

Massachusetts Trial Court Budget Request & Overview



**One Mission:
Justice with Dignity and Speed**

**Fiscal
Year
2020**

ON THE COVER

Courthouse Locations

- Top row, left to right: Palmer, New Bedford, Brookline
- Bottom row, left to right: Waltham, Plymouth, Westborough

Maintenance Funding Request, FY2020

It is critical that the Trial Court receive maintenance funding in Fiscal Year 2020 to maintain operations, sustain the advances made over the last several fiscal years, and to better serve those appearing in court or using courts across the state.

Request: **\$737,990,232**

Innovation Within Appropriation

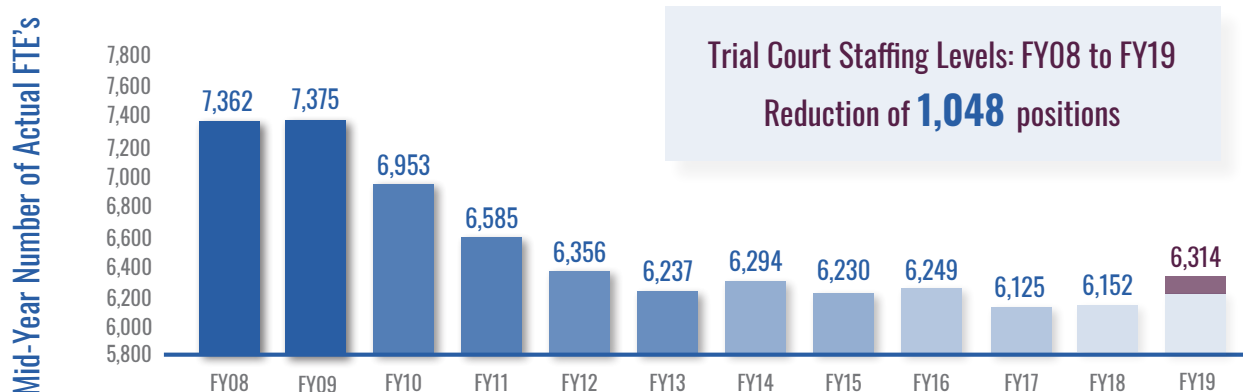
The court system has implemented tremendous changes that have enabled it to better meet the needs of the public. As a result of constrained state revenues and budgets, courts are doing more with less, even in the midst of an opioid crisis by working smarter and leveraging technology. The court system is: leveraging technology to innovate and streamline court processes and reduce the amount of time court users must spend in the courthouse and away from their lives; improving court facilities and the dignity of the court system; meeting the needs of the community by increasing access to specialty courts; enhancing public safety by reducing recidivism; expanding access to justice by meeting the language needs of court users who are limited in English proficiency and increasing the number of court interpreters; and addressing issues of systemic bias head on by building its own capacity to meet the needs of a diverse population and workforce. **But we are far from done.**

The original maintenance request funds:

- **6,557 positions** for ongoing Trial Court operations. This encompasses positions added in FY19 with expanded or new funding in the areas of Council for State Governments Criminal Justice Reform, Probate and Family Court Case Management, and the Race and Bias Initiative.

The Trial Court is also preparing to request funding in the first Information Technology Bond Bill since 1997. The request of approximately \$160 million will focus on 3 areas:

- **Operations Excellence:** Enterprise resource planning, energy management systems, VoIP, data centers, bandwidth and VPN access
- **Digital Courthouse and Courtroom:** Content and workflow management, enhanced web presence, digital signage, Wi-Fi (staff and public), Appeals Court CMS replacement, video remote interpreting, access to justice portal, case management system planning, and digital SJC reports
- **Modern & Secure Judiciary:** Physical security, digital security, and inmate tracking



■ Represents addition of 85 probation and court officer positions by close of FY19

Budget Module Funding Request, FY2020

These individual budget modules supporting targeted investments are important to maintaining forward momentum and ensuring staff and public safety for the court system.

Differentiated Case Management (DCM) Study

\$80,000

- The DCM Study provides a mechanism to tailor the Probate and Family Court case management process to the requirements of individual cases; thus, improving the organization of court events to ensure that each scheduled event occurs at a time and in a manner that promotes case disposition. Funding will support technical assistance to assess caseloads and judicial resources to improve the public experience of the judicial process and promote more efficient use of resources.

