of the Policy or there was insufficient information to determine whether there was a violation of the Policy.

The creation of a more robust presence on the internal Trial Court website, the Courtyard, provides access to the Policy and FAQs in English, Spanish, and Portuguese. There are also flow charts to better explain the process, as well as clear definitions of what are protected categories. A new presence on the public website has also been created.

Figure 17: Protected Class Investigations

The total number of complaints does not equal the number in each category because some complaints have greater than one allegation; The total number of findings does not equal the number in each category because some complaints did not proceed to a formal investigation.



The Office worked with Massachusetts Probation Services and the Department of Security to meet with the Chiefs and Assistant Chiefs on a regular basis to discuss discrimination, harassment, and effective management skills to properly and promptly address these concerns.

The Office introduced a new training, *Professionalism and Civility*, as a result of the EEOC white paper findings that a culture that is professional, respectful, and civil, has fewer complaints of discrimination, harassment, and retaliation.

PLANS FOR FISCAL YEAR 2021

Certification Examinations for Court Interpreters

In FY21, OCIS will administer its first National Center for State Courts written and oral certification examinations for court interpreters. The Program Manager for Interpreter Training, hired at the start of FY21, will be administering these examinations.

Virtual Town Halls

Since March, the Trial Court has continued to hold community sessions virtually. In collaboration with community partners, the Trial Court is hosting virtual town halls to address concerns related to accessing the court during the COVID-19 pandemic. These sessions are being held in the communities most impacted by COVID-19 with interpreters providing translation in the top languages spoken in each community.

Community Conversations on Race

To continue important conversations on how justice can be achieved for all, the Trial Court is organizing virtual community conversations on race. At these sessions, done in collaboration with community organizations, members of the community will have the opportunity to ask questions and share their comments with local court leaders on how race impacts their court experience.

Guidelines for Discussing Race

Given recent national events highlighting our contentious history with race and racism, the Office of Diversity, Equity, Inclusion, and Experience is developing a resource for engaging in workplace discussions focused on race. The document, *Guidelines for Discussions around the Impact of Race in Society and the Workplace*, will offer strategies for Trial Court managers to begin and sustain race-related conversations with each other and those they supervise.

Cultural Awareness and Racial Empathy

The Trial Court is preparing to launch a new training program focusing on cultural and racial experiences. This training was piloted in September 2019, and is currently being reworked for virtual delivery. The training will allow court employees to reflect on the role identities play in their personal and professional lives to better support them in their work with court users. Similar to the Signature Counter Experience program, this program will be facilitated at individual courthouses and involve all Court teams.

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