The Commonwealth of Massachusetts
Executive Office of the Trial Court
Search for the Commissioner of Probation
Boston, Massachusetts

The Search

The Executive Office of the Trial Court for the Commonwealth of Massachusetts is seeking to hire the next Commissioner of the Massachusetts Probation Service. The Probation Commissioner is the administrative head of the Massachusetts Probation Service and the Office of Community Corrections. The Probation Commissioner oversees more than 1800 staff in over 100 locations throughout the Commonwealth working in the Superior, Municipal, District, Family & Probate, and Juvenile Courts. In conjunction with local, state, and federal law enforcement and human services agencies, Probation is responsible for helping to keep communities safe through monitoring, rehabilitative services, and the supervision of offenders and litigants.

This position calls for a leader with a broad understanding of executive management, strategic planning, the legislative fiscal appropriations process, budgeting, labor relations, and working through collaboration and influence within a complex system. The successful candidate must demonstrate a keen ability to collaborate, build consensus, and motivate and inspire others to realize and implement the core mission of the Probation Service. Significant upper management experience leading a complex public entity through a period of comprehensive managerial change, or similar experience in the private sector, is required, as is a desire to significantly contribute to the promotion of justice and offender accountability and rehabilitation in a high impact public position.

The Executive Office of the Trial Court has selected a 13-member search committee that will recommend the most qualified finalists for this position to the Chief Justice of the Trial Court and the Court Administrator. The Court anticipates making its final decision early in 2013. The Court has also retained the Boston-based executive search firm Isaacson, Miller to assist the search committee with this critical recruitment. All inquiries should be directed to the firm as noted at the end of this document.

Background

The Office of the Commissioner of Probation (OCP) is a department of the Massachusetts Trial Court and serves as the administrative office for the Probation Service and the Office of Community Corrections. The Massachusetts Probation Service is at the center of the delivery of justice through investigations, community supervision of offenders/litigants, electronic
monitoring, diversion of appropriate offenders from institutional sentences, reduction in crime, alternative dispute resolution, service to victims, and the performance of other appropriate community service functions. Probation partners with local law enforcement and human service agencies to keep communities safe and identify rehabilitative programs such as substance abuse counseling and educational and job training. The agency collaborates on a regular basis with federal, state, and local police, Sheriffs’ Departments, the Parole Board, the Sex Offender Registry Board (SORB), as well as state agencies such as the Department of Correction, Department of Mental Health, Department of Transitional Assistance, Department of Children and Families, the Department of Youth Services, and local schools.

In Massachusetts, there are 105 separate Probation Departments: eight divisions of the Boston Municipal Court (BMC), 12 Superior, 62 District, 11 Juvenile, and 12 Probate & Family Courts. Each department is headed by a Chief Probation Officer, who works collaboratively with the First Justice and the Clerk of the court. Trial court judges are appointed and serve until the mandatory retirement age of 70. Superior Court clerks and all registers of probate are elected for six-year terms. The majority of clerks, however, are appointed by the Governor for lifetime terms. Chief Probation Officers are promoted through the Commissioner’s Office under a recently-implemented system of a written examination administered by the Trial Court Human Resources Department and an interview before a panel comprised of designees of the Chief Justices and the Commissioner of Probation. The First Justice of the affected court makes the final selection with the approval of the Commissioner of Probation and the Court Administrator.

The role of Probation Officers varies from court to court. In Superior Court, Probation Officers supervise the most serious felony cases. In District and Boston Municipal Court, they supervise criminal cases. Juvenile Court Probation Officers supervise children, adolescents, and young adults involved in delinquent, youthful and status offending behavior and monitor the welfare of children who are before the Juvenile Court as subjects of parental abuse and neglect. The Probate and Family Court Probation Officers are involved in assisting the court in civil matters such as domestic issues, divorce, paternity, guardianship, and adoption. They investigate custody issues, resolve disputes regarding visitation and enforce court orders regarding child support. The courts also vary in the volume of caseload.

Probation serves a critical role in the data and information needs of judges and the criminal justice system. Probation Officers make recommendations to judges in accordance with sentencing guidelines. They update and maintain Court Activity Record Information (CARI) and the Civil Restraining Order Registry. Probation Officers also screen applicants during the court intake process to determine indigence or eligibility for a court-appointed attorney. The agency is also charged with the sealing of records. The Electronic Monitoring Program (ELMO) is administered by the Probation Service, with a central office in Clinton, Mass., staffed 24 hours a day, seven days a week. There are over 2,200 offenders statewide being tracked on a daily basis.

