

## F O R E W O R D

The 1956 ANNUAL SURVEY OF MASSACHUSETTS LAW is entitled to a warm welcome on the basis of the contribution which its two predecessors have made to legal progress in Massachusetts. The bar and the public generally have stood in need of the concise yet all-embracing statements contained in these volumes written by experts in their respective fields. It seems to me that the ANNUAL SURVEY is a valuable added factor in the process of change which is now taking place in the courts of Massachusetts and in the methods of dispensing justice.

It is no secret that the Commonwealth, the Constitution of which sought to guarantee speedy justice for Massachusetts citizens, has lagged behind other jurisdictions which have tackled the problem of congestive delay in civil dockets. The last twelve months have witnessed a strong attack on delay here, the results of which are becoming apparent through the vastly increased use of auditors, the call of district court judges, the establishment of a new rule covering engagements of counsel, the institution of a special docket for cases not currently triable for one reason or another, and the extension of pre-trial. The Superior Court has waged stern warfare on the cancer of congestion.

The fight has not been an easy one — for the bench or for the bar. It has been necessary to upset some modes of procedure inadequate to cope with the problem. It has been necessary to revise concepts held by many, particularly in the trial bar, as to just how old a case should be before it is triable. The endeavors to improve matters and to render justice more speedily have not met with universal approval but no sound argument has been adduced in contradiction of the ultimate objectives of the Court. Nor can there be a denial of the fact that more competent trial lawyers are needed. This deficiency in Massachusetts is reflected also in other jurisdictions in this country which face the same problems that confront us here. It is heartening to note that the law schools of the nation have begun once again to recognize that the existence of a healthy and adequate trial bar is extremely important and to bend their efforts in making necessary provisions to that end in their courses of study.

Hand in hand with the necessity for additional trial lawyers goes the further necessity that they be not only well instructed in the basic law but that they be informed on the facets of change which mark the

progress of the law. The 1956 ANNUAL SURVEY will keep the practicing lawyer abreast of new developments, and in recognition of this I am glad to testify to its worth for the Court which I have the privilege to head.

PAUL C. REARDON  
*Chief Justice*  
*Superior Court of Massachusetts*

*Boston, Massachusetts*  
*April 2, 1957*