Court Security Hardware Critical Improvements

\$1,523,000

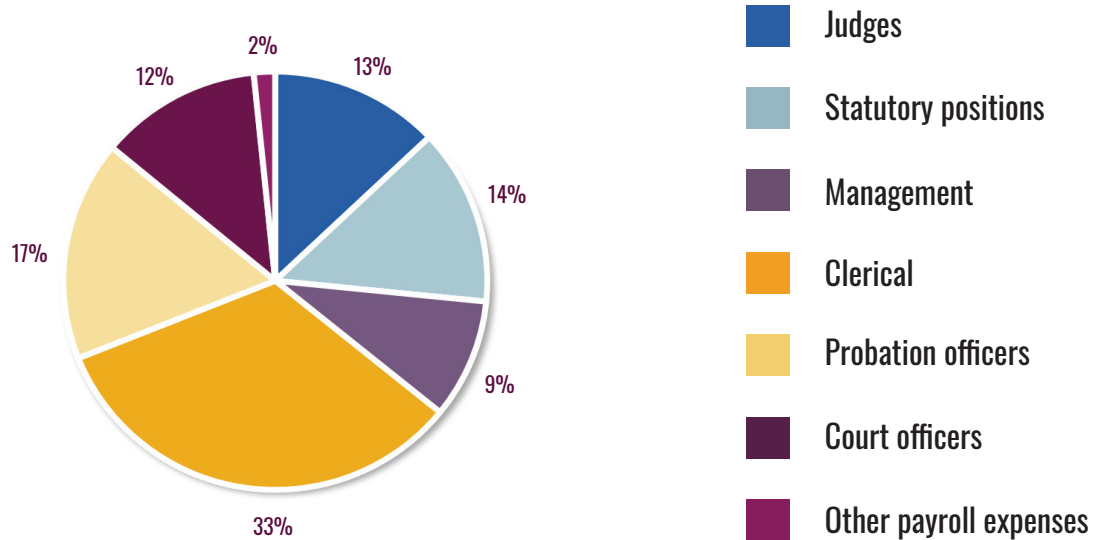
- **Entry Security Screening Systems** **\$1,200,000**
Many of the Trial Court's X-ray units at courthouse entries have reached the "end of life" status suggested by manufacturer's life cycle guidelines or industry standard. Funding would support replacement of 40 X-ray units.
- **Walk-Through Metal Detection Systems** **\$50,000**
There are 10 walk-through metal detection systems in courthouses across the state whose age has met or exceeded the manufacturer's recommended life cycle. Funding would allow the replacement of these 10 metal detection systems.
- **Secure Pocket System Pilot** **\$30,000**
Recognizing the need to balance security and public safety concerns with access to justice, the Trial Court is currently reviewing its policy on cell phones in courthouses. Funding would support a pilot security pouch system project in two locations. Court users would be required to place their cell phones in a specially-designed pouch that locks magnetically, allowing them to carry the pouches while in court and have them unlocked at a central unlocking station, if needed for court business or when leaving for the day.
- **Suffolk and Worcester County Video Management Systems** **\$241,000**
Video Management Systems in each courthouse will assist court officers in detecting potential security breaches and critical incidents. Funding will enable the replacement of 144 cameras at the Suffolk and Worcester County Courthouses.

Court Resources: A Broader Perspective

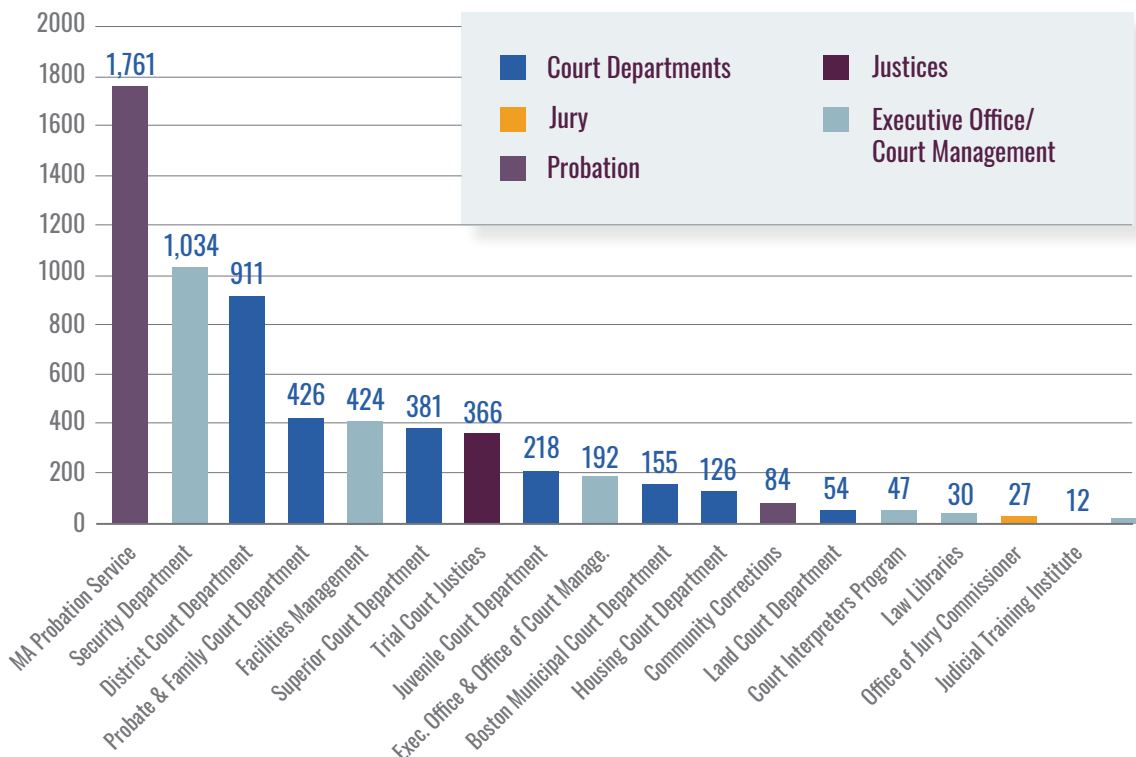
The Trial Court is moving forward with management efforts, as well as other projects, that allow the system to operate more efficiently, while at the same time providing fair, impartial, and equal access to justice.

