

9. Memorandum from Chief Justice for Administration and Management John Irwin, February 21, 1995, “Judicial Response System—Release of Persons on Bail or Recognizance”



THE COMMONWEALTH OF MASSACHUSETTS
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MEMORANDUM

To: Chief Justices of the Trial Court
Justices of the Trial Court

From: John J. Irwin, Jr.
Chief Justice for Administration & Management

Date: February 21, 1995

Re: **Judicial Response System - Release of Persons on Bail or
Recognizance**

A recent review of calls to Justices serving on the Judicial Response System indicates a significant increase in the number of requests for bail determinations. There were 267 calls requesting bail determinations in fiscal year 1993 accounting for 1.8% of the total calls. There was a 300% increase in calls requesting bail determinations during fiscal year 1994 when Justices received 1065 calls accounting for 7.2% of the total calls. Many Justices have expressed their concerns relative to the appropriateness of utilizing the Judicial Response System to release persons on bail or recognizance.

The Judicial Response System operated by the Trial Court of the Commonwealth was developed to resolve "emergency" legal matters that occur after normal court hours which require immediate judicial intervention. It was not developed to address routine bail determinations for persons held after court hours. Therefore, the following policy shall be applicable to Justices serving on the Judicial Response System:

**Justices should not entertain any requests for release of persons on bail or
recognizance during their term of service on the Judicial Response System.**

Correspondence will be forwarded to the Sheriffs, State Police and Police Chiefs in the Commonwealth informing them of this policy.