

# The Review



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## BIDDING FAREWELL TO RETIRING ASSOCIATE JUSTICE MARY THOMAS SULLIVAN



It is with well-wishes, respect, and admiration that we note the conclusion of **Associate Justice Mary Thomas Sullivan's** rigorous tenure at the Massachusetts Appeals Court on August 16, 2023. **Justice Sullivan's** adept command of the law, especially in labor and employment matters, will be sorely missed but will endure in Appeals Court judicial decisions and internal policy. Even more missed will be the thoughtful, compassionate regard with which she engaged her colleagues.

The zeal that **Justice Sullivan** demonstrated at the Appeals Court was not limited to this professional chapter. The entirety of **Justice Sullivan's** career is distinguished by passion and advocacy. Before her appointment to the Appeals Court in 2011, **Justice Sullivan** was a partner at Segal Roitman, LLP, where she maintained an active employment discrimination practice and represented jointly trusted health, welfare, and pension funds; apprenticeship and training funds; and labor organizations. **Justice Sullivan** also participated actively in bar education and professional and community service. The list of Justice Sullivan's commitments is as long as it is impressive, with the specifics highlighted in her [biography on the Appeals Court's website](#).

In addition to her strong example of extra-judicial engagement, **Justice Sullivan** leaves behind a legacy of diligence, open-mindedness, and devotion to providing conscientious justice and a reminder to give voice to the voiceless.

## TRAVELING JUSTICE APPEALS COURT OFF-SITE SITTINGS SCHEDULED FOR FALL

As part of a continuing effort to broaden public awareness, understanding, and

accessibility of the Massachusetts court system, the Appeals Court will conduct four off-site sittings over the course of the coming months.

**October 2, 2023** at **UMass Law- Dartmouth** (**Chief Justice Mark V. Green** and **Associate Justices James R. Milkey** and **Marguerite T. Grant**)

**October 11, 2023** at **Western New England University Law- Springfield** (**Associate Justices Ariane D. Vuono**, **William J. Meade**, and **Maureen E. Walsh**)

**November 7, 2023** at **Phillips Academy- Andover** (**Associate Justices Gabrielle R. Wolohojian**, **Eric Neyman**, and **Sookyong Shin**)

**November 13, 2023** at **UMass Amherst** (**Associate Justices William J. Meade**, **Sabita Singh**, and **Paul Hart Smyth**)

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## APPEALS COURT AND SUFFOLK UNIVERSITY LAW SCHOOL LAUNCH THIRD PARTY E-FILING

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For two years, court users have been able to use guided interviews hosted by the Law School's Legal Innovation and Technology Lab (LIT Lab) to create filings for use in the Appeals Court, successfully increasing access to appellate justice. The interviews were created by the LIT Lab in collaboration with the Appeals Court Clerk's Office, spearheaded by Assistant Clerk Paul Tuttle. On Monday, September 18, 2023, users gained the ability to e-file the most popular interview, a motion pursuant to Mass. R.A.P. 6, directly at the LIT Lab's website when the LIT Lab became the first certified third-party electronic filing service in the Commonwealth. The LIT Lab and the Appeals Court intend to increase the number of interviews that may be e-filed.

On Tuesday, September 26, Appeals Court **Chief Justice Mark V. Green**, **Clerk Joseph Stanton**, and **Assistant Clerk Tuttle** gathered with officials from the Trial Court and Suffolk University Law School and LIT Lab, including **Trial Court Chief Justice Jeffrey Locke**; **Trial Court Chief Access, Diversity, and Fairness Officer Natoschia Scruggs**; and **Dean Andrew Pearlman of Suffolk Law School** (all pictured), to celebrate this milestone in the court's and the school's groundbreaking partnership.

