Good evening. I am honored to be part of tonight’s program.

Over 21 years ago, on September 4, 2001, on my first day as a judge, I had the great fortune of being assigned to sit in the Waltham District Court with Judge Greg Flynn as part of my judicial orientation. It was the first time I met him. As I sat next to him and observed him on the bench, he encouraged me to ask him questions. At the end of the day, we sat in his lobby and discussed many of the issues presented in the court session that day. I gathered the nerve to ask him a question. I had noticed a couple of defendants appeared late for their court appearances that morning and I asked Judge Flynn why he did not issue default warrants against them. Judge Flynn explained that he knew the defendants who were arriving late, was aware of their difficult personal situations and, in his words, he did not want to make their situations worse. He told me that many judges have various judicial philosophies and perspectives. His goal as a judge was to improve people’s lives. He shared with me on that day, and many times after that day, his view about the role of a District Court judge and a judge’s ability to positively impact the community and the lives of those appearing in our courts. It was a conversation, like so many others that he had with new judges during his 28 years on the bench, that made a significant impression on me and so many other District Court judges who had the privilege to work with, and become friends with, Greg Flynn. His work, and the personal and professional impact he had on the District Court, exemplified judicial excellence and that is why I am so pleased to speak tonight about judicial excellence at an event appropriately named in his honor and memory.

First, I want to express my gratitude to Chief Justice Stacey Fortes for her kind introduction and to recognize the outstanding work she is doing in leading the District Court. I also want to recognize Chief Justice Budd, the Justices of the Supreme Judicial Court and the Appeals Court, and the Trial Court Chief Justices and judges who are present tonight. In particular, I thank Justice Scott Kafker, Justice Peter Agnes and the Flaschner planning committee for planning this event. I also thank Judge Matthew Machera and the Massachusetts Judges Conference for co-sponsoring this event and for his leadership.

To Joan Flynn and the Flynn family, it is an understatement to say that Greg was extremely proud of his family—his wife, children and grandchildren. Judge Sarah Ellis once accurately described that Judge Flynn’s lobby contained an “epic collection” of photos, drawings and notes from his children and grandchildren. It is wonderful to be here with you tonight. The commitment by the Flaschner Judicial Institute and the Massachusetts Judges Conference to hold an event dedicated to judicial excellence is appropriate not only because Judge Flynn
epitomized judicial excellence, but also because judicial excellence is a crucial and essential component of a fair and just legal system. In Massachusetts, the longstanding and ongoing commitment of individual judges to embrace education and professional development, and the organizational mindset and culture across the whole system to be innovative and continuously seek improvement, I believe, distinguishes our legal system as one of the finest in the nation because of this commitment to excellence.

Every newly appointed judge receives a copy of a short book written in the 1980’s by former Supreme Judicial Court Chief Justice Edward Hennessey entitled “Excellent Judges.” The Chief Justice eloquently captured the importance of judicial excellence when he wrote: “In searching for perfect justice, we seek the impossible, but the search is worth our total efforts. What we in the courts do, and how we do it, is seen not only by the litigants before us, but by the entire community. The stakes are high. Our performance will help to determine whether constitutional principles are nourished and whether human rights are advanced.”

I am certain that we all agree with his statement that the stakes are high and that seeking to advance human rights, constitutional principles and achieve judicial excellence is essential. Defining judicial excellence, however, is a more complicated question. This subject is challenging to define because the concept of excellence in a courtroom largely depends on where you sit. It carries different meanings for different people, much of it contingent upon one’s perspective and position in the legal system. Judicial excellence is regularly equated with the view of whether justice was accomplished in a particular matter. For litigants, their perspective of excellence is often outcome determinative and naturally framed by the question of whether the judge ruled in their favor. For the public, excellence is often framed by whether the decision issued by the judge was consistent with popular, public opinion. For judges, lawyers and those who work in the legal system, my experience informs me that judicial excellence carries a separate meaning, one that emphasizes not only the importance of individual judicial decision making, but also considers the impact of judicial decisions on society at large and whether those decisions promote public trust and confidence in the administration of justice.

During my career, I was fortunate to have a front row seat witnessing excellence. Repeatedly, I saw judicial action that positively impacted the community and the lives of those appearing in our courts. Day after day, without fanfare or public attention, in courts across the Commonwealth, judges make decisions and impact cases and individuals in our community courts that directly lead to positive outcomes. The positive outcomes include a broad spectrum of results, but the common denominator from all these results is judges striving to improve society.

As all of you know from experience, this work presents real challenges. Judges resolve these seemingly impossible situations and problems by reaching reasonable, lawful decisions—under pressure and imminent time constraints—for persons afflicted with drug and alcohol addiction and mental health issues; they find answers to help those in the midst of poverty, homelessness, and isolation; and they solve and achieve answers for a myriad of other critical
human issues. Judge Flynn often referred to these decision points as the “intersection between the human condition and the law.”

Despite just describing the difficulties and the immense importance of these decisions, I must admit that speaking about judicial excellence at a lecture in memory of Judge Flynn is, quite honestly, made easier because one must only look at his career and his life to find and define excellence.

Judge Flynn understood that judicial excellence truly mattered and he valued and emphasized the importance of education and professional development because he thought it promoted the best qualities of judges. Especially during the past several years -- during a time of great need in our society as our system adopted many changes in order to address the opioid crisis, increasing cases presenting mental health issues, the pandemic and the resulting disparities and eviction crisis -- Judge Flynn was proud to be part of a legal system that valued and embraced answers to these challenges. He strongly advocated that the District Court confront these issues head on because not only is that what judges are supposed to do in promoting justice, but he also believed, that is what judges have a moral obligation to do.

