

Massachusetts Bar Association

Annual Address

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Thank you, President Holloway, for that very kind welcome.

Members of the judiciary, members of the Executive and Legislative branches, officers and members of the Massachusetts Bar Association, colleagues, and friends – how fast a year goes by! It's hard to believe that it has been 12 months since I gave my first address at this event. A lot has happened in that time.

Today I plan to give you an update on the themes I spoke of last year, and in one section I will call on a guest speaker who is very special to me. Then, at the conclusion of my remarks, I will introduce you to our new court administrator, and I promise to do this all as briefly as I can.

Last year I began my address by talking about the judiciary's budget, and that is where I start today. But this time it is with a bit more optimism.

You may recall that last year I was hopeful that the Governor would approve a supplemental budget which had been proposed by the House under the Speaker's leadership. He did approve it, and as a result, we were able to continue to provide quality services to the people of our Commonwealth.

This year, although our budget is tight, we are beginning to reverse the drain on personnel that resulted from a multi-year hiring freeze. We are hopeful that the worst is behind us, and that we can start the process of addressing critical staffing needs for our courts.

So, first, I want to acknowledge and thank House Speaker Robert DeLeo for his strong and continuous leadership and support in this effort.

I also want to thank Governor Deval Patrick and Senate President Therese Murray for their backing, as well as members of the Legislature, who also have been so helpful.

In my Annual Address last year I identified three areas of focus for my tenure as Chief Justice: First, building bridges with the court's constituencies, including the legislative and executive branches, the bar, and the business community; second, broadening access to justice by making courts more

responsive and user friendly; and, third, educating the public, especially our youth, about the judicial system.

I continue to be guided by these goals, and want to spend a few minutes talking about each of them.

First, I am committed to building bridges because I know that better understanding leads to better working relationships.

In my short time as Chief Justice, I have spent a great deal of time getting to know individual members of the legislative and executive branches, and listening to their proposals for the future of the court system.

This has been a two-way learning process, and I believe they have heard me as I continue to emphasize how important a properly funded court system is to the well being of everyone in the commonwealth – from the person on the street to the CEO of a large corporation.

But I have not worked alone in this effort, as my colleagues in the judiciary have also been actively engaged with these other two branches of government.

One example is that this year, for the first time, the judiciary sponsored what I think was a very successful education and training program for legislative staff. The program was designed to provide information which would enable them to respond accurately to frequently asked questions from their constituents about the court system.

Legislative leaders endorsed the concept, assisted with planning logistics, and provided very positive feedback on the program content. We hope to repeat this program in the near future.

But it takes more than members of the judiciary to tell the story of why strong, well-functioning courts are essential to all who live and work in the Commonwealth. We need the help of others, and, thankfully, we have had that help from our bar associations.

The support of the Massachusetts Bar Association for court funding has been phenomenal. From publications, to videos, to encouraging members to visit the State House, the MBA has done it all, and we thank you. I thank past President Richard Campbell, and look forward to working with current President Robert Holloway.

Of course, we build bridges within our own ranks, and are fortunate to have a strong team of judges and court staff to monitor and improve the operations of our courts. The judges of the Commonwealth continue to deliver justice in a manner consistent with the high expectations placed on them.

Throughout the year I continued my visits to courthouses across the state, going office to office to talk with the folks who have been "doing more with less" for quite a long time now. The more I visit our courts, the more impressed I am with the dedicated women and men who keep the system running so well.

It is so uplifting to witness their commitment – to see how much they care about their work. We all owe them a debt of gratitude, and I hope that you join me in thanking them whenever you are in our courts.

I also hope that, when you are in our courts, you are seeing some of the ways we are making them more accessible and responsive to the people who use them. This is the second of my three priorities – broadening access to justice by making our courts more responsive to the public.

Our Access to Justice Commission and the Trial Court's Access to Justice Initiative are going full steam. The Access to Justice Initiative has been awarded grants by the State Justice Institute to improve language access. And both the Initiative and the Commission are developing programs and using technology to make our courts more accessible and more user friendly overall.

Technology can be of great assistance in broadening access to justice. Toward that end, this year we intend to initiate pilot projects in electronic filing that are user-friendly, especially for pro se litigants. And, we are redesigning websites to make them easier to understand and more manageable. Judges and staff are also being provided with improved technological tools to help them work smarter.

In addition, we are allowing members of the media to use their technology in our courts. Last month, on the recommendation of our judiciary media committee, a new SJC rule on electronic recordings in the courts opened proceedings to live "blogging" from courtrooms with the permission of the presiding judge.

We also hope and expect that the courts' responsiveness to the public will be improved by our strategic planning process which is currently underway with the division of capital asset management.

By taking a comprehensive look at where we are now in terms of our needs and resources, and where we want to be in the future, we will have strategies to address the demands and challenges that our courts will face in the future.