FY2020 Projected Personnel Expenses

Payroll expenses are 76% of total expenses.



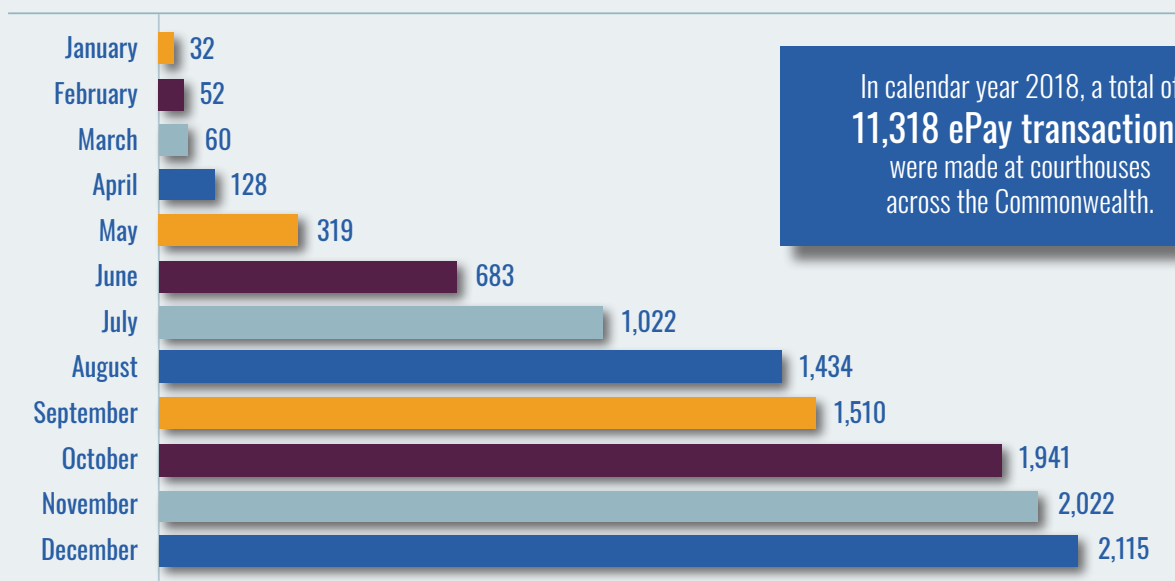
Total Employees by Office/Department



Courts are: Innovating & Streamlining

ePay

In January 2018, the Trial Court rolled out ePay, a service that enables court users to pay criminal court fines and fees electronically using a credit card or PayPal account. The ePay service saves the court user from having to make payments in person and also saves court staff time by decreasing the number of face-to-face counter transactions. ePay payment includes a small convenience charge that goes directly to the processing vendor. Last year, almost 75% of the Trial Court's 298,000 criminal case payments were made at courthouses across the Commonwealth; ePay will change this.



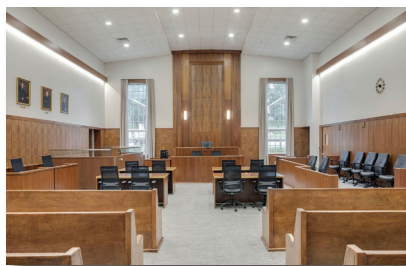
Alternative Dispute Resolution (ADR): Reducing Stress, Time and Costs for Litigants



With FY19's expansion funding, the Trial Court has advanced its efforts to increase the use of dispute resolution services to reduce costs for parties, reach timely resolutions, and enable courts to focus on cases which require litigation. The Trial Court's FY20 maintenance budget request includes last year's funding. Ultimately, the Trial Court hopes to fully integrate dispute resolution services throughout the court system. The expansion funding was deployed to expand referrals for dispute resolution services through a grant program and through the COMMBUYS process. The Trial Court will also hold a training conference in June for Trial Court staff with dispute resolution duties to convene with representatives of ADR providers. Funding will also allow for

the creation of an informational video to educate attorneys and litigants. The Trial Court is collaborating with the Massachusetts Office of Public Collaboration (MOPEC) at UMass/Boston.

