

# The Review



**Volume 7, Issue 2**  
**June 2025**

## **THE APPEALS COURT** **2024-25 TERM**



Welcome to this quarter's edition of the Appeals Court newsletter. As we continue our mission to do justice under the law, we extend our deepest appreciation to you and to all the external



stakeholders, including attorneys, trial court personnel, and others, whose dedication and expertise contribute to the fair and efficient administration of appellate justice. Your collaboration is essential in helping the Appeals Court fulfill its commitment to rendering thoughtful, well-reasoned decisions in a timely manner, while ensuring fair and impartial treatment for all who come before us.

In this issue, we illustrate the court's activities over the past quarter, showcasing our efforts to educate the public, practicing attorneys, young students, and ourselves, while serving the common good as we uphold our core mission. We invite you to read on and learn more about how we continue to fulfill these important goals together.

Pictured above are the Justices and staff of the Appeals Court.

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## JUDICIAL ENGAGEMENT

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**Chief Justice Amy Lyn Blake** spoke at the Haverhill Community Justice Support Center Client Recognition Ceremony with several Trial Court leaders.



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**Justice Kenneth V. Desmond, Jr.**, hosted a group of students from the Mildred Avenue K– 8 School in Mattapan as part of the school's "Mildred Momentum" program, accompanied by Appeals Court Chief Court Officer **Dana Smith**. The students were excited to tour the John Adams Courthouse and to learn about the Appeals Court, court officers, and the role of a trial judge compared to an appellate judge.

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**Justices Joseph M. Ditkoff** and **Andrew M. D'Angelo** judged a semi-final of the Boston University Albers Moot Court Competition. **Justices John Englander** and **Chauncey B. Wood** judged the other semi-final.

Staff attorney **Monica DeLateur** judged at the Clark Appellate Advocacy Competition at Suffolk University Law School.



**Justice Paul H. Smyth** met with a group of students studying "Social Justice in Practice: Law, Politics, and Policy," with their Professor, Sindiso MnisiWeeks, at the John Adams Courthouse. The class is part of their internship semester in Greater Boston with the Law and Policy Justice program. It is one of UMass-Amherst's Linking Employment to Academic Development (LEAD) programs based at the Mount Ida Campus in Newton. The group attended two oral arguments at the SJC, and then they met with Justice Smyth to discuss the Appeals Court's role in the justice system.

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## DISCOVERING JUSTICE MOCK APPEAL PROGRAM



**Discovering Justice's Mock Trial and Mock Appeal Program** is an after-school program available to middle schools (grades 6-8) throughout Massachusetts. Programs provide opportunities for students to deepen their understanding of the justice system and prepare for civic engagement by practicing key civic skills, such as perspective taking, empathy, public speaking, and advocacy. Students argued a fictional case of a student who is suing his school district for violating his First Amendment rights to freedom of speech and freedom of assembly. Students used the Supreme Court of the United States precedent of Tinker v. Des Moines Independent Community School District (1969) to prepare their arguments.

**Justice Desmond** participated in Discovering Justice's Mock Appeal Program with students from the Mildred Avenue K-8 School, of the Boston Public Schools, at the John J. Moakley United States Courthouse.

**Justices Ditkoff** (center), **Rachel E. Hershfang** (left), and **Gloria Tan** (right) sat together for a mock appeal at Brookline District Court.



## BEHIND THE BENCH HIGH SCHOOL PROGRAM



The Appeals Court proudly welcomed more than 50 high school students and 10 faculty members from Boston Public Schools to its first-ever "Behind the Bench" event. Designed to introduce students to the wide range of professional opportunities within the court system, the program provided a unique, behind-the-scenes look at court operations and careers in public service.

Students met with Appeals Court judges and staff representing various court departments, including secretarial, fiscal, administrative, security, staff attorneys, and the Clerk's Office. Staff members discussed their day-to-day responsibilities and shared insights into their career paths. In



addition, representatives from the **Massachusetts Trial Court's Office of Language Access**, the **Office of Facilities Management**, and **Information Technology Department** participated in the event, highlighting essential roles that support the judicial system and the diverse career opportunities available across the courts.

This educational initiative was held in partnership with the **Boston Bar Foundation**, reflecting a shared commitment to engaging and inspiring the next generation of legal and public service professionals.



