

Read more at [www.lynchowens.com/blog](http://www.lynchowens.com/blog)

## ***Trial Court forced to lay off recall judges, lacks funds for virtual hearings and e-filing services during coronavirus pandemic.***

JULY 2, 2020 - In a live streamed zoom meeting entitled “[Road map to Reopening](#)”, Chief Justice of the Massachusetts Trial Court, Paula M. Carey, described the pressing need for the Massachusetts legislature to pass a \$160 million bond bill to fund technology and virtual operations at Massachusetts courthouses that are straining to maintain operations during the coronavirus pandemic. The Trial Court’s [funding request](#) comes when Massachusetts courts are buckling under the unprecedented stresses created by the pandemic – which has closed Massachusetts courts to nearly all in-person hearings since mid-March – amidst an increasingly desperate budget shortfall that has left courts cash-strapped at a critical moment.

## **Recall Judges Laid Off During Pandemic Due to Lack of Trial Court Funds**

In the July 1 live stream, Carey revealed that the budget shortfall recently forced the Trial Court to drop three recall judges who had provided vital judicial manpower during the pandemic – until funding for the extra judges dried up on June 30, 2020. Chief Justice Carey did not identify the specific recall judges who would face layoffs. Among the judges who may be affected is Probate & Family Court Judge Robert W. Langlois, who came out of retirement to hear cases at the Norfolk Probate & Family Court before and during the pandemic.

## **\$160 Million Technology Bill Would be First Since 1997**

The \$160 million funding request would be the Trial Court’s first Information Technology Bond Bill since 1997, and would provide critical funds for the expansion of the state’s e-filing and electronic case management systems, as well as virtual courtroom operations at a time when the Covid crisis has prevented public access to courts across the Commonwealth. [Massachusetts Lawyers Weekly](#) described the bill, [H.4328](#) ("An Act to improve and modernize the information technology systems and capacities of the judiciary"), as follows:

The measure ... would provide funds to modernize the information technology infrastructure of the court. Changes would include a content management system to manage electronically filed documents and allow real-time docketing, a digital security system to protect court data, and the establishment of a virtual private network to permit court personnel to easily access court systems remotely.

In addition to expanding the e-filing system and increasing virtual access, the funding bill would enable courts to expand limited broadband networks that are currently straining under the demands of a massive expansion in remote operations. The existing e-filing allows only limited electronic filings in criminal cases. In the Probate & Family Court, the e-filing system permits electronic filing of pleadings in divorce cases, but not modification or contempt proceedings. The influx of funds would allow the Trial Court to expand and upgrade its existing e-filing capabilities rapidly, including \$80,000 to improve the Probate & Family Court's case management system.

## **Courts Have Faced Budget Cuts in Recent Years Despite Booming Economy**

Last year, the legislature reduced the Trial Court's budget by 5%. Since 2008, the Trial Court has cut more than 1,000 staff members – nearly 15% of its statewide workforce – due to budget cuts despite strong economic growth in Massachusetts. As noted repeatedly in this blog, the Massachusetts court system has stood out as a national leader in its response to the coronavirus crisis. Without a desperately needed infusion of capital for the Trial Court, however, the state risks losing its leading status due to the short-sightedness of Beacon Hill.

**Schedule a free consultation with one of [our attorneys](#) today at (781) 253-2049 or send [us an email](#).**

© Lynch & Owens, P.C. and [www.lynchowens.com,2019](http://www.lynchowens.com,2019). Unauthorized use and/or duplication of this material without express and written permission from this site's author and/or owner is strictly prohibited. Excerpts and links may be used, provided that full and clear credit is given to Lynch & Owens, P.C. and [www.lynchowens.com](http://www.lynchowens.com) with appropriate and specific direction to the original content.