Courts are: Innovating & Streamlining



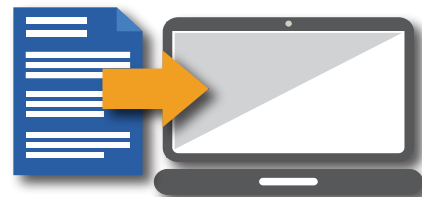
Capital Master Plan: Improving Court Facilities

After releasing its Capital Master Plan in FY17, the Trial Court continues to improve courthouse conditions across the state, including a number of projects funded from previous bond bills. Repair projects in **Brighton** and **East Brookfield** were bid and are currently in construction, while a renovation of the **Haverhill** District Court (*pictured: top left*) was completed this year. Construction on the New Regional Justice Center in **Lowell** (*pictured: bottom left*) continues with an expected completion at the start of 2020. The recently passed Bond Bill has provided funding to initiate projects in Phase 1A of the Capital Master Plan. In conjunction with DCAMM, the Designer Selection Board has released advertisements for Study and Final Design of a New Regional Justice Center in **Quincy**. The Trial Court and DCAMM continue to work on Design Selection Board advertisements for projects in **Framingham**, **Lynn** and **Attleboro**. Facility condition studies will be completed in FY19 on the **Suffolk** Superior Courthouse and **Wareham** District Court.



Guide and File

In late FY18, the Trial Court introduced a Guide and File system for use in filing small claims cases. Guide and File is a web based application that helps unrepresented court users complete forms and file cases without ever having to visit a courthouse. Using the online application, a court user wishing to file a small claims case answers a progressive series of questions in plain language. The information provided populates the forms and generates a completed form ready for filing electronically or in person. Since June 2018, almost 1300 small claims cases have been generated and e-filed through this system. The Trial Court is examining Guide and File for potential use in other court case types that are commonly filed by pro se court users.



Electronic Applications for Criminal Complaint (EACC)

In FY18, Electronic Applications for Criminal Complaint (EACC) expanded to 50 court divisions. These divisions receive more than 160 EACCs daily. Over 90 local police departments have incorporated EACC into their incident reporting systems. The Trial Court expects to require the electronic filing of all criminal complaints by most police departments by July 2019.

Since July 1, 2018, police departments across the Commonwealth
have filed **55,811** Electronic Applications for Criminal Complaints.

Courts are: Enhancing Public Safety

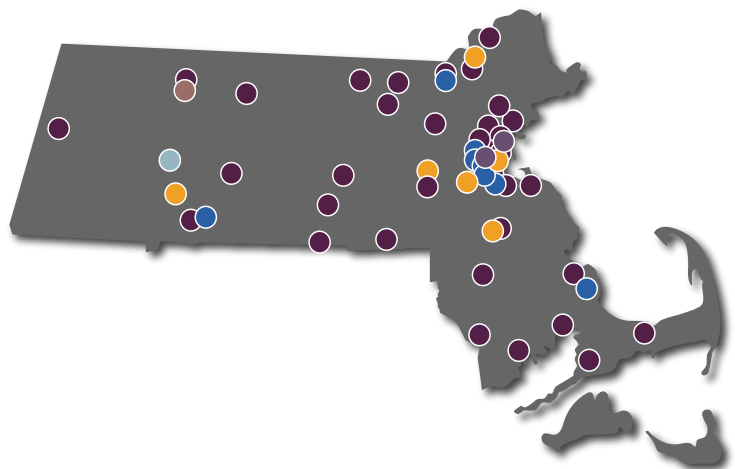
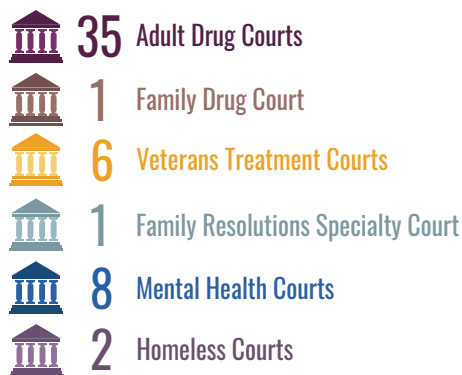
Expanded Specialty Courts: Meeting the Needs of Communities

In FY19, the Trial Court received both maintenance and expansion funding totaling \$5.77 million. As a direct result of this additional funding, the Trial Court is opening 10 additional drug courts, one mental health court and one Veterans Treatment Court. The legislative funding has also enabled the Trial Court to add essential staffing to bring specialty courts into alignment with best practices and include master's level clinicians in every specialty court, expanded access to drug testing, and additional training for specialty court staff offered both in house and nationally.