## UMASS WOMEN INTO LEADERSHIP



In April, **Chief Justice Blake**, and **Justices Ariane D. Vuono, Marguerite T. Grant, and Rachel E. Hershfang** spoke with undergraduate students from **UMass Women into Leadership**, a competitive leadership training and professional development program based in the University of Massachusetts Amherst School of Public Policy.

The goal of the program is to prepare students from the Commonwealth's flagship public university for public leadership. Chief Justice Blake hosted a brown bag lunch where the students heard about her career and journey to become the first woman to be appointed Chief Justice of the Appeals Court. Associate Justices Vuono, Grant, and Hershfang also spoke to the students about their career journeys, highlights of their careers, and what inspired them to become Appeals Court justices. In addition, the students heard from appeals administrator **Muna Hakamoto**, staff attorney **Lindsay Russell Holmes**, and law clerk **Tess Halpern**, about their different career paths and current roles at the Appeals Court.



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## PUBLICATIONS

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The spring volume of the Boston Bar Journal features two articles involving the Appeals Court:

*Interview with Chief Justice of the Appeals Court Amy L. Blake* interviewed by **Brooke Hartley, Esq.** (former Appeals Court law clerk, 2018-2019) [Article Link](#).

*Handling Partially Sealed Criminal Appeals: A View From The Clerk's Office* by **Paul Tuttle** and **Sean Connolly** [Article Link](#).

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## CONTINUING LEGAL EDUCATION PROGRAMS

**Justice Desmond** joined judges of the Massachusetts Trial Court at the Boston Bar Association for an educational panel titled, "Building a Judicial Career: Judges Share Their Paths to the Bench."

**Justice Peter Sacks** spoke at Social Law Library's "Massachusetts Legislative History" program.

**Justices Joseph M. Dittkoff** and **Marguerite T. Grant** were among the panelists speaking at the Social Law Library seminar, "Homicide Trial Issues - Evidentiary Issues."

**Clerk Paul Tuttle** spoke at a MCLE's "Effective Appellate Advocacy" program.

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## "APPEALS ON WHEELS" ORAL ARGUMENT SESSIONS





Appeals Court justices and staff held several "Traveling Justice" sessions throughout the Commonwealth this spring. During each session, the justices heard oral argument in several civil and criminal appeals. After the session, the justices answered questions from students. The sessions were held at:

- Suffolk University Law School, before **Justices William J. Meade, Christopher P. Hodgens, and Robert E. Toone, Jr.**
- Worcester Superior Court, before **Justices Gregory I. Massing, Kathryn E. Hand, and Rachel E. Hershfang.**
- Essex Probate and Family Court (Salem), before **Chief Justice Amy Lyn Blake and Justices Joseph M. Ditkoff and Robert A. Brennan.**
- Barnstable Superior Court, before **Justices Eric Neyman, Sabita Singh, and Kathryn E. Hand.**



The session at Worcester Superior Court was held in coordination with the Worcester County Bar Association to recognize Law Day. Earlier in the morning, the justices and staff attended the WCBA's annual Law Day Breakfast. The theme of the breakfast was "The Constitution's Promise: Out of Many, One." At the request of the WCBA and as part of the breakfast, **Justice Massing** readministered the Oath of Allegiance and the Attorney's Oath to attendees as a way of highlighting the importance of the rule of law.







The Appeals Court appreciates all the advocates, Trial Court personnel, and faculty throughout the Commonwealth who support our "Appeals on Wheels" sessions.

## WELCOME TO THE APPEALS COURT

The Appeals Court welcomes two new Staff Attorneys: **Daniel DeBlander** and **Steven Anderson-Garrison**.



Daniel joins the court from the Middlesex County District Attorney's Office, where he represented the Commonwealth in appeals and has served as captain of the office's public records team. He also has experience in civil litigation. He is a graduate of Northeastern University School of Law.



Steven joins the court from Greater Boston Legal Services, where he represented survivors of domestic violence in divorces, custody matters, and restraining orders. He also has experience working as an associate at a law firm and as a law clerk for the Massachusetts Probate and Family Court. He is a graduate of Boston College Law School.

