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"JUDGES OUT AND JUDGES IN"

I read about it, I know about it, but the exodus of so many judges in Massachusetts does not change the problems of the mediocre criminal justice system. There is a great need to review and to correct the system. This is the time.

For decades the Judicial Branch of Government has been growing stronger until the point that they over-powers the Legislative and Executive Branches of the government without any challenge at all.

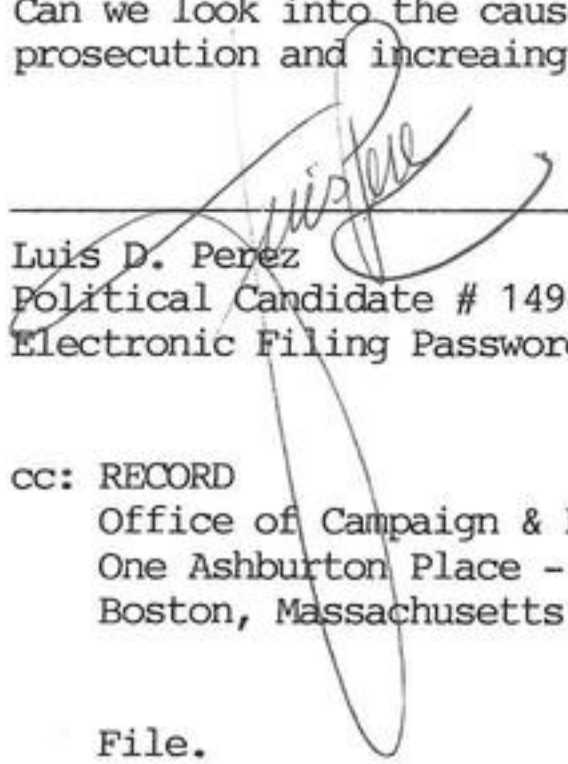
Now is the time to re-construct our legal system similar as the State of Connecticut, judges being elected by the citizens and appoint the District Attorneys. - To the contrary, Massachusetts continue with the process of increase the crime rate and creating a larger prison population.

The State of Connecticut for many years had the same problems as Massachusetts of allowing the emotions and public fear to override common sense, everytime a terrible crime is being played on the news, over and over.- While this taking place, the County District Attorney is jumping up-and-down before the tv-camera in preparation for the next election. The changes that was made in Connecticut's legal system, little by little is running more effectively and can be used now as a National Model.

The Commonwealth of Massachusetts is the birth of our Nation, but it is blinding itself from reality by keeping historical traditions that are indeed counter productive. Our Criminal Justice System without any question, has become like the Massachusetts Probation Department, (or) the Massachusetts Department of Correction where "policy and regulations" have been standardized creating a tunnel vision looking at the issues as black and white; - Without looking into the grey areas, that is growing so big that when exploded make people to stun and thinking, in particular when you have a police officer being killed, a drive by shooting or rape and murder by a person on parole or having a prior criminal record.

WE ARE THE PEOPLE, the founders of our country are moving from inside the burial grounds; we have to advance our legal system that can compete with contemporary problems; historically PAUL REVERE rode into Boston announcing that "the British was coming", I'm not riding the horse, I'm using the computer system to address the issues of concern so that the public can further understand the juvenile gangs have been multiplying and exponentially infiltrated into the school system in the State.

Can we look into the cause, the state holder's answer is more prisons, prosecution and increaing the nepotism within the legal system.


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File.

Pay hike may fuel exodus — and rush for judge jobs

By MATT STOUT

Hundreds of lawyers are lining up ahead of what some experts predict could be a mass exodus of as many as 75 state judges this summer, when an across-the-board \$30,000 pay hike is slated to kick in and boost their salaries and pensions.

"It seems like every other attorney I bump into at a courthouse has an application pending," said Martin W. Healy, chief legal counsel and chief operating officer of the Massachusetts Bar Association.

A whopping 463 lawyers submitted applications in 2013 to the Judicial Nominating Commission, nearly three times as many as the number who applied in 2012, according to state officials.

Another 51 have applied in the first quarter of this year, and legal observers are cranking up the speculation in interest to the potential for scores of vacancies in the judiciary — coupled with better pay. Associate judges will get a 23 percent bump, bringing their salaries to \$159,600, from \$129,600,

while Supreme Court associate justice salaries will score just under \$176,000.

"It's an unprecedented pay raise, the dollar level of it. And they are highly sought-out positions on a good day," Healy said. "But particularly with this pay increase and some of the other generous benefits the judges receive in this state — there is definitely a buzz throughout the legal community about the sheer number of potential vacancies."

Healy said he's heard anecdotal estimates of anywhere from 25 to 60 judges who could cash in and retire early. Governor's Councilor Robert Jubinville said there's conjecture that up to 50 could move on, according to his discussions with judges and court personnel

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— that's on top of the 16 already mandated to retire as they hit the 70-year-old cap this year — which would take a huge chunk out of the state's 411-member bench.

Besides the long-awaited pay raise, the judiciary's first since 2006, a generous twist on state pension rules is also fueling the possible massive turnover on the state bench.

Judges' pensions are based on their highest salary, meaning they need to clock in only one day under their new pay to have it calculated into their pension. To collect the maximum 75 percent, judges have to be at least 65 years old with 15 years on the

bench, according to the state treasurer's office.

"I believe we're looking at mass retirements," said ex-state Rep. Dan Winslow, a former judge himself who voted for the pay raise last year. He said of the pending exodus, "I don't blame the judges. I blame the fact that people hang on for that next pay raise and when it finally comes, they know the next one might not happen for three, five, seven years or later."

Judge James Collins, president of the Massachusetts Judges Conference, said he's heard "all sorts of numbers" of potential retirements, but doubts they'll reach the 50-plus some are speculating.

"At the end of the day, I might be surprised, but I'm not expecting it," Collins said, adding that with nearly three years to mandated retirement himself, he doesn't plan to leave early. "There's been eight years of absolutely no change in salary whatsoever... I think there is a fairness in



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(calculating the pension) on the day you retire."

Trial Court Chief Justice Paula Carey said in a statement she couldn't speculate on judges' "personal decisions."

"While some judges have indicated they may retire, no formal notice has been given," Carey said.

With every judge who does leave early, Gov. Deval Patrick can tee up extra appointments that, if approved by the Governor's Council, could dramatically increase his stamp on the judiciary just months before he leaves office. Patrick is set to name a new chief justice of the Su-

preme Judicial Court after Roderick Ireland announced he'll retire in July, more than four months before required.

But the process of replacing retired judges could spill over to the next governor's term. The Judicial Nominating Committee recommends three to six candidates per vacancy, giving the sitting governor 18 months to pluck them for an open spot.

Asked if Patrick would try to plug all posts before his terms ends in January, a spokeswoman said, "A fully staffed judicial branch is key to the functioning of state government."

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