By the close of FY19, the Trial Court expects to have 53 specialty courts in operation and will have substantially met its goal of having a drug court accessible to any defendant in the Commonwealth who needs one. Over the next fiscal year, an analysis of coverage will be conducted to determine whether and where any additional drug courts are needed.

During FY19, the Trial Court was awarded two additional grants totaling \$2.5 million which fund expanded services for specialty court participants. The Office on Violence Against Women awarded a grant to work on human trafficking issues in Boston, and the other to provide MISSION model case management and peer support to Barnstable Drug Court participants who have co-occurring substance use and mental health disorders. These last two grants bring specialty court grant funding to over \$10 million in 4 years.

By the end of FY19, **53** specialty court sessions will be operating across the state:



Family Resolutions Specialty Court Award



The Hampshire County Family Resolutions Specialty Court was awarded the Irwin Cantor Innovative Program Award in 2018. The national award recognizes innovation in court-connected or court-related programs. The Hampshire County program provides divorcing and separating parents the opportunity to resolve their differences in a child-centered way and with less conflict. Using a team-based approach, the case proceeds via a series of conferences in which all members of the team – the parents, their lawyers, and the judge – work together to resolve the parents' differences. The team includes a lawyer for the children and a mental health professional for the family.

Courts are: Enhancing Public Safety

Criminal Justice Reform Legislation: Reducing Recidivism

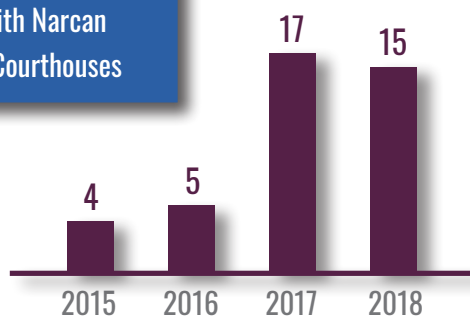
In April 2018, the Governor signed two pieces of comprehensive criminal justice reform legislation which expanded pre-trial probation services, expanded the pre-trial use of Community Corrections Centers (CCC), codified probation compliance credit to incentivize probationers to successfully complete programming, eliminated some minimum mandatory sentences, shortened the criminal record sealing timeframes, authorized expungement in certain cases, and raised the bottom age of Juvenile Court jurisdiction from 7 to 11. In 2018, the Legislature and Governor also approved funding for criminal justice initiatives that funded community based residential re-entry programs and young adult probation programs.



◆ Trial Court Criminal Justice Reform in Action

- ◆ Development of CCC programming to minimize unnecessary pretrial detention
- ◆ Opening of three new CCC's in Woburn, Framingham, and Lowell and one new CCC slated for Franklin County (ongoing)
- ◆ Education of all judges and court personnel impacted by new provisions
- ◆ Establishment of a DNA collection program in collaboration with State Police (ongoing)
- ◆ Award of contract to UTEC for Young Adult Probation Learning Lab
- ◆ Creation of Probation Expungement Unit
- ◆ Development of an electronic notification system to remind defendants in criminal cases of their court obligations (ongoing)
- ◆ Appointment of a new Deputy Commissioner of Probation for Pretrial Services
- ◆ Procurement for vendor to provide community based residential re-entry programs (ongoing)
- ◆ MassHealth Pilot to support improved behavioral health services for those involved in the criminal justice system (Worcester and Middlesex)

Individuals Treated
with Narcan
in Courthouses



NARCAN Pilot Program: Responding to the Opioid Epidemic

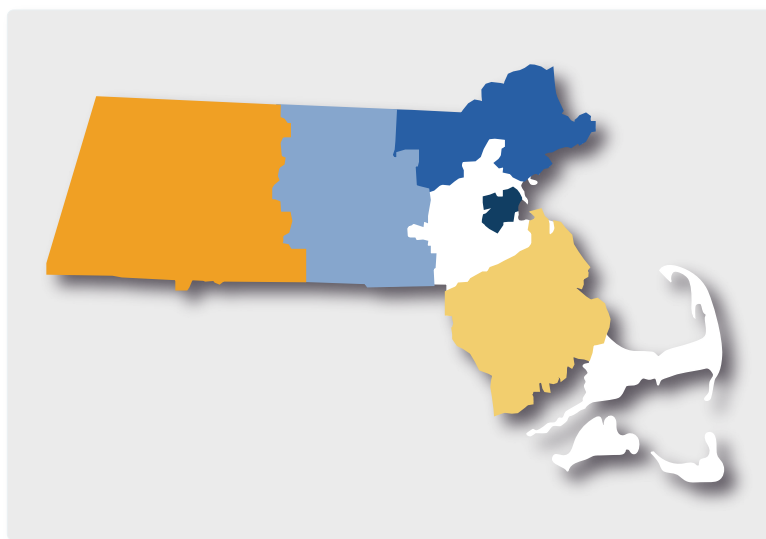
The Security Department implemented its Narcan Program in all courts statewide in 2015. Since then, court officers who are trained as first responders have revived 41 overdose victims in courthouses across the state. In CY 2018, court officers used 31 total doses of Narcan to revive 15 overdose victims.

