An Act Relative to the Reorganization of the Judicial System of the Commonwealth

Trial Court Administration:

- Following the recommendation of the Monan Commission Report, this legislation creates an Office of Court Management under the supervision and control of a civilian Court Administrator and a Chief Justice of the Trial Court to divide responsibilities currently held by the Chief Justice for Administration and Management.

- Both the civilian Court Administrator and the Chief Justice of the Trial Court will be hired by, and accountable to, the Supreme Judicial Court. The civilian Court Administrator will be required to have significant leadership experience in finance and management.

- The Chief Justice of the Trial Court will serve as the judicial head of the Trial Court, responsible for planning, policy, assigning judges, judicial discipline, and all other inherently judicial functions.

- The civilian Court Administrator will be responsible for the general administration of the Trial Court, including reviewing and approving the hiring of non-judicial employees, administering appropriations and expenditures, negotiating contracts and leases, and any other inherently non-judicial administrative functions.

- The legislation will establish Deputy Court Administrators for seven departments of the Trial Court. The Deputy Court Administrators will oversee the inherently non-judicial administrative functions of the departments. The Deputy Court Administrator will be a qualified civilian administrator.

- The Chief Justices of the various departments of the Trial Court will continue their current appointments, but now be responsible for inherently judicial functions. The Chief Justices and the Deputy Court Administrators will work collaboratively to define their areas of primary responsibility in each department.

- The Court Administrator will be required to identify core administrative functions to create cost-savings and efficiencies by eliminating individual legal, accounting, management, and other back office administrative activities within the various departments of the Trial Court.

- The Court Administrator will be required to implement a hiring model and applicant tracking tool for all employment within the Trial Court.

Probation:

- The Probation Commissioner will now be hired by the Court Administrator and the Chief Justice of the Trial Court, with the advice of the Chief Justices of the Juvenile Court, Superior Court, District Court, Probate and Family Court, and Boston Municipal Court.
• The Probation Commissioner will no longer have unilateral hiring power. Instead, hiring within the Probation Department will be subject to the approval of the Court Administrator.

• Promotions within the Probation Department will be made by the first justices of the courts that the officers would serve in, with the approval of the Court Administrator and Commissioner.

• An Advisory Board will be created to help craft additional reforms within the Probation Department. The board will have seven members who are experts on criminal justice, public policy, management, and human resources.

**Hiring:**

• An objective entrance exam will be established for the hiring and promotion of all Probation and Court Officers.

• The Court Administrator will review the applications of those individuals who have successfully passed the exam, and forward those qualified to the Commissioner of Probation for further consideration.

• Candidates forwarded to the Commissioner will be subject to a rigorous background review and interview process which will be based on best practices recommended by the Harshbarger Commission on Probation Department Hiring.

• Only those candidates for Probation positions who have successfully advanced through the first three rounds of the hiring process will be placed on an eligibility list for appointment by Commissioner, subject to the approval of the Court Administrator.

• Only those candidates for court officer positions who have successfully advanced through the first three rounds of the hiring process will be placed on an eligibility list for appointment by Court Administrator in consultation with the Chief Justice of the Trial Court.

• Probation Officers and Court Officers will be required to devote their full time and attention to the duties of their office.

**State Agency Hiring -- Transparency:**

• Letters of recommendation from any source will now be considered a public record for successful candidates.

• Letters of recommendation from any source will not be available to hiring authorities until the final round of interviews.
Letters of recommendation from any source will have to be in writing in order to be considered by the hiring authority.

All applicants for employment within the executive, legislative, and judicial branches will have to disclose the names of all immediate family who are state employees. This information will be made public for successful applicants.