

Opinion

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A well-deserved accolade for Judge Curran



RWU LAW

Superior
Court Judge
Dennis J.
Curran

OLD WAYS are hard to change, even when they don't make particular sense. But one Massachusetts judge has, by dint of long and careful efforts, helped bring about an important improvement in this state's judicial process.

On Thursday, the Massachusetts Bar Association honored Superior Court Judge Dennis J. Curran with its prestigious Chief Justice Edward F. Hennessey Award for his work to revamp the way juries are selected in Superior Court in Massachusetts.

Traditionally, potential jurors have been asked to fill out a short questionnaire with standard queries. Attorneys trying the case could scrutinize the answers to those questions but couldn't ask specific

questions of their own. Using his judicial latitude, however, Curran has long allowed attorneys to pose questions. That process, which is used in most other states, makes it easier to detect biases or prejudices that could affect impartial jury deliberations in the specific case at hand. Thus it allows both sides to help select a jury they feel comfortable with.

Curran has used the so-called attorney-directed voir dire process in more than 200 cases over a decade. He wrote a study about the way the process worked in more than 100 of those cases. His experience not only demonstrated that the innovation is more satisfactory than the traditional process, it also allayed fears that it would add significant time and expense to trials. And that, in turn, helped per-

suaire the Legislature to pass a law last year establishing attorney-directed voir dire on a formal basis in Superior Court. Judges still have considerable discretion in how many and what kind of questions they allow attorneys to ask, as well as how much follow-up there is.

"He is one of the most innovative justices we have on the Superior Court of Massachusetts," says Martin W. Healy, Massachusetts Bar Association chief legal counsel and chief operating officer. "He was basically a one-man pilot project."

The award the bar association bestowed on Thursday celebrates those who have shown "extraordinary leadership and dedication to improving the administration of justice." It's an honor Judge Curran richly deserves.