Courts are: Expanding Access to Justice

Housing Court Expansion

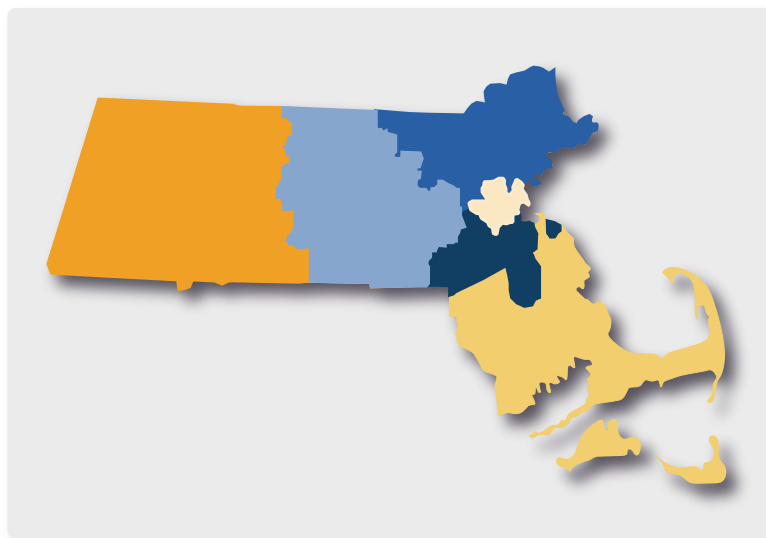
In 2018, the Trial Court implemented the expanded jurisdiction of the Housing Court, which was authorized by the Legislature in 2017. Previously, Housing Court had geographic jurisdiction over only 80% of the state, leaving approximately 1/3 of the Commonwealth's population without access. This left residents without access to Housing Specialists who mediate cases and perform on-site reviews of property to resolve issues concerning housing conditions and Tenancy Preservation Programs which prevent homelessness among people with disabilities. Chapter 47 of the Acts of 2017 enabled the Housing Court Department serve an additional 2 million Commonwealth residents by adding the Metro South Division and five Housing Court judges, two in the Metro South Division, one in the Northeast Division, and two as circuit judges.

In 2016, **31%** of people living in Massachusetts did not have access to a housing court.
Today, **every resident now has access.**



Housing Court Divisions
2016

- Western Division
- Worcester Division
- Northeast Division
- Boston Division
- No Access
- Southeast Division



Housing Court Divisions
2018

- Western Mass. Division
- Central Division
- Northeastern Division
- Eastern Division
- Metro South Division
- Southeastern Division

Courts are: Expanding Access to Justice

Deaf Juror Program: Meeting Language Needs

In a typical year, approximately 400 deaf people are called for jury duty.

The Trial Court partners with the Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH) to ensure that these prospective jurors are able to serve. In FY18, a record number of deaf citizens were impaneled on juries in FY18. Deaf jurors were impaneled in Concord and Lawrence and two deaf jurors were impaneled on the same case in Waltham. The impaneled jurors receive assistance from American Sign Language Interpreters. They can also request a Communication Access Real-time Translation (CART) reporter, also known as real-time captioning.