The Office of Community Corrections is a division of Probation. There are 21 Community Corrections sites throughout the state. The Community Corrections Centers, including Juvenile and Women’s Resource Centers, provide an alternative to incarceration. There is a Probation Officer-In-Charge assigned to each of the 21 centers. The centers are community supervision
sites where offenders must check in regularly. Substance abuse treatment, GED preparation, and job training are offered at the centers. There is also a community service component; offenders perform such tasks as park clean-up, snow removal, and delivery of food to soup kitchens.

Current Situation

Commissioner Ron Corbett was appointed by Chief Justice Mulligan to a two-year term as Acting Commissioner of Probation in January of 2011 when the previous Commissioner resigned amid allegations of impropriety. Over the past two years, Commissioner Corbett has recommitted and refocused the attentions of the department on three main goals: reducing recidivism, increasing compliance with court orders, and meeting the information needs of judges. Through his leadership, the department has restored and rebuilt relationships across the Commonwealth’s criminal justice system, revised hiring protocols for Chief Probation Officers, Regional Administrators, and new Probation Officers, introduced new systems and best practices, fostered pilot programs, adopted evidence-based practices, and introduced data into administrative decision making.

In September, Commissioner Corbett announced he will be retiring in January 2013. His leadership has created forward momentum for the OCP and built a foundation for a new leader to rebuild, reshape, and reimagine the Probation Service and Office of Community Corrections. The Commissioner of Probation is appointed by the Chief Justice of the Trial Court and the Court Administrator and will work on a day-to-day basis with the Court Administrator.

Challenges and Opportunities

The key objectives or areas of focus for the Commissioner of Probation are as follows:

**Continue to focus on the core mission of OCP.** The department has three main goals: reducing recidivism, increasing compliance with court orders, and meeting the information needs of judges. However, continuous reductions in budget and staff have placed a strain on the core functions of the Probation Service. Focusing on the key work of Probation and using that lens to form more effective partnerships with law enforcement and human services agencies in the state will help form win-win partnerships. Additionally, working to bring focus to the Office of Community Corrections will provide opportunities for partnerships and for the most effective use of OCC resources.

**Effectively and efficiently manage the human capital resources of the Probation Service and Office of Community Corrections.** Currently, approximately 1,800 Probation employees are employed in over 100 locations across the Commonwealth. This level of staffing represents a decrease of nearly 400 positions since October 8, 2008, when the Trial Court instituted a hard hiring freeze. As a result of the hiring freeze, many positions have been left unfilled and the courts are unequally staffed relative to their needs.
All employees below the level of Chief Probation Officers are unionized. Working closely with the unions through the Trial Court’s Human Resources Department, there has been a round of voluntary reassignment, but further work needs to be done to make sure that critical needs are met in trial courts with the heaviest caseloads. Moreover, a number of key administrative roles including several Deputy Commissioners and several Regional Administrators remain unfilled, and several retirements will create openings for new Chief Probation Officers. As the OCP resumes hiring, there will be an opportunity to build a new leadership team for the Probation Department. The Commissioner will support and oversee the use of current management best practices for recruitment, training, retention, promotion, performance evaluation, discipline, termination, and professional development.

Additionally, the Commissioner must work to continue to respond to the training and development needs of front-line Probation Officers and hone the managerial skills of the Chiefs and Regional Administrators at a time when they are asked to do more with less. Restoring the morale of the workforce through continued investment in training, support for core functions, and rebalancing of resources is critical.

**Oversee the budget and work effectively with the Legislature and Governor’s Office to secure the resources OCP needs to meet its core mission.** The Probation Service budget for the fiscal year 2012, which ended on June 30, 2012, was approximately 7% less than the budget for fiscal year 2009. Over the same time period, the Office of Community Corrections has seen a nearly 70% increase in its budget. Transferability among line-item budget accounts is limited by statute. The Probation Commissioner will oversee the preparation of annual budgets for the Probation Service and Office of Community Corrections and represent the OCP in budget negotiations with the Court Administrator before the Legislature and the Governor’s staff. He or she will submit budget requests based on demonstrated need, supported by appropriate metrics, including the use of workload assessment models and the application of appropriate performance measures. He or she will work with the Office of Court Management to ensure a streamlined and automated fiscal reporting structure to eliminate any unnecessary duplication and complexity, while maintaining the highest degree of accountability and transparency.

