



16 Beacon Street
Boston, MA 02108

Phone (617) 742-0615
Fax (617) 523-0127
www.bostonbar.org

May 21, 2025

Heidi E. Brieger
Chief Justice of the Trial Court
Thomas G. Ambrosino
Administrator of the Trial Court
Executive Office of the Trial Court
1 Pemberton Sq.
Boston, MA 02108

Chief Justice John D. Casey
Chief Justice of the Probate and Family Court
Probate and Family Court Administrative Office
3 Center Plaza, Suite 210
Boston, MA 02108

Dear Chief Justices Brieger and Casey and Court Administrator Ambrosino,

I write as President of the Boston Bar Association (BBA), a volunteer organization of 15,000 members drawn from private practice, corporations, government agencies, legal-aid organizations, the courts, and law schools. Our mission is to advance the highest standards of excellence for the legal profession, facilitate access to justice, serve the community at large, and promote diversity, equity, and inclusion in the legal profession.

The BBA takes seriously the bar's responsibility to support the judiciary and assist in efforts to improve the functioning of the judicial system. We share your interest in addressing areas where the Probate & Family Court has faced challenges. Just in the past few years, we have advocated for a number of measures to promote the Court's efficiency, including enactment of the judiciary's IT bond bill, the creation of eight new seats on the Court's bench, and pending legislation to add new statutory staff positions to support the work of the Registers.

It is in this spirit that we oppose any change in the hiring, management, or discipline authority over the sessions clerks for the Probate & Family Court that would shift those oversight responsibilities from the Chief Justice, through each county's First Justice, to the Register of Probate instead. These positions—as well as others, such as Judicial Case Managers, Assistant Judicial Case Managers, and Judicial Secretaries—work closely with the Court's judges to handle the voluminous cases that are filed each year.

The current structure, in which the First Justice of each county's court has historically held this authority, has resulted in the hiring of highly professional staff with a vast knowledge of both probate and family law, whose assignments reflect their expertise. These professionals act in concert with the judges and as liaisons to both the bar and, crucially, self-represented litigants.

Sessions clerks hold a unique position in the court system and enjoy close, consistent, confidential, and often long-term relationships with the judges. This enables the Court to hear a high volume of cases and enter orders when needed. At the same time, sessions clerks often follow a case throughout its trajectory, over the course of years. The BBA is concerned that a change would produce greater turnover of staff—particularly when a new Register of Probate takes office, upon election or otherwise—thereby introducing severe disruption to an already overloaded system and, in turn, negatively affecting litigants' access to justice.

For all of these reasons, the BBA respectfully requests that the Court maintain the current management structure for sessions clerks and similarly situated positions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt McTygue", with a long horizontal flourish extending to the right.

Matthew V.P. McTygue
President

