

2-1928

Report of Massachusetts Judicial Council

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Recommended Citation

Sayre, Paul L. (1928) "Report of Massachusetts Judicial Council," *Indiana Law Journal*: Vol. 3: Iss. 5, Article 9.
Available at: <http://www.repository.law.indiana.edu/ilj/vol3/iss5/9>

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Report of Massachusetts Judicial Council. Public Document No. 144. State House. Boston, Massachusetts, 1927. (Commentary upon this report in the January, 1928 issue of the Amer. Bar Assn. Jour., page 20.)

By statute in 1924 the legislature of Massachusetts created a council for the continuous study of the Judicial system. The council is composed of a distinguished group of judges and practicing lawyers in Massachusetts. In its report it points out the importance of giving efficient and inexpensive justice in keeping with modern needs. The report shows that the cost of the courts and the Industrial Accident Department for the current

year was somewhat over \$6,282,000 while the expense incidental to jails, prisons, etc., was over \$10,500,000. From the point of view of a mere business enterprise that is a considerable undertaking. The Commission feels that the people have a right to a wise and helpful expenditure of so large a sum of their money.

Among the important recommendations of the Commission this year are the following: (1) A material increase in the entry fees incidental to the court actions. The purpose of this increase is to discourage speculative litigation; (2) Extension of the scope of appeal to the Supreme Court in Capital cases. If this change had been consummated before the late Sacco-Vanzetti case, a great deal of delay would have been prevented and perhaps a different decision would have occurred; (3) That the judges of the courts be allowed to express their opinion on the fact at the trial of the case. This would extend to the state judges a power similar to that which Federal judges now hold.

In view of the work of the Judicial Council in Massachusetts, and in view of the recommendations of Judge Cardozo in favor of a ministry of justice, may it not be important for workers in other states to consider the establishment of a Judicial Council or some other body that shall be constantly engaged in the important work of devising plans for the more efficient and wise administration of the law?

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