## HONORS AND RECOGNITION

New England Law | Boston honored **Chief Justice Blake**, a 1992 graduate, at its annual Law Day Banquet and Barrister's Ball. Chief Justice Blake received an honorary degree of Doctor of Laws and gave the keynote speech about "The Constitution's Promise: Out of Many, One," encouraging attendees to take pride in a Constitution that bridges our differences to bring us together as a united nation. Appeals Court judges and employees, who included several graduates of New England Law | Boston, attended the banquet and celebrated the Chief Justice. (photo credits, Leah LaRiccia Photography)



**Chief Justice Blake** received the Judge Haskell Freedman Award from the American Academy of Matrimonial Lawyers. The Haskell Freedman Award is given to individuals who have made outstanding contributions to the field of family law.



## Essex County Bar Association Honorees

**Chief Justice Blake** delivered the keynote address at the Essex County Bar Association's annual dinner in May. Chief Justice Blake spoke about justice in a changing world. Later that evening, Assistant Clerk **Carlotta Patten** received the Ronan Award for Jurisprudence for her significant contributions while serving as First Assistant Clerk of Essex Superior Court prior to joining the Appeals Court.



## CASE MANAGEMENT SYSTEM UPDATE

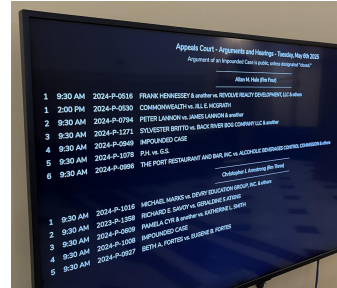


The Appeals Court, the Supreme Judicial Court, and their vendor partners are continuing to develop a new case management system (CMS). This new cloud-based system will replace the current CMS and provide a more modern, long-term solution for the appellate courts. The CMS will also include a new, integrated Document Management System (DMS) to maintain case documents. Development of a new public web portal is also underway to enhance access to case information and public case documents. Additional CMS updates will be shared as the project continues.



# COURTROOM DIGITAL SIGNAGE

The Appeals Court, with help from the Judiciary's **Information Technology** and **Court Facilities departments**, recently installed large new monitors outside the Hale and Armstrong Courtrooms. The monitors display the daily sitting lists and are part of a statewide effort to add digital signage to public areas of Massachusetts courthouses, including outside all courtrooms. The goal is to assist with wayfinding, locating courtroom hearings, and general messaging to simplify court users' experience as they navigate the courthouse.



## COMMENTS SOUGHT ON PROPOSED AMENDMENTS TO MASS. R.A.P.

### Massachusetts Rules of Appellate Procedure

The Supreme Judicial Court has posted for public comment proposals to amend Massachusetts Rules of Appellate Procedure 3, 10, 16, 18, 20, 25, and 29. [Click here.](#)

**To view the proposed amendments to Rules 3, 10, and 29, please [click here](#).** The proposed amendments to Rules 3, 10, and 29 would collect in one rule, Rule 29, the separate provisions of the Massachusetts Rules of Appellate Procedure governing dismissal of appeals, voluntarily or involuntarily, by the appellate court or the lower court.

**To view the proposed amendments to Rules 13, 16, and 20, please [click here](#).** The proposed amendments to Rule 16 aim to simplify the requirements pertaining to the addendum to a party's brief. The proposed amendment to Rule 20 (a) (4) (A) would dispense with the requirement that the pages of the main body of the brief and the addendum be numbered consecutively. Finally, the proposed amendment to Rule 13 (e) (1) would make a change to a cross-reference necessitated by the above-referenced amendments to Rule 16.

**To view the proposed amendment to Rule 18, please [click here](#).** The proposed amendment to Rule 18(b)(1) redefines the time within which an appellant in a civil case must serve on the appellee a designation of the items the appellant intends to include in the record appendix and a statement of the legal issues the appellant intends to raise.

**To view the proposed amendments to Rule 25, please [click here](#).** The proposed amendments would revise and broaden Rule 25 to encompass any situation in which attorney's fees and costs may be available in an appellate court (as defined in Rule 1(c), and thus not including single justice proceedings).