**Facilitate open communication and collaborative relationships within the Commonwealth’s criminal justice system.** The Probation Commissioner serves as the conduit between the Probation Service and external constituencies. The Commissioner will establish strong, productive, and ongoing relationships with the members of the Judiciary and Executive Branches and the Legislature, proactively reaching out to and maintaining open communication with these key stakeholders.

The Commissioner will work to facilitate effective and constructive communications regarding the work of probation with the media and other entities. In addition, the Commissioner will work closely with leadership from the Department of Youth Services, the Department of Correction, the Parole Board, Sheriffs, the Court Administrator, the Chief Justice of the Trial Court, and other stakeholders to establish collaborative working relationships with all divisions of the Probation Service.
In addition, the Commissioner will provide management, policy and fiscal oversight of the Chief Probation Officers, assuring that the role of these officials is accurately defined and that adequate training and support are properly provided to facilitate constructive relationships with judges and court clerks.

**Adopt best practices and innovation within Probation.** The Service has a long history of innovation. Established in 1841, the Massachusetts Probation Service was the first in the nation. It was also the first service to use electronic monitoring bracelets and created the nation’s first database of civil restraining orders. The Massachusetts Probation Service was at the forefront of non-traditional community supervision in the form of Operation NiteLite through which Probation Officers and police officers partnered to visit homes, workplaces, and haunts of offenders, and in Essex County is presently collaborating with all stakeholders in a federally funded Demonstration Field Experiment testing the efficacy of Hawaii’s HOPE model.

The Commissioner must be the champion of innovation within the Probation Service and make an effective argument for how new technologies, tools, or practices will best meet the goal of reducing recidivism. The Probation Department is in the middle of training for a new risk/needs assessment tool—Ohio Risk Assessment System (ORAS)—for adult probationers and will soon adopt a similar tool for juvenile probationers—Ohio Youth Assessment System (OYAS). The next Commissioner must support and encourage training and implementation of these new assessment tools. The Commissioner must seek out opportunities to renew and refresh the vigorous exploration and implementation of evidence-based practices in the pursuit of reducing recidivism and protecting communities.

**Qualifications and Experience**

The professional experience and personal attributes of an ideal candidate include:

- Significant experience in collaboratively leading a complex public entity through a period of comprehensive managerial change, or equivalent experience in the private sector, with a commitment to contribute significantly to promoting justice and safety in an often high-pressure, high-impact, and high-profile public position.
- A graduate degree is required.
- A demonstrated capacity to collaborate, build consensus, and motivate and inspire others to realize the overarching vision of the criminal justice system.
- Outstanding communication and team-building skills, as well as business and political acumen. A management style that is collaborative, inclusive and empowers others to succeed.
- The openness to solicit input from a wide variety of internal and external stakeholders, coupled with the ability to make difficult and sometimes unpopular decisions.
- A deep understanding of the criminal justice system, intergovernmental relations and the public budgeting and appropriations process, together with a firm grasp of the interconnection between judicial priorities and budgeting. The ability to work with the
Court Administrator, Chief Justice of the Trial Court, departmental chief justices, legislators, and members of the Executive Branch to obtain the funding and structural support necessary for the Probation Service to carry out its mission.

- A commitment to transparency and accountability through the use of performance data and evaluation at all levels of Probation’s administration. Experience in an environment where the collection, quality, and sharing of data is important and data is used to support continuous improvement throughout the Probation Service.

- A commitment to developing evidence-based policies and practices.

- Experience with the implementation of innovative technologies and practices to enhance operations.

- Familiarity with the development and successful implementation of complex strategic plans.

- An understanding of the legal requirements applicable to employers operating in a unionized work environment.

- An appreciation and respect for the expertise of others.

- A strong sense of confidence and the wisdom and courage to make difficult choices when needs are abundant and resources are not.

- Absolute integrity, strong listening skills, supervisory experience, patience, compassion, high energy, and a sense of humor.

To Apply

All inquiries, nominations/referrals and applications (resumes with 1-2 page cover letters) may be directed in confidence to:

David A. Haley, Vice President & Director
and
Heather Brome, Senior Associate
Isaacson, Miller
263 Summer Street, 7th Floor
Boston, Massachusetts 02210
e-mail: 4661@imsearch.com

Electronic submission of materials is preferred. Isaacson, Miller will continue to accept applications until the position is filled.

