

**State of the Judiciary**  
Court Administrator Jonathan Williams  
Address to the Massachusetts Bar Association  
October 26, 2017

This State of the Judiciary Address is my first opportunity to speak formally to the Massachusetts Bar Association, and through you to the people of the Commonwealth to whom we are accountable. Thank you for all that you do professionally, whether counseling your clients or volunteer efforts supporting and maintaining the finest justice system in the world.

You all know that I have come from a legal and governmental career in North Carolina. Two hundred years ago a young man wrote to a North Carolina judge that:

*I would certainly prefer greatly being an able advocate at the Bar, than being distinguished in any other avocation and shall never cease to think that the brightest ornaments of the Bar are the brightest ornaments of Human Nature.<sup>1</sup>*

I wholeheartedly agree. I have always found the company of lawyers to provide wit and wisdom in everyday life and in meeting most of life's larger challenges.

My appointment as Court Administrator by the Supreme Judicial Court is a singular professional honor. It is also a pleasure to work with Chief Justice Gants and the members of the Court. And each day it is a privilege to work alongside Chief Justice of the Trial Court Paula Carey. She is one of the most dynamic and engaged court leaders in the country. As we travel the state, I see how she represents the energy and high ideals of court leaders statewide. Her particular zeal and her encouragement of others brings out the best in everyone. She is a great colleague and partner.

One reason I came to Massachusetts is its unique court governance. Six years ago, statutes were amended and the Executive Office of the Trial Court was created. Harry Spence was appointed as the first Court Administrator to work as an equal with the Chief Justice. It is now my job to build on a strong foundation to prove that the success of this model can endure.

Chief Justice Gants today challenged us to continue to innovate: “to rethink how to make the legal process fairer, more efficient, and more effective in solving the problems of the people who come before us.”

Chief Justice Carey explained more about how we are living our mission of delivering justice with dignity and speed – by addressing issues of race and bias in the courts, by mitigating obstacles that accompany poverty, and becoming more focused on stronger intervention with young adults.

Let me outline what is happening on the administrative front to enable us to meet these challenges. Today, I’ll report to you on our workforce, our capital facilities plan, and our technology.

People are the most important part of any institution; and facing a judge is only one part of a court experience. The people who work as Court Officers both greet everyone and must be prepared for anything. Staff at the counters must be knowledgeable and efficient. Probation Officers develop relationships with offenders to help build or restore productive lives. Our facilities staffs both maintain notable historic structures and operate state of the art energy conservation systems. Court interpreters provide assistance in dozens of languages. We have many needs and many careers.

As community and court needs evolve, we must invest in recruitment and retention of talented new employees, as well as in ongoing training for our existing workforce. We have doubled the number of court staff receiving training over the past four years. We have established a nationally-certified training academy for court security. We have working groups assessing and planning how technology will reshape our job requirements. In 2018, we will launch a health and wellness initiative.

Through employment diversity efforts we have reached rough parity in the race, ethnicity and gender composition of our workforce with that of the Commonwealth. We recognize disparities remain between certain job groups and titles, and we are working to address those. You can expect us to do more to modernize our recruiting, hiring and promotional processes.

The workforce we seek is a diverse one that values merit-based hiring and promotion, seeks continuing education, embraces innovation, and strives to live up to our ideals of justice each day.

While the workforce is our daily concern, over the next generation our capital facilities plan is designed to provide and protect the courts we need for the future. The Trial Court and the state's Division of Capital Asset Management in 2015 began a comprehensive, data-driven dive into the physical assets and needs of our court system. We own or lease more than 100 facilities statewide and the majority are more than 50 years old.

But in too many places maintenance and upkeep have gone unmet, including fire safety systems, ADA compliance, and even basic heating and air conditioning. All told the assessment tallied up to \$2 billion in accumulated deferred maintenance needs.

In some cases the buildings are just not financially worth maintaining as courts, typically because the volume of work has far outgrown the facility. On that basis and with many other deficiencies the Quincy District Court rated as the highest priority for replacement.

We also are working to optimize the number of courthouses. In some places we are consolidating multiple court departments into a single building that offers not only a much better working and service environment but lower operating costs to provide security, upkeep and readiness for technology. It makes it possible to have court service centers as well.