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## SAVE THE DATE: APPELLATE BENCH-BAR CONFERENCE DECEMBER 13, 2023

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The Supreme Judicial Court and the Massachusetts Appeals Court, in cooperation with the Flaschner Judicial Institute, are planning an Appellate Bench-Bar Conference at the John Adams Courthouse on the **afternoon of Wednesday, December 13, 2023**. As the conference date approaches, a Flaschner Judicial Institute survey will be circulated soliciting the anonymous views of the attorneys working in each of our courts, as well as of all attorneys with appearances in either court since 2018. The results of the survey will not only provide instructive feedback for the appellate courts but will also assist in ensuring that the conference agenda addresses topics tailored to the interests and concerns of the appellate bar-at-large.

As some of you will recall, the SJC and APC collaborated on the inaugural Appellate Bench-Bar Conference in 2018. Since that time, we have all worked to incorporate into our practices the feedback we received from the conference participants. We anticipate that this conference, like its predecessor five years ago, will be focused on issues identified by lawyers having first-hand experience practicing before our two appellate courts. Additionally, we anticipate incorporating a review of topics we identified at the last conference, an assessment of our collective pandemic experience and lessons learned from it, and a look forward to identifying areas we might prioritize for improvement.

## INCREASED **E-FILE** DOCUMENT AND ENVELOPE SIZE LIMITS

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The [Appeals Court's electronic filing \(e-filing\) system](#) now accepts higher thresholds for individual document and combined envelope sizes. Previously, the largest accepted pdf and envelope sizes were 25 MB and 35 MB, respectively. Now, the Appeals Court can accept pdfs up to 50 MB and envelopes up to 75 MB.

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## ASSOCIATE JUSTICE PETER J. RUBIN JOINS NEW YORKER RADIO HOUR

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On September 1, 2023, [The New Yorker Radio Hour](#) shared "[No More Souters.](#)" produced by "More Perfect," WNYC's Supreme Court show. This special episode discusses the ways in which United States Supreme Court Justice David Souter (ret.) defied expectations and left a lasting impression on the Court. A former law clerk to Justice David Souter, Appeals Court [Associate Justice Peter J. Rubin](#) is a featured guest providing commentary on Justice Souter's nomination, hearing, and jurisprudence, and insight on the famously low-profile justice.

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## APPEALS COURT GROUP TOURS A COMMUNITY JUSTICE SUPPORT CENTER

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A group of Appeals Court Justices and staff members (left to right) Sean Connolly, [Associate Justices Joseph M. Ditkoff and Amy Lyn Blake](#), Julie Goldman, [Associate Justice Vickie L. Henry](#), Monica DeLateur, [Vincent Lorenti](#) (Director of the Massachusetts Probation Service), and [Associate Justice Rachel E. Hershfang](#) toured a Community Justice Support Center on August 14, 2023.

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## ANNOUNCEMENT: APPEALS COURT LAUNCHES AN **INFORMAL BRIEF PILOT**

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The Appeals Court is launching an optional pilot program for cases entered for decision by a panel of Justices. The program permits self-represented ("*pro se*") parties to file informal briefs instead of the formal briefs that strictly comply with the Massachusetts Rules of Appellate Procedure. This pilot program does not apply in the single justice session of the Appeals Court or to attorneys, whether they are representing themselves or responding to an informal brief.

An informal brief is different from a formal brief in that it does not need a table of contents, table of authorities, corporate disclosure statement, summary of argument, or addendum, or need to comply with the standard rules regarding margins, font, and the certificate of compliance. An informal brief does, however, still need to comply with the rules about impounded and confidential information.

Please visit our Informal Brief Pilot Program webpage [here](#).

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# APPEALS COURT RESOURCE GUIDE SHARED WITH COURT SERVICE CENTERS ACROSS THE STATE



The Appeals Court recognizes the effort required of self-represented litigants to resolve an appeal. To help connect parties to important information, the Appeals Court designed a [resource guide for self-represented litigants](#) seeking to file, research, and defend their appeal with links to The Appeals Court Help Center, policies and procedures, resources for legal advice and research, forms, and more. In addition to being stored on the Appeals Court website, this directory is also available to parties seeking assistance via [Court Service Centers](#) across Massachusetts.

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