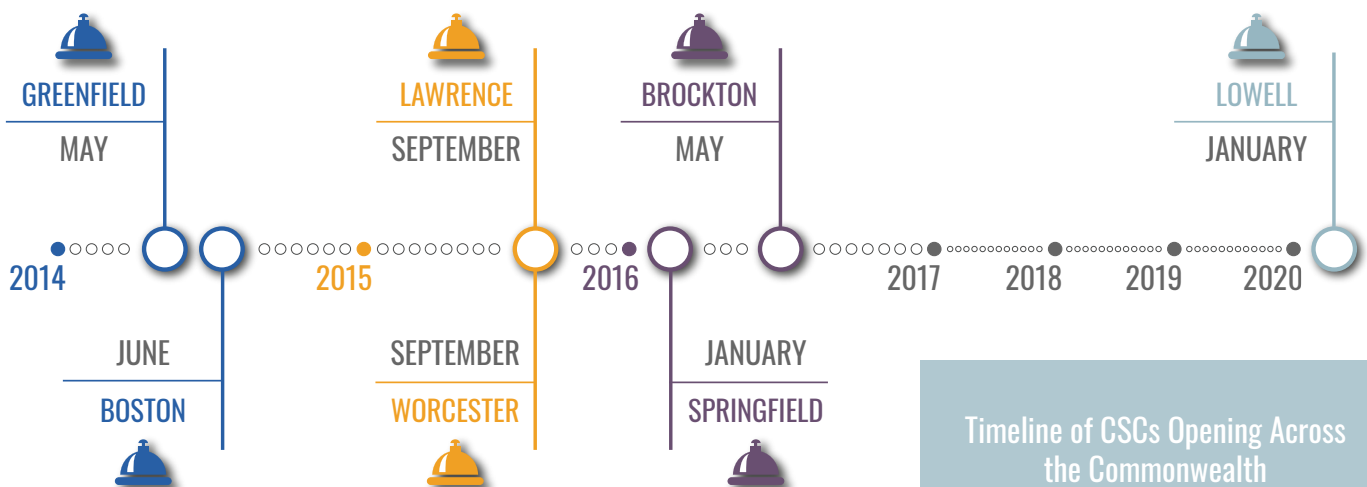


In FY2018, CSCs received approximately **60,000 visitors**.

Court Service Centers (CSCs): Helping Navigate the Court System

The first CSC opened in May 2014. Currently, six CSCs are operating across the Commonwealth, with the **Lowell CSC slated to open in January 2020**.

Over the past two years, CSCs have expanded their services to include mobile and after-hour services, in-person self-help materials, and more lawyer for the day partnerships with legal aid organizations. As a means to increase access to justice for the public who do not have access to brick and mortar CSCs, the CSCs have increased collaboration with the library community. In 2018, a working group was created in collaboration with the MA Access to Justice Commission. The working group's primary goal is to develop ways to expand the public's access to and awareness of free legal resources that are offered by the Trial Court, while the development of an online Court Service Center is being explored. The vision for the online CSC is to serve as the nexus for 100% access to justice for all across the Commonwealth.



Timeline of CSCs Opening Across the Commonwealth

Courts are: Expanding Access to Justice



Race, Gender and Unconscious Bias: Meeting the Challenges

Trial Court leaders have undertaken several efforts to address issues of bias and how identity may impact a court user's experience in the court. Building on last year's leadership pilot, the Trial Court developed a Leadership Capacity Building Workshop with a cohort of 30-plus judges, clerks, and managers working toward building their own capacity to address issues of race and bias while building the capacity of others at the same time.

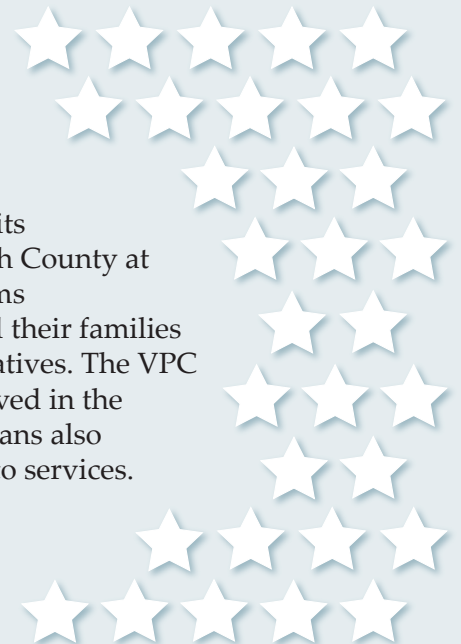
This year, the court conducted a series of internal listening sessions to begin conversations and increase understanding of how employees experience the court system as it relates to race and bias and to better understand its capacity to meet the needs of a diverse population. The court is also conducting external listening sessions to hear from the public about their experience with the court. These external sessions create an opportunity to better understand the perceptions and experiences of the public in the interest of building public trust and confidence in the courts.

Additionally, the court is hiring staff to increase its internal capacity to strengthen the infrastructure with the specific purpose of supporting its strategic plan and providing broader diversity training. The Trial Court's second annual diversity report reflected progress in hiring and promoting diverse candidates for openings. More targeted recruitment efforts are planned.

The Trial Court has just completed its second annual diversity report regarding the diversity of the Trial Court's workforce.

Veterans Services

Recognizing the need for a comprehensive approach to addressing the specific needs of court-involved veterans, the Trial Court is expanding its five Veterans Treatment Court sessions by adding a session in Plymouth County at Brockton District Court. The Trial Court added a new Veterans Programs Coordinator (VPC) to identify the needs of court-involved veterans and their families and support the implementation of veteran specific programs and initiatives. The VPC also serves as the point person for Trial Court employees who have served in the military. In addition, probation employees trained in the needs of veterans also serve as veterans liaisons in each court to identify veterans for referral to services.



Courts are: Expanding Access to Justice

Massachusetts is among the top 10 states with the largest LEP population.