On that basis, the next regional justice center will include courts in Dedham with Quincy. Typically we expect savings of \$1.5 million annually in basic operating costs by working in one building instead of four. Often the buildings we expect to combine are within sight of one another. Our newest courthouses have innovative energy efficiency systems with LEED certification, and those investments will pay off year after year in lower energy costs. Altogether the assessment for new construction statewide totals another \$1 billion.

Our capital plan breaks these projects into phases over the next 20 years. In fact, the bond bill for the first phase was favorably voted out of committee this week. We are very fortunate to have supportive partners in both the legislative and executive branches to move this work forward.

Let's move now to technology. Technology has transformed the practice of law and administration of justice in my lifetime. Data that used to be just words on a physical page in a court file can now be captured, moved, stored and distributed electronically, and verified as secure and uncorrupted.

In software development and other fields there is an important concept called the “user experience.” That means paying attention to how people interact with a system -- whether it is easy to navigate and find what you need. “User experience” began to influence how government works many years ago, but courts have been a bit slow to embrace it fully. That’s why it caught my eye in the Massachusetts Trial Court Strategic Plan that User Experience would be a critical domain. It affects how we see access to interpreters and helping self represented litigants, but it also means thinking about how court technology can better serve the public.

We recently conducted a survey of people using Massachusetts courts. More than 1,500 people at 25 different court sites were asked about their experience. We found that 22% of those coming to court were attorneys, then of course there are witnesses and jurors and so on. But 11% were individuals there just to file papers and another 4% were just there to make payments. So we ask do they all have to come?

There are literally millions of trips to courthouses each year, and technology gives us new ways to transact traditional business. For example, in the first six months of this year we hosted close to 8,000 video events. The majority were arraignments, but did you know that we have held hearings on orders of protection, probation hearings, and hosted attorneys arguing motions from their offices, all transmitted to screens in courtrooms?

As leaders of the bar, you know we have committed to e-filing for civil matters. We have accepted more than 1,000 new cases this year. You probably don’t know that 25,000 electronic applications for criminal complaints were filed from police departments this year. In the next year we will pilot an application specially designed for judges to access files and work from the bench electronically. They will use the same technology in their lobbies and when assigned to other sites. This means the ability to access their files from any session wherever they happen to be.

And for the public we are about to turn on a feature to make payments online, including court costs, probation fees, restitution and other matters.

Of 429 courtrooms in the Commonwealth almost 300 are now equipped with the latest audio recording technology. Not only does this improve sound quality, but the recordings are stored centrally and available for streaming playback online.

Most exciting for practicing lawyers and appellate judges is that this system allows us to shorten the time for producing most transcripts from 90 days to 30 days.

We are excited that technology will save court users valuable time so that they can come to the courthouse only when their testimony is needed or they need to meet with staff on an estate or other matter where a face-to-face meeting is the best way, and not the only way. That survey quantified what we all might have guessed: 36% of court users missed work or school for court, and 11% had to arrange care for a family member to come to court. We want to these users to have more options at less personal and financial cost.

These are just some of the ways we are meeting Chief Justice Gants' call to rethink the ways we deliver justice.

Before I conclude let me honor our predecessors who founded and led the modern court system. Until the 1978 reorganization there was no state trial court system. There were 95 county-based courts operating with near independence and famous for delay and inefficiency. Chief Justice Arthur Mason was appointed to bring into existence the statewide court system we now take for granted. Chief Justice Mason was known for his modesty, kindness, and thoughtfulness, and no challenge we face today is greater than those he met and mastered. As you may know, Chief Justice Mason passed away last week at the age of 95. We remain grateful and indebted that he devoted 35 of those years to public service, 14 of those as the first Chief Justice of the Trial Court.

In my first six months I have visited almost one-fourth of the courthouses in the Commonwealth. My observation as the newest member of the team before you is that the State of the Judiciary is strong. The work of our judges, clerks, court officers, probation, facilities and other support staff has never been more professional than today.

I appreciate the opportunity to appear before you. And I look forward to working with you as we continue our progress.

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<sup>i</sup> The Papers of Thomas Ruffin, Volume 1, p. 440 (J. G. de Roulhac Hamilton, ed., North Carolina Historical Commission 1918)