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Broderick improved the judicial system

Monitor editorial by Monitor staff

It was sad to hear that John Broderick, chief justice of the New Hampshire Supreme Court, will step down in November and return to private life. He has been a kind, passionate and highly effective advocate for the judicial system and the people it serves.

Broderick, who was appointed to the high court in 1995 and made chief in 2004, lifted the gloom that settled over the state's judicial system in the wake of the failed, and misguided, impeachment of then-Chief Justice David Brock. Courts are inherently intimidating, but Broderick threw open their doors and made them, and himself, accessible.

When that wasn't enough, he took to the road to explain the role of the courts and the importance of everyone having equal access to justice. He used his wit, sincerity and energy to try to clear the cloud of distrust that hung between the courts and Legislature. That, more than his opinion in any given case, may be his biggest judicial legacy.

That's not to say that Broderick got all, or even much, of what he wanted. He has been overseeing the courts during a recession that depleted the state's coffers. Too often, success meant minimizing the damage to the system. He had to close courts, suspend trials in civil cases, delay hiring judges and, to preserve jobs, require the system's 630 employees to take unpaid furloughs.

Broderick says the chronic budget battles and cuts did not influence his decision to leave the court. We believe him but hope that his replacement is as persistent and skilled in making the case that a well-functioning court system and timely access to justice is fundamental to democracy.

As a jurist, Broderick was on the winning side all but once in the biggest legal issues in a generation: the so-called Claremont decisions that found funding public education to be the state's responsibility. His dissent in that series of cases came only in 2008, when, by a 3-2 margin, the court said the state had met that responsibility. Broderick disagreed.

As an administrator, Broderick is an innovator with the political skills to make ideas like alternative dispute resolution a reality. He launched a program to assist lawyers and judges with substance abuse problems, backed courts that specialized in dealing with business disputes and defendants who have a mental illness or substance abuse problem. He launched a citizens commission charged with finding out how to make the state's courts more user-friendly and added New Hampshire to the list of 25 states that are working to improve legal services for low-income citizens.

Broderick, a former bar association president and one-time talk show co-host, is not likely to leave the court only to disappear into the anonymity of a quiet private practice. We hope that he will continue to be involved in the reforms he's launched as chief and, in his spare time, to think of some new ways for the state's judicial system to work more effectively and transparently.