## **STAFF ATTORNEY PERSPECTIVES**

### **by Lydia French, Chief Staff Attorney**



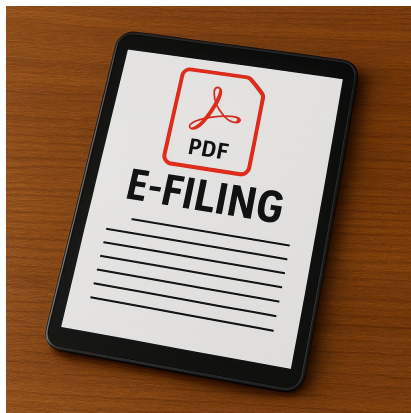
For each issue raised on appeal, a brief must include a concise statement of the applicable standard of review. See Mass. R. A. P. 16 (a) (9) (B). Compliance with this rule should not be considered a mere formality. Briefs that merely identify the standard of review without explaining its relevance to the facts and law offer limited value. Rather, the standard of review should set the stage for the entire case, from how the facts are described to how the arguments are presented.

It is critical that the description of the facts and the presentation of the arguments align with the standard of review, which constitutes "the lens through which the court views the issues." Reporter's Notes (2019) to Mass. R. A. P. 16 (a) (9). Since each case presents unique circumstances, briefs that recognize when different standards apply to different issues and incorporate the correct standards into their legal analyses are particularly helpful to the Appeals Court.

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## **PRACTICE NOTE FROM THE CLERK'S OFFICE**

### **by Sean Connolly, Assistant Clerk**



Electronic filing has been one of the most significant changes in the Appeals Court Clerk's Office in recent years—for both practitioners and court staff. While electronic filing offers many benefits, such as convenience, speed, and accessibility, it also changes how court personnel review and



docket incoming filings. One key point to keep in mind when filing a motion in the Appeals Court is that all components related to a single motion should be merged into a single PDF before uploading. This includes the motion itself; any supporting affidavit, exhibits, or attachments; and the required certificate of service. Following this practice greatly assists Clerk's Office personnel in maintaining a clear and organized docket, and facilitates the efficient routing and resolution of filings without unnecessary delay or confusion. We sincerely appreciate your cooperation in making electronic filing more effective for everyone involved. Additional information about electronic filing is available at [Electronic Filing at the Appeals Court | Mass.gov](#).

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## JUDICIAL EDUCATION

The Justices of the Appeals Court attended their annual education conference in Gloucester. Speakers included judges and staff from the Supreme Judicial Court, Probate and Family Court, District Court, and Superior Court, as well as a retired chief of police and a Boston College professor.



Topics included:

- Handling G. L. c. 93A Cases in the Superior Court Business Litigation Session;
- The Appellate Courts' Actions to Address Discrimination;
- View from the Bench: The Probate and Family Court;
- Firearm Licensing;
- Conducting Oral Arguments via YouTube; and,
- The Life Cycle of an Appeal in the Clerk's Office.

The Clerk's Office panel was presented by (from left to right below) **Katherine Irizarry**, **Matt Cutting**, **Muna Hakamoto**, and **John Nolan**.



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## SUMMER STUDENT INTERNSHIPS



The Appeals Court has welcomed 11 law school and 2 college students as interns for the summer. The interns include:

**Emily Anthony**, Boston University School of Law, intern to Justice Henry;  
**Taylor Berberian**, Suffolk University School of Law, intern to Justice Neyman;  
**Jonathan Flynn**, Boston College Law School, intern to Justice Smyth;  
**Nicole Frevold**, Suffolk University School of Law, intern to Justice Hodgens;  
**Monica Furci**, Suffolk University School of Law, intern to Justice Singh;  
**Hollin Keyser-Parker**, Carleton College, intern to Justice Smyth;  
**Louisa Khan**, Boston University School of Law, intern to Justice Henry;  
**Alayna Payne**, Boston University School of Law, intern to Justice Toone;  
**Rosemary Rossi**, Boston University, intern to the Clerk's Office;  
**Anna Saum**, Boston University School of Law, intern to Justice Wood;  
**Gustav (Gus) Wachhaus**, New England Law Boston, intern to Justice Ditkoff;  
**George Wilensky**, Western New England Law, intern to Justice Toone; and  
**Megan Wuestewald**, Boston University School of Law, intern to Justice Smyth.