My third area of focus, public education, is a big component of building bridges and improving access to justice. I know that the Massachusetts Bar Association shares this interest in educating the public on the role of our third branch of government.

As many of you know, my special interest in public education focuses on our youth. This stems from my prior experience as a juvenile court judge, and the recognition that our young people are the next generation of citizens and leaders.

I have been involved with a program called the "Judicial Youth Corps" since its inception more than twenty years ago, under the leadership of then Chief Justice Paul J. Liacos. It has been supported by the MBA since its expansion to Worcester in 2006.

The program is a perfect illustration of the themes I have just described. It is a great way to build bridges to our youth, and in teaching them about the workings of the court system, it gives them a unique form of access to our justice system.

Over the years about 700 students have come through our program. We focus on high school students who have been strongly recommended by their teachers and administrators as having potential, and who are deserving of an opportunity to let their inner star shine.

Some may have had a few bumps in the road – at some point they may have had academic or discipline problems at school, or dropped out of school, or been expelled. Others are dealing with different issues – some have health problems; some are single parents; and many are new immigrants, who are still learning to speak English.

But what they all have in common is that each of them has a wealth of yet untapped potential. And the Judicial Youth Corps gives them a chance to recognize that potential in themselves.

The JYC also provides a chance for those of us who work in the courts to give back to our communities. Each year, court employees volunteer to work with the students. Each student has his or her own supervisor. The supervisors are not paid one extra penny to take on this task. They do it for just one reason – to help a kid.

And many of those employees have volunteered with the students each and every year, for the past two decades. Just think of the number of lives they have touched. With us today are three of those 20 year volunteers, and I would ask them to stand as I call their names:

- Catherine DeSimone, First Assistant Clerk of the Suffolk Superior Court Criminal Clerk's Office.
- Robert Lewis, Clerk-Magistrate of the Boston Housing Court
- And Anthony Owens, Clerk-Magistrate of the Dorchester District Court

Kay, Bob, and Tony, thank you for giving so much of your time and talent. I suspect you feel, as I do, that you are getting back much more than you give, just in seeing the joy and appreciation in the faces of these students. You have made a big difference in their lives.

Ladies and gentlemen, please join me in giving these outstanding volunteers, and all of the other court employees who step up to the plate each year to supervise the JYC students, a big hand to show our appreciation for their outstanding contributions and work with the Judicial Youth Corps.

Now I could tell you about the opportunities the JYC has given to our youth by sharing some of their stories with you, but I prefer to do that by introducing a special guest speaker, so that you can hear directly from someone who has lived it.

It is thus my pleasure and privilege to introduce Kenia Seoane López, Judicial Youth Corps alumna of the class of 1991, and newly appointed Magistrate Judge of the District Of Columbia Superior Court. When she finishes, I will conclude my remarks.

Now you see why I chose to have you hear from Judge Lopez. There's no way I could top that. Thank you, Kenia.

And, by the way, while we don't expect every JYC grad to become a judge, we do expect them to become productive members of society – and let me tell you, we are truly seeing our expectations more than fulfilled by our alums.

Before I introduce Harry Spence to you, I want to make just a few closing remarks. Next month I will start my 36th year as a judge. There is no higher honor, nor anything more humbling, than to serve the people of this Commonwealth by delivering justice and upholding the rule of law.

Sometimes it is a heavy responsibility to serve as the head of this branch of government. For me, that responsibility is bearable in these times of serious challenges because of one thing – the support of the many, very talented people who serve in the judicial branch throughout the Commonwealth.

I couldn't ask for better colleagues on the SJC bench. Justices, I mean it when I say, I couldn't do this without you. Thank you.

That sentiment also applies to the entire staff of the SJC, and to all court employees across the Commonwealth at every level, I want you to know that the Justices and I appreciate and recognize your hard work, commitment, and dedication. Your efforts to advance the mission of the courts demonstrate true service to the public. Thank you.

We in the courts are also helped in our public service by a great bar, and by great organized bar associations, as exemplified by the MBA. We count on you to work with us to strengthen our system of justice. And you deliver. Thank you.

And it may be redundant, but again, I want to thank the other two branches of government for their support.

It is important that I emphasize this, because we are all mindful of the fact that, for government to work properly and to serve the people of our Commonwealth and our nation, each branch of government has to function cooperatively with the other two branches.

So I thank the Governor, the Senate President, and the Speaker of the House for their continued support.

And I thank all of you for your courtesy and for taking the time to be here with us today.

Finally, as you heard from Leo Boyle, we are at the beginning of a new era in court management, and off to a good start. We have a new Court Administrator,

Mr. Harry Spence, and I am pleased to report that Chief Justice Mulligan and Harry have made a smooth transition to the new structure.

With that, I will conclude my remarks and turn the podium over to Harry to say a few words.