22% of the Commonwealth's population over age 5 (about 1.4 million) **speak a language other than English at home.**

Language Access Plan

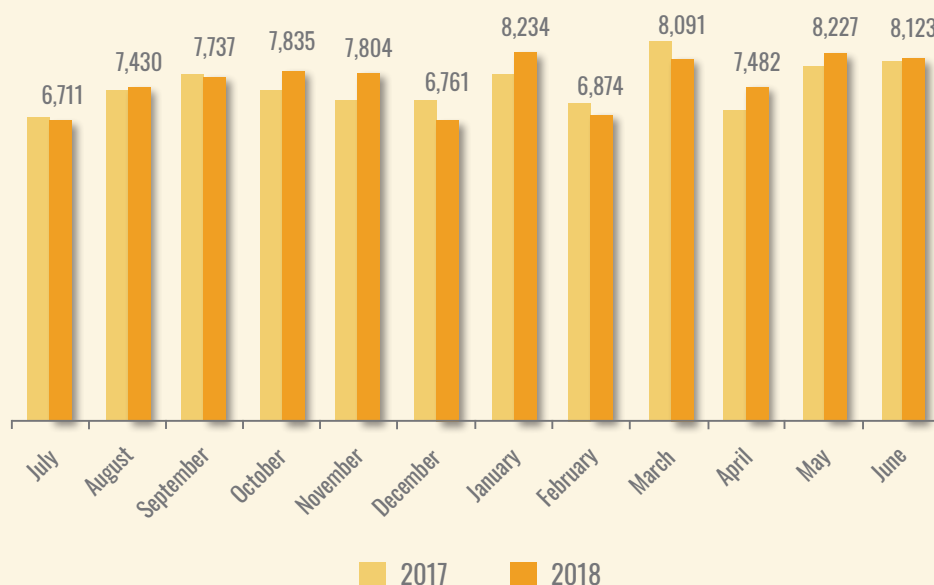
As the number of court users who are Limited English Proficient (LEP) continues to grow, the Trial Court has focused significant attention on implementing its Language Access Plan in order to better serve the Commonwealth's diverse communities. The Trial Court recognizes that many LEP individuals face obstacles to justice in addition to their limited English proficiency. The Trial Court also recognizes that the provision of meaningful and appropriate linguistic access can provide equal footing in terms of language for LEP individuals accessing the court. The Trial Court's accomplishments over the past year include adding 11 interpreters, developing training protocols for all court employees on how to serve LEP individuals, and increasing the number of translated court documents.

Court Interpreter Services: Meeting Language Needs

Language access is a key component in ensuring access to justice for all who come to court. The Trial Court Office of Court Interpreter Services (OCIS) ensures access to these services and court-ordered programs for everyone, regardless of their literacy or English proficiency.



In FY18, approximately **148,000** court events received interpretation services in **114** languages.



Office of Court Interpreter Services (OCIS)
MassCourts Interpreter Requests, FY17 & FY18

Massachusetts Trial Court by the Numbers

PEOPLE

Judicial Positions Authorized by Statute (as of August 2018)	385
Total Judges and Staff	6,368
Percent Women	58%
Percent Diverse Staff	25%



ACCESS TO JUSTICE

Judicial Emergency Response (calls after hours)	5,902
Interpreted Events	148,000
Number of Languages	114
Law Libraries	15
Law Libraries: On-site Patrons	36,507
Court Service Center Locations	6
Court Service Center Visits	60,500
Judiciary Website Visitors (Mass.gov/Courts)	4.6M
Judiciary Website Page Views	25.1M



COURT BUSINESS

New Case Filings	846,331
Jury Trial Impanelments	4,127
Jurors Appearing	199,661
Juror Utilization Rate	49.3%
Probation Supervision Caseload	66,080
Probation Surrender Hearings	40,691
Total GPS-monitored Caseload	3,897
Community Correction Centers (CCC) (as of August 2018)	16
CCC Enrollment	2,113
Specialty Courts	45
Adult and Juvenile Drug Courts	30
Mental Health Courts	7
Veterans Treatment Courts	5
Other Specialty Courts	3
Video Events	15,502
Stays in Lockup	222,741



Massachusetts Trial Court by the Numbers

MONEY MATTERS

Operating Appropriation	\$656.6M
General Revenue Collected	\$5.73M
Probation Fees Collected	\$16.5M
New Construction, Renovation, and Repairs	\$59.4M



FACILITIES

Total Facilities	115
Facilities with Courtrooms	99
State/County Owned Facilities	60
Leased Facilities	55
Number of Courtrooms	429
Courtrooms with FTR Digital Recording	340
Total Facilities (Floor Space in Sq.Ft.)	5.8M



MASSCOURTS CASE MANAGEMENT

Daily Transactions	1M
Cases in MassCourts	23.9M
Case Calendar Events	53.8M
Electronic Documents	21.4M
e-Filed Civil Cases	4,200
e-Filed Documents	25,000
Electronic Applications for Criminal Complaints	36,000
e-Payments	\$314,000
e-Portal Inquiries	1.2M/month



Data is for Fiscal Year 2018, or as of June 30, 2018, unless otherwise noted.