The Commonwealth of Massachusetts is an affirmative action/equal opportunity employer.
APPENDIX

EMPLOYMENT OPPORTUNITY

Open until filled

MASSACHUSETTS TRIAL COURT

Job Description and Qualifications
for
Commissioner of Probation

MISSION STATEMENT OF THE MASSACHUSETTS TRIAL COURT:

The Trial Court is committed to providing equal access to justice for all who use the Commonwealth’s courts; to the efficient and effective administration of justice and the fair and impartial resolution of disputes; to the protection of constitutional and statutory rights and liberties; to prompt and courteous service to the public by committed and dedicated professional employees utilizing best practices in a manner that inspires public trust and confidence.

MISSION STATEMENT OF THE MASSACHUSETTS PROBATION SERVICE:

The Massachusetts Probation Service is at the center in the delivery of justice through investigations, community supervision of offenders/litigants, diversion of appropriate offenders from institutional sentences, reduction in crime, mediations, service to victims, and the performance of other appropriate community service functions.

ORGANIZATIONAL PROFILE:

http://www.mass.gov/courts/probation

POSITION SUMMARY:

The Commissioner of Probation serves as the executive and administrative head of all employees of the Trial Court Probation Service. Reporting to the Court Administrator of the Trial Court, the Commissioner of Probation exercises executive control and supervision of the Massachusetts Probation Service consistent with G.L. c. 276, sections 98 and 99. The Commissioner directs the operations of the Probation Service by issuing policies and procedures, probation metrics, ongoing training and communication, and employee evaluations. The Commissioner is directly responsible for ensuring that all deputies, chief probation officers, and other probation personnel comply with existing statutes, best evidence based practices, and all Probation and Trial Court policies and procedures. The Commissioner collaborates with court officials, the law enforcement community, and a variety of other government officials outside the Trial Court on behalf of the Probation Service. The Commissioner also manages an administrative staff that performs or participates in a variety of administrative functions, including work assignments, discipline, program development, research, the training of staff, technical assistance, the review of probation reports and data, hiring, and the general oversight of all probation offices.
MAJOR DUTIES:

Commissioner of Probation Duties:

Directs all employees in the Probation Service, designating work assignments, monitoring the completion of those assignments, evaluating employees performance, and taking corrective action as necessary including progressive discipline when necessary if employee conduct does not meet stated expectations;

Upholds the Probation Service mission and strategic goals in order to achieve effective and efficient management of the Probation Service;

Engages in strategic planning and new initiatives for the improvement of the Probation Service;

Maintains the standards and rules of probation work, including methods and procedures of investigation, mediation, supervision, case work, record keeping, accounting, caseload and case management, and promulgates such rules as established by the Trial Court;

Establishes the reports and forms to be maintained and the procedures to be followed by probation officers;

Represents the Trial Court as requested on probation-related matters;

Establishes the metrics and performance standards for all probation officers, staff, and operations of the Probation Service throughout the Commonwealth;

Develops systems to recognize outstanding performance and takes action to continuously improve performance of Probation Service employees and programs consistent with Trial Court policy and procedure;

Adopts methods for effective use of staff and improved programs and practices through the development of special skills, training, supervision, and service delivery techniques;

Oversees the implementation of disciplinary action on Probation Service employees in consultation with the Trial Court Human Resources Department;

Informs the Court Administrator or his/her designee of any allegations of criminal conduct by probation personnel and any intended disciplinary action against probation personnel;

Oversees the maintenance of all Massachusetts Probation Criminal Offender Record Information (CORI) and complies with all statutory requirements for such records;

Collaborates and maintains effective working relationships with court officials, the law enforcement community, and a variety of other government officials on behalf of the Probation Service in an ongoing effort to develop strategies that promote partnerships;

Collaborates with community organizations and agencies to promote crime and delinquency prevention and remediation;

Conducts regular staff meetings to disseminate information and discuss matters relevant to probation operations;
Identifies all state-wide training needs of probation personnel;

Serves as the immediate manager for the Office of the Commissioner of Probation, appointing and managing all senior personnel and staff consistent with Trial Court policies and procedures;

Makes recommendations to the Court Administrator on the appointment and merit of Probation Service Personnel;

Submits budget recommendations for the Probation Service to the Court Administrator of the Trial Court;

Makes recommendations to the Court Administrator for the addition of probation, clerical, administrative personnel within the Probation Service;

Develops and implements operational and organizational policies consistent with the Probation mission;

Modifies and adapts services and programs, and develops new approaches to meet the changing needs of the Probation Service;

Compiles statistics and conducts research studies relating to crime, delinquency, and family service matters; and, may participate with other agencies in research studies;

Performs other related duties as required.