In 2013, the week after I was appointed as Chief Justice, I asked Judge Flynn to serve on the Administrative Committee of the District Court and I was pleased that he agreed to serve. Dating back to Chief Justice Flaschner’s tenure, the Administrative Committee was created as an advisory board to the Chief Justice in establishing important policies and procedures. A couple of years later -- after a large influx of new judicial appointments -- I asked Judge Flynn and the other members of this committee for guidance in reviewing the orientation and education for newly appointed judges. In response, the committee identified a list of best practices, and pitfalls, for new judges. The original, preexisting orientation focused on approximately a dozen points related to ethical, legal, administrative and personnel issues. Within a couple of weeks, the committee presented me with a comprehensive list in excess of 60 best practice points. Much of the list mirrored characteristics outlined in Chief Justice Hennessey’s book which have often been the subject of writings on judicial temperament. The recommendations generally focused on integrity, work ethic, courage, compassion, and modesty. For example, some of the committee’s recommendations emphasized setting the proper tone in the courtroom and not tolerating any disrespect; conducting yourself in a way that promotes civility and respect for everyone; avoiding excessive sidebar and lobby conferences as court business should be conducted in public; and always being mindful that your role as a judge is different -- and that judges should set an example and be a positive role model for others. The list was extensive and identified the best practices and attributes that all judges should aspire to.

While virtually all these characteristics carry their own importance, tonight I want to highlight three qualities in particular because, from my conversations over the years with Judge Flynn, I submit that they carried great significance and importance to him, reflect the best attributes of judicial excellence, and distinguished him as an excellent judge.
The first quality is being a team player. Judge Flynn, by his actions and words, stressed the importance of judges understanding that they were part of something larger than their own personal commissions. When Judge Flynn was ill, he had a steady stream of visitors, reflecting the fact that he had so many friends from across the state from all walks of life. After one occasion -- in June of 2021-- in which many judges in his region visited him at his home, he texted me a photo of the group with the statement “Great friends, great teammates.” He loved the concept of teamwork and considered it essential that judges support one another. Despite any differences in experience or seniority, he thought it was important that all judges be treated and respected on an equal basis. From the very first time you met him, you knew that he was your friend and supporter. He valued loyalty and collegiality among colleagues. He also cherished discussion, debate and even dissent when discussing the law. I think the value he placed on teamwork, friendship and intellectual engagement is why he loved working so much with Judge Tobin Harvey and later Judge Sarah Ellis at Waltham District Court.

The second quality is engagement. Judge Flynn’s emphasis on engagement emanated from his view that judges are an integral part of something larger than themselves and there is greater purpose for judges beyond issuing decisions in the courtroom. My first year in the Administrative Office, just prior to our annual conference, I sent a survey to all District Court judges. The idea was to gain input and feedback as to what the priorities for the future District Court strategic plan should be. Due to the large number of newly appointed judges, I also added a question to the survey asking judges at what point in their careers did they estimate they were comfortable in their judicial role. I recall most judges answered the question by stating that they were comfortable in their judicial role somewhere at about the five-year mark in their careers. However, one response jumped out at me. Judge Flynn vigorously objected to the premise of the question. He rejected the idea that there should ever be a comfort point for a judge, arguing that judges should always seek to learn more and be open to ideas for improvement. His compelling argument caused me to highlight his response at our annual conference because I wanted our judges to hear an ideal that we should aspire to. To understand Judge Flynn’s rejection of this question, you need only look at the lengthy list of the significant responsibilities he assumed during his career: in addition to serving as First Justice of Waltham District Court, he was a judicial mentor, chair of the District Court Civil Committee, a Justice of the Civil Appellate Division, and a member of the Administrative Committee, Access to Justice Commission, First Justice Committee, Jury Voir Dire Committee, and Debt Collection Working Group. In addition, for several years, he represented the Trial Court as the liaison to the Division of Capital Asset Management in which he assisted in the planning and design of the construction of new courthouses across the state. An amazing list of engagement and accomplishments.

The third quality -- and the one I suggest mattered most to Judge Flynn -- is the service of others. You would not have to spend a long time with Greg to learn that he valued his Jesuit education at Holy Cross and that the lessons he learned there carried with him his entire life. Guided by the influence of his family and his faith, he lived his life with an understanding that we have an obligation to care for the afflicted, those with the least among us. He also believed that the service of others is noble and honorable. He demonstrated excellence daily by
promoting justice, fairness, and equality, and by showing respect for all persons, no matter what the situation. He also did it by demonstrating mercy and compassion to others. Judge Flynn knew the litigants in Waltham District Court because he genuinely listened to them, he considered their cases and their lives with interest and compassion, and he remembered them.

He embraced the model that District Courts are community courts. His role as a judge expanded beyond the courtroom and he was a leader in the community. He took action in very specific ways -- giving clothing and sometimes a hot meal to homeless litigants he encountered in Waltham. He also engaged in broader action -- communicating with local homeless and domestic violence shelters, area hospitals, and other service providers to strengthen the ties between the courthouse and the community over decades. He approached his judicial role with humility because he saw himself first and foremost as a public servant. Judge Flynn understood that judges, as he often stated to new judges, need to “put down the pen and focus on the person in front of you,” always remembering that behind every case and legal issue is a human being worthy of respect.

In conclusion, I thank you for the opportunity to share my thoughts tonight. It is fitting that this lecture be devoted to Judge Gregory C. Flynn’s honor as his career was defined by excellence. Thank you.