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## ***"No Hyphen, No Cry: The Long and Short of Standards in Court Filings"***

Since 2020, the Appeals Court has partnered with the **Suffolk University Legal Innovation and Technology Lab (LIT Lab)** to develop online guided interviews for self-represented litigants. These interactive tools help users generate court filings for submission to the Appeals Court. Currently available forms include a motion to stay an eviction, a petition to the single justice for review of an interlocutory order, a motion to extend the time to file a brief, and others.

The guided interview platform has significantly expanded access to appellate justice by enabling litigants across the Commonwealth to use a mobile device or computer to answer step-by-step questions and produce court-ready documents, which can be filed either by mail or electronically.

The creation and maintenance of these tools require meticulous development, testing, and refinement by staff of the Appeals Court and LIT Lab. The LIT Lab illustrated this in a recent blog post titled *No Hyphen, No Cry: The Long and Short of Standards in Court Filings* which recounts a formatting glitch encountered during e-filing. The post reads in part:

"There is a long tale about a recent e-filing snafu that the LIT Lab encountered, and a short one. It's a dashing tale with adventures, mysteries, and unfortunately, a real-life impact—albeit one handled with grace by the great staff at the Massachusetts Appeals Court. The difference between the long one and the short one is what caused our troubles."

To read the full article, click on the link below:

[Suffolk LIT Lab Blog](#)

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## **VIEWS OF MASSACHUSETTS HISTORY**

Law clerks and summer interns from the Appeals Court and Supreme Judicial Court toured the Commonwealth Museum and State Archives. Stephen Kenney, a retired Director of the Commonwealth Museum, provided a guided tour.

The group was able to see original witness transcripts recounting "spectral evidence" from the Salem Witch Trials, the handwritten will of Isabella Stewart Gardner, and an original copy of the Massachusetts Declaration of Rights authored by John Adams. The group also saw items from the special exhibit commemorating the 250th anniversary of the Revolutionary War, including an



original drum used at the Battle of Bunker Hill and the sword of Major John Buttrick who gave the order to fire on British soldiers at Concord.



## LAW CLERK SOCIETY

On Tuesday, June 10, the Massachusetts Appeals Court Law Clerk Society held its 10th Annual Spring Social at 5:30 PM in the John Adams Courthouse. Current and past law clerks gathered to socialize over hors d'œuvres with judges and friends of the Court.

**Chief Justice Blake** made welcoming remarks to the large gathering and discussed the Society's importance in maintaining clerkship bonds and providing networking opportunities over the course of one's professional life. **Joel Lewin**, the first law clerk hired by Chief Justice Hale in 1972, shared highlights of his tenure at the inception of the Appeals Court. Old friendships were renewed, new friendships were made, and a great time was had by all!

Former law clerks who would like further information about the Law Clerk Society can contact **Maggi Farrell** at [maggi.farrell@jud.state.ma.us](mailto:maggi.farrell@jud.state.ma.us)



## BIDDING FAREWELL TO THE LAW CLERKS

With both sadness and well wishes, the Appeals Court bids a fond farewell to the 2024-2025 law clerks. Their arrival for Orientation in August 2024 was greeted with much anticipation and excitement as the new court term began. Over the course of the year, the law clerks sharpened their skills in reading briefs, record appendices, and transcripts in preparation for oral arguments; researching and writing legal memoranda on a wide variety of criminal and civil issues; discussing and analyzing pending cases with their judge; researching, drafting, editing, cite checking, and proofreading legal memoranda and draft decisions; and assisting with matters before the Single Justice. In addition, the law clerks played an integral role in the supervision and education of judicial interns; participated on court committees; and planned all manner of fun activities and events.





As they prepare to conclude their tenure, the law clerks will be moving on to positions with law firms (large and small), the Massachusetts Attorney General's Office, and various District Attorney's offices, as well as to subsequent clerkships. Most will remain in Massachusetts, with a few venturing further afield to Maine, New York, and Florida. They will be missed! The law clerks' boundless talent, energy, and enthusiasm have left an indelible mark on the Appeals Court, and the Appeals Court is grateful for their service. With great respect and admiration, we wish them all the best in their next adventures.

## LOOKING FOR BACK ISSUES OF *THE REVIEW*?

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