**PROBATION SERVICE COMPETENCIES:**

All applicants must be able, through the interview process, prove proficiency in the following competencies:

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<th>Competencies</th>
<th>Key Skills</th>
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<tr>
<td>Ethics and Values</td>
<td>Communicates and demonstrates the ethics and values of Probation Service and the Trial Court.</td>
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<td>Mission and Vision</td>
<td>Understands, upholds, and communicates the stated organizational mission and vision.</td>
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<td>Leadership</td>
<td>The ability to motivate staff and effectively execute the strategic goals and responsibilities of the Probation Service.</td>
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<td>Team Building (Motivating Others)</td>
<td>Fosters a sense of shared goals and accountabilities through the development of positive relationships in order to promote a healthy work environment.</td>
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<td>Collaboration</td>
<td>Demonstrates flexibility and openness to modifications and adaptations suitable to the situation; Receptive to diverse ideas and opinions without being unduly judgmental.</td>
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<td>Strategic Thinking and Planning</td>
<td>Utilizes the best available information to successfully achieve positive future outcomes on an organizational and local level.</td>
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<td>Performance Measurement (Individual and EBP)</td>
<td>Understands the value and importance of performance measures as a basis for both individual and departmental assessments.</td>
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<td>Influence</td>
<td>Understands the appropriate use of advocacy and persuasion in order to effectuate positive change and growth within the organization.</td>
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<td>Managing External Environment</td>
<td>Creates and promotes cooperative partnerships with other agencies in Probation's sphere of operations; develops strategies to promote partnerships and team building.</td>
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<td>Continuous Learning</td>
<td>Is actively committed to and actively works to continuously improve himself/herself.</td>
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REQUIRED EXPERIENCE AND EDUCATION:

These are the minimum requirements necessary to apply for the position of Commissioner of Probation:

Education and Experience:

A graduate degree is required, preferably in behavioral sciences, criminal justice, law or management.

At least 10 years of service in probation, law, corrections, parole, or other criminal justice or human services position or equal relevant experience within the private sector.

Management background: Significant experience in collaboratively leading a complex public entity through a period of comprehensive managerial change, or equivalent experience in the private sector, with a commitment to contribute significantly to promoting justice and safety in an often high-pressure, high-impact and high-profile public position.

Professional Development: Must have a background that demonstrates a history of regular professional development; including a record of initiating best practices, evidence based policies, new efficiencies, and innovative technologies to enhance probation or other human services.

Additional Preferred Knowledge, Skills, and Abilities:

A demonstrated capacity to collaborate, build consensus, and to motivate and inspire others to realize the overarching vision of the criminal justice system.

Outstanding communications and team-building skills, as well as business and political acumen. A management style that is collaborative, inclusive and empowers others to succeed.

The openness to solicit input from a wide variety of internal and external stakeholders, coupled with the ability to make difficult and sometimes unpopular decisions.

A deep understanding of the criminal justice system, intergovernmental relations and the public budgeting and appropriations process, together with a firm grasp of the interconnection between judicial priorities and budgeting.

The ability to work with the Court Administrator, Chief Justice of the Trial Court, Departmental Chief Justices, legislators, and members of the Executive Branch to obtain the funding and structural support necessary for the Probation Service to carry out its mission.

A commitment to transparency and accountability through the use of performance data and evaluation at all levels of Probation’s administration. Experience in an environment where the collection, quality, and sharing of data is important; and data is used to support continuous improvement throughout the Probation Service.
Familiarity with the development and successful implementation of complex strategic plans.

An understanding of the legal requirements applicable to employers operating in a unionized work environment.

An appreciation and respect for the expertise of others.

A strong sense of confidence and the wisdom and courage to make difficult choices when needs are abundant and resources are not.

Absolute integrity, strong listening skills, supervisory experience, patience, compassion, high energy, and a sense of humor.

**SALARY:** Available upon request.

**HOW TO APPLY:**

Isaacson, Miller has been hired to conduct this executive search process in collaboration with the search committee chaired by the Chief Justice of the Trial Court.

Applications (resume and a 1-2 page cover letter) may be sent in confidence to:

David A. Haley, Vice President & Director  
Heather Brome, Senior Associate  
Isaacson, Miller  
263 Summer Street, 7th Floor  
Boston, MA 02210  
4661@imsearch.com  
Electronic submission is preferred.

Isaacson, Miller will continue to accept applications until the position is filled.

Submission of a Trial Court application also will be required during the selection process.

That application may be downloaded from:

http://www.mass.gov/courts/jobs

or from the Trial Court Intranet web site at

http://trialcourtweb.jud.state.ma.us/jobs

**AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER**