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INSTITUTE OF JUDICIAL ADMINISTRATION (IJA)  
Oral History of Distinguished American Judges

**HON. RODERICK L. IRELAND**  
**MASSACHUSETTS SUPREME JUDICIAL COURT**

**An Interview**  
with  
Shalanda H. Baker

October 28, 2022

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[START RECORDING]

BAKER: Hi Justice Ireland. It's really so great to be with you today. Thank you so much for meeting with me. As you know, I'm Shalanda Baker, I'm your former law clerk. I'm so pleased to conduct your oral history at the Institute for Judicial Administration at New York University School of Law --

JUSTICE IRELAND: [Interposing] Shalanda, it is my pleasure to be with you. And you are one of the people I am most proud of. You've done so well with your own career. And maybe I should be interviewing you instead of you interviewing me.

BAKER: Not a chance. Not a chance --

0:00:47 I wouldn't have missed this opportunity to spend some time with you and really just talk about your life and your trajectory. And I do want to start that, if it's okay with you.

JUSTICE IRELAND: Absolutely.

BAKER: Okay. So let's actually start with your foundation. I've heard you talk about your family so much over the years. I'm wondering if you could share a little bit about your roots and your foundational story: your mother, your grandparents, the folks that really shaped who you are.

0:01:17 JUSTICE IRELAND: Absolutely. I am third generation of Springfield, Massachusetts. So I grew up in Massachusetts. Now the family history is kind of interesting. My

grandfather, George, was put on a train when he was 7 years old. He was in Camden, South Carolina. They put a note on his coat. It said he's going to Springfield, Mass and the red caps<sup>1</sup> passed him along from one red cap to another on the trains. He got to Springfield where he was to live with his aunt who lived in Springfield.

BAKER: Okay.

JUSTICE IRELAND: So George arrived in Springfield as a young 7-year old. He only went to the 6<sup>th</sup> grade. He married my grandmother and they had two children. One of them was my dad. My dad grew up in Springfield, attended the public schools there. And then he met my mother in college and after college they married and he brought her back to Springfield.

0:02:28 My mom was from Spartanburg, South Carolina. She was one of ten kids. She grew up in the deep segregated South. They only had one child. So I was the only kid. We lived in a house in Springfield where my parents and I lived on the first

0:02:52 floor, my grandparents lived on the second floor, and on the third floor my grandmother rented out single rooms to individuals. At that time in Springfield, there weren't a lot of opportunities or options for a lot of people in the black community in terms of where they would live. So we

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<sup>1</sup> Baggage porter at a railroad station

had some people who lived on the third floor with us, one guy lived 25 years, another for over 30 years. So they were like extended family.

0:03:28 BAKER: Right. So you have that extended family -- people really looking out for you I would say?

JUSTICE IRELAND: Well, looking at me --

BAKER: [Interposing] [Laughing].

0:03:49 JUSTICE IRELAND: -- all the time and so I always felt like I had a bullseye on my back. Anyone who knew my grandparents would call them and say I saw your grandson. Anyone who saw me and knew my parents, they would call my parents. So between them, they had a network of what I called spies who were always --

BAKER: [Interposing] [Laughing].

0:03:58 JUSTICE IRELAND: -- keeping an eye on me. On what I was up to.

BAKER: And so your family lived on the first floor. Your grandparents on the second. Can you talk a little bit about what your grandparents did and, you know, professionally for work because they sound like they were sort of a hub of -- of a vibrant community.

0:04:16 JUSTICE IRELAND: Well my grandfather worked like as a domestic --

He went to homes of well-to-do people and he would work. He would maybe be cleaning up one part of the house or he'd be doing errands, do whatever they asked him to do.

My grandmother taught -- she was a retired teacher. So she was someone who was very well educated at that time.

BAKER: Right.

JUSTICE IRELAND: But now my dad was a house painter -- He painted houses. And my mother was a school teacher. She taught fourth grade.

0:04:50 BAKER: And so what about the influence to go to law school? Were there influences in your life in that home that propelled you down that trajectory --

JUSTICE IRELAND: [Interposing] No -- no, no. No one ever brought up law as a possibility. But I always understood that the expectation was that I was to go to college. I was going to get a college education no matter what. And I often thought, well, maybe I want to be a doctor.

BAKER: Mm-hmm.

0:05:20 JUSTICE IRELAND: That was short-lived when I went to college and I took organic chem --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- I decided that's not for me [Laughing]. That was just not my cup of tea. But I knew I was going to go to college. That was clear. I didn't have an option about that.

BAKER: Got it. Okay. So again, sticking with your childhood, sticking with your community in Springfield. We met in Boston which is a couple of hours away from

0:05:47 Springfield. What was Springfield like in the 50's and 60's during your childhood? What was the community like surrounding that house with three stories, with all those members of your extended family?

JUSTICE IRELAND: Well, you know we lived in a community called the Old Hill Community.

0:06:02 Mostly people of color. I attended public schools from Kindergarten through high school. Almost all of the people in the community were blue collar working people who had different kinds of jobs. We were one of the few black families in the community to actually have a house that we owned, that we lived in. But it was a very hardworking community. I grew up in the church. My mom was very involved in church activities. She used to be the superintendent of the Sunday school and she used to tell me, Rick, if there's only one kid in Sunday school today that's going to be you.

BAKER: [Laughing].

JUSTICE IRELAND: So you might as well stop whining and you're going --

BAKER: [Interposing] You're going to church.

JUSTICE IRELAND: -- to have to go, you're going. You're going to go.

0:06:56 BAKER: And what church was that?

JUSTICE IRELAND: Third Baptist Church.

BAKER: Got it. Okay.

0:07:04 JUSTICE IRELAND: But that was a great opportunity for me actually because I taught Sunday school, I played on the basketball team. And it was the first place I got to make little speeches before a group of people. And that -- was a good beginning point for me.

BAKER: Yeah, I've heard that a lot. I mean a lot of kids that come up in the church, they're doing the public speaking, they're singing, they're also learning how to lead --

JUSTICE IRELAND: [Interposing] That's right --

0:07:25 BAKER: -- which is, BAKER: -- you know, a common experience.

JUSTICE IRELAND: -- yeah.

BAKER: So you're now famous. You know? And certainly famous in your hometown. I'm wondering what it's like to go back. You have a courthouse named after you. You have a street named after you. What is this like?

0:07:41 JUSTICE IRELAND: Well you know when I go back to Springfield, I don't think about the fact that --

BAKER:[Interposing] [Laughing].

0:07:53 JUSTICE IRELAND: -- there's a courthouse or a street named after me. But I do think about how this is where I learned about life, where I put together a -- I guess my paradigm about right and wrong, good and bad, where I learned about how to treat other people and how to behave.

BAKER: Right.

JUSTICE IRELAND: One quick story about the street I grew up on. So it's named after me, yes. But when I was a 10 or a 12 or a 13-year old kid, I was with a group of my friends on that street and I was smoking a cigarette.

0:08:19 BAKER: Hmm. JUSTICE IRELAND: And an eagle-eyed 90-year old woman --

BAKER:[Interposing] [Laughing].

JUSTICE IRELAND: -- spotted me and called my grandmother. And my grandmother called my mother and by the time I got home, you know, I was in big trouble. I was confronted. Were you smoking a cigarette? And I did what any normal teenager would do. I said no, it wasn't me, ma --

BAKER:[Interposing] [Laughing]. Right.

0:08:43 JUSTICE IRELAND: So I got in trouble twice. One for lying about the smoking and I said to my mother, you know that lady, she couldn't see anything because she's so old. And so I got in trouble for being-- you know, disrespectful to a senior citizen.

0:09:00 BAKER: Hmm.

JUSTICE IRELAND: So that was me, on my street.

BAKER: Wow, wow.

JUSTICE IRELAND: A couple of years later, I learned my lesson not to smoke a cigarette near that woman --

BAKER:[Interposing] [Laughing] Right.

JUSTICE IRELAND: -- but I was in the middle of the street



smoking a cigarette and another person who lived on the third floor said he saw me smoke a cigarette.

0:09:19 He claimed that when he drove up to me, suddenly the cigarette was gone. It just went out of clear air, it was gone. He said so obviously you swallowed the cigarette. I said there was no cigarette --

BAKER:[Interposing] [Laughing].

JUSTICE IRELAND: -- and for about 50 years he and I, whenever I saw him, he would say you swallowed that cigarette.

BAKER:[Interposing] [Laughing].

JUSTICE IRELAND: I'd say no, there was no  
0:09:40 cigarette to be swallowed. BAKER: [Interposing] Wow.

JUSTICE IRELAND: -- That was my street.

I was so honored when they decided to  
0:09:47 name this street after me. It was something I didn't know about until after the fact. They had a ceremony and a lot of community people I grew up with came for that event. Of course the people who watched me grow up, they took pride in watching me go forward. A lot of them went out of their way to help me along the way.

0:10:13 BAKER: I'm sure --

JUSTICE IRELAND: [Interposing] Yeah.

BAKER: And so let's talk a little bit about your high school years. Right? And you went to high school in the 50's or so.

JUSTICE IRELAND: I did.

0:10:23 BAKER: What was it like in Springfield during that time?

JUSTICE IRELAND: Well, you know, that's an interesting story --

BAKER:[Interposing] Mm-hmm.

0:10:29 JUSTICE IRELAND: -- because Springfield is, even today in 2022, is designed the same way. BAKER: [Interposing] Okay.

JUSTICE IRELAND: -- When you get to junior high school you have to decide which high school you will attend, and we have different kinds of high schools. We have vocational high school where you're going to learn a trade. We have a school called Commerce<sup>2</sup> where you learn to work in the commercial world. There's technical high school. And then there's the college prep school called

0:11:00 Classical<sup>3</sup>. Well when I was in junior high school I remember I met with my guidance counselor and I told her I wanted to go to the college prep school. She told me, well, I don't think that would be a good fit for you -

BAKER:[Interposing] Hmm.

JUSTICE IRELAND: -- 'You should go to trade high school because you can learn a good trade. You won't be able to do college work so there's no point in going to Classical.

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<sup>2</sup> High School of Commerce, specialized high school in Springfield, MA that prepares students for college and careers through personalized learning pathways.

<sup>3</sup> Classical High School, college preparatory school in Springfield, MA established in 1898 and operated until it merged with Technical High School in 1986.

'So I went home. I reported that to my parents. And then next day my father went with me to school- He went and met with the guidance counselor. I don't know what was said but I know by the end of the day she called me in and told me, 'Well, you're going to go to. I'm going to put you down to go to Classical, but I'm not sure that's a good placement for you.'

BAKER: What was it like at Classical? What types of students were there, and how diverse was the student population?

JUSTICE IRELAND: Well it was not a diverse group. There were only 10 or 12 black students in the whole high school. BAKER:[Interposing] Mm-hmm.

0:12:08 JUSTICE IRELAND: It was very challenging. It had outstanding students, good students.

So it was a bit of a stretch for me to be at Classic . Now as an older person, I can look at the systems. and think to myself, it -- the -- The junior high school I attended wasn't as well prepared, did not prepare its students as well for high school as some other communities did. Now they did the best they could. They didn't have all the resources and everything else.

BAKER: Right.

JUSTICE IRELAND: Which meant when I was in high school, my parents had to get tutors for me for some classes that I took, like physics and chemistry, and so forth and so

0:12:49

on. I never thought about it until I got to be an older man. They had to pay tutors.

BAKER: I was just thinking that. And who were the tutors?

JUSTICE IRELAND: They got students from one of the local colleges American International College, the AIC.

0:13:09 I still remember one fellow who came and did his best to help me understand geometry.

[Laughter]

JUSTICE IRELAND: What a challenge that was. But we made it.

BAKER: Mm-hmm.

JUSTICE IRELAND: We made it.

BAKER: What about your extracurriculars during high school

JUSTICE IRELAND: [Interposing] Oh, listen. I still chuckle these days. You know I imagined myself to be

0:13:28 quite a basketball player when I was going into high school. And I was pretty good for --

BAKER:[Interposing] You played on the church team.

JUSTICE IRELAND: Yeah, I did and I played on the community league team. So I was on three teams at the same time at one point. My dad and I struck a deal where I could play basketball as long as my grades were good.

0:13:50 BAKER: Hmm. Okay. JUSTICE IRELAND: That seemed reasonable. Well, I was good enough to make the junior varsity and then good enough to be called up to the varsity. It was unusual for a freshman to play on the varsity, and

I was as proud as I could be. Everything was going so good until the grades came out --

BAKER:[Interposing] Oh [Laughing].

JUSTICE IRELAND: -- and the grades were not good.

BAKER:[Laughing].

0:14:14 JUSTICE IRELAND: So my father said, well, your [basketball] career is over. You're done.

BAKER: Got it.

JUSTICE IRELAND: And I remember saying to him, dad, but you don't understand.

JUSTICE IRELAND: You don't understand. His response to me was, no, Rick, you don't understand. Now fast forward about, I don't know, 40 years. I'm now about to be sworn in to the Supreme Judicial Court and my parents were there. My dad said, Rick, I've got something for you and he gave me a basketball. He said now you can play all the basketball you want.

0:14:45 BAKER: I love that. I love that. Do you still play?

JUSTICE IRELAND: I, I --

BAKER:[Interposing] [Laughing].

JUSTICE IRELAND: -- at this stage, no.

BAKER:[Laughing]. Okay. Before we leave your high school years, I do want to have you reflect back a little bit on advice you would have given yourself. Advice you might give even someone who was coming up through that system now in Springfield, in 2022. To a young person who was

situated like yourself, what kind of advice would you give?

0:15:16 JUSTICE IRELAND: The major thing I would say is don't accept advice that sets limits on you. Don't allow people to tell you that you can't do something. That you're not good enough, you're not smart enough. If you have a thought that I would like to go to college, why not pursue that? If there's something that you see as something that's important to you, I say pursue it. Don't listen to the naysayers.

BAKER: Okay. Well so let's go then to your college years. You went to Lincoln University which is a historically black college, an 'HBCU', and it touts itself as the first degree granting HBCU in the country.

JUSTICE IRELAND: It was. It was established in 1854. It has just an outstanding history. At one point it generated more black lawyers, doctors and professionals than any other school in the whole country. It had alumni like

0:16:22 Thurgood Marshall<sup>4</sup> and Nkrumah<sup>5</sup> who was the President of Ghana. It had people from all over the world attending Lincoln University -- Cab Calloway<sup>6</sup> --

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<sup>4</sup> [Thurgood Marshall](https://www.nytimes.com/1993/01/25/us/thurgood-marshall-civil-rights-hero-dies-at-84.html) (1908-1993), U.S. Supreme Court Justice and civil rights pioneer.  
<https://www.nytimes.com/1993/01/25/us/thurgood-marshall-civil-rights-hero-dies-at-84.html>

<sup>5</sup> [Kwame Nkrumah](https://www.nytimes.com/1972/04/28/archives/nkrumah-62-dead-ghanas-exleader-nkrumah-former-president-of-ghana.html) (1909-1972), former President of Ghana and revolutionary, led the first African colony to independence from British rule.  
<https://www.nytimes.com/1972/04/28/archives/nkrumah-62-dead-ghanas-exleader-nkrumah-former-president-of-ghana.html>

<sup>6</sup> [Cab Calloway](#) (1907-1994), popular Baltimore-born jazz artist.

0:16:34 BAKER:[Interposing] Cab Calloway?

BAKER: -- [Laughing].

JUSTICE IRELAND: -- yes, indeed.

BAKER: Well please take us through the journey from  
Springfield to Pennsylvania. What

0:16:47 was that like? I mean how did you even learn about Lincoln  
University?

JUSTICE IRELAND: Well Lincoln University was not new to my  
family. My dad had attended briefly. His brother  
had attended and graduated and was valedictorian of his  
class at Lincoln University. His brother, my uncle, had  
two sons who attended Lincoln. Lincoln was an all-male  
school when I attended. It was in the back woods of  
Pennsylvania out in the boondocks. So you didn't have a  
lot of distractions but it was all guys when I attended.

0:17:23 BAKER:[Interposing] Hmm. Okay. And so what was your very  
first day of college like?

JUSTICE IRELAND: Oh, gosh. You know, my dad took me to  
Lincoln to take a look at it when I was in high school.  
And he forgot to tell me that we were going on a  
homecoming weekend.

BAKER: [Laughing].

JUSTICE IRELAND: So I go to campus and I see all of these  
girls there. I mean there were more girls than guys there.

0:17:51 There was a lot of stuff going on that I just  
said, oh boy, this is great from --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- from my perspective this is where I  
want to go to school.

BAKER: So you were sold.

JUSTICE IRELAND: Yeah. I was. I don't want to say I  
was tricked but I didn't find out until after the fact  
that girls weren't there on a regular basis.

BAKER: It was a little bit of a bait and switch for you.

0:18:09 JUSTICE IRELAND: Yes, exactly.

BAKER: Okay. But so what did that environment do to foster  
your intellect?

JUSTICE IRELAND: [Interposing] Oh, well I'll --I'll tell  
you. One of the things about Lincoln was it had a very low  
student teacher ratio. I think one professor for every ten  
students. For me that was an ideal setting where I really  
kind of blossomed as a student. And the high school  
education I had had really prepared me for college. So I  
seemed to do very well there. I played sports. I lettered  
in one sport. I was on the varsity team. I was president  
of my class one year. Another year I was treasurer of the  
class. I was on the debate team. I was in all kinds of  
clubs and so forth and so on. And I really enjoyed the  
college experience. And the professors there, almost all  
of whom were black, really sought to bring out the best in



the students so you couldn't hide in the  
0:19:19 classroom.

BAKER: Hmm.

JUSTICE IRELAND: And you really had to produce.

By the end of my four years, I had become a dean's list student. I was active in a lot of extracurricular activities. It was a very good experience for me.

BAKER: That's great.

JUSTICE IRELAND: Yeah.

BAKER: And so it sounds like a really rich time. I'm wondering if you can pick out a couple of mentors or a couple of people who really shaped who you became.

0:19:57 JUSTICE IRELAND: Well I had one professor who was like the chairman of my department. A guy named H. Alfred Farrell<sup>7</sup> who was an English professor. He really pushed me hard. He used to say to me, you're good but you can be better. -- He really pushed me and he supported me as well. I always thought of him as someone I could talk to. There was also a physical education professor who always used to challenge me to be better. So you can do better Mr. Ireland. You can do better. And then I had a German teacher who had taught my uncle and my two cousins who had attended. He used to shake his head at me and say, you

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<sup>7</sup> [H. Alfred Farrell](https://sites.psu.edu/localhistories/stories-behind-and-beyond-the-cpaam-exhibits-volume-2/vermie-1-farrell/) (1914-2005), administrator and Professor of English at Lincoln University.  
<https://sites.psu.edu/localhistories/stories-behind-and-beyond-the-cpaam-exhibits-volume-2/vermie-1-farrell/>

know, your uncle did well, your cousins did well, you can do well, too if you put the effort in. So he used to push me all the time. Now I look back, they were all trying to get me to be the best I could be.

BAKER: And to live up to your potential.

Right?

JUSTICE IRELAND: Yes.

0:21:06 BAKER: Well, so you had four years there. It sounds like a really rich time. It also sounds like it was very different from your Springfield -- your high school experience.

JUSTICE IRELAND: Absolutely. You know, One of the speakers who came to our school was Malcolm X<sup>8</sup>. They'd bring in speakers on a regular basis so we had all these people coming in from outside. It had great reputation. Alumni would come back.

And it was just a wonderful environment.

BAKER: And so that was late 50's, early 60's? What year was that?

0:21:38 JUSTICE IRELAND: I graduated from college in 1966.

BAKER: Okay. Got it. The mid-60's. The heart of the Civil Rights Movement.

JUSTICE IRELAND: That's right.

BAKER: So much happening in the country --

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<sup>8</sup> [Malcolm X](#) (1925-1965) was a Muslim minister prominent in the American Black nationalist movement. <https://www.history.com/topics/black-history/malcolm-x>

JUSTICE IRELAND: [Interposing] Right.

BAKER: -- you also decided to go to law school. But I want to talk a little bit about that journey because we  
 0:21:54 know you didn't become a doctor. You ditched the organic chemistry --

JUSTICE IRELAND: [Interposing] Yeah.

BAKER: -- you shifted --

JUSTICE IRELAND: [Interposing] It ditched me.

[Laughter]

BAKER: -- you shifted gears at some point. How did you even end up going to law school? What the backstory there? Because you ended up going  
 0:22:07 to Columbia Law School which is a fine law school. And what was the story there?

0:22:11 JUSTICE IRELAND: Well, you know, that's one of those... accidents of circumstances -- one of those serendipity situations you could never make happen if you tried for a million years.

JUSTICE IRELAND: Here's what happened to me. One day, it was in my senior year, I get a note in the mail from the Dean of Students who sent a note to four of us who were  
 0:22:40 seniors. The note said the same thing. It said next week [Associate] Dean Frank Walwer<sup>9</sup> from Columbia Law School

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<sup>9</sup> [Frank Walwer](#), was an Associate Dean of Columbia Law School who oversaw admissions and financial aid, and increased minority enrollment. <https://www.law.columbia.edu/news/archive/frank-walwer-former-associate-dean-dead-79>; see also [Breaking Barriers at Columbia Law and on the Bench](#),

will be on campus and I would like you to meet with him.

That's all it said.

BAKER: And did you know anything about law school? Was it in your sights?

JUSTICE IRELAND: I didn't know a thing about law school --  
0:22:59 I never thought about law school. Didn't know what Columbia Law School was. Had no idea.

0:23:06 But I knew I better follow through with this.

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: The dean said that I should do it so I went and had a meeting with the [Associate] Dean of Columbia Law School. Unbeknownst to me, he was riding the circuit of black colleges.

BAKER: Okay.

0:23:23 JUSTICE IRELAND: Unbeknownst to me, he went to Howard, to Fisk<sup>10</sup>, to North Carolina A & T<sup>11</sup>, and to a number of other black colleges. He talked to students and was trying to recruit a class.

BAKER: And these were deans who were handpicking their top students to put before the Columbia Law School Dean.

0:23:48 JUSTICE IRELAND: Exactly. So if the Dean of Lincoln hadn't

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<https://www.law.columbia.edu/news/archive/breaking-barriers-columbia-law-and-bench>

<sup>10</sup> Fisk University, liberal arts college in Nashville, Tennessee.

<sup>11</sup> North Carolina Agricultural and Technical State University, land-grant university in Greensboro, North Carolina.

told me to go, I never would have wound up in law school. But anyway, I had a meeting with the [Associate] Dean of the Columbia Law School. We talked. At the end of the conversation, we shook hands. He said,

0:24:03 - 'have you ever thought about law school?' --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- I said no. He said, 'what would it take to get you to come to Columbia?'

BAKER: Did you know anything about Columbia?

JUSTICE IRELAND: No, I didn't know --

BAKER: [Interposing] Anything about New York City?

JUSTICE IRELAND: -- no.

BAKER: Okay.

0:24:15 JUSTICE IRELAND: And I didn't know anything about the law.

BAKER: Hmm.

JUSTICE IRELAND: But we shook hands. He said, now, you're going to have to take the law boards but you're in.

BAKER: You're in.

So you graduated, you packed your bags.

0:24:27 JUSTICE IRELAND: I graduated. Now he invited a second student from Lincoln.

So there were two of us. But the other guy got drafted because there was a Vietnam War going on.

0:24:38 BAKER: Right.

JUSTICE IRELAND: So he did not go to Columbia. I didn't get drafted so I went to Columbia Law School.

BAKER: So many sort of accidents of fate along the way.

JUSTICE IRELAND: Yes.

BAKER: You get to New York. You're at Columbia Law School during the height of the Vietnam War. What was it like being a student in New York at the law school

0:24:58 during the war?

JUSTICE IRELAND: Well, you know, -- the big picture for me was I was a student at a small school BAKER: Mm-hmm.

JUSTICE IRELAND: In the woods. All men. I then go to the big city to a large school. My graduating class had 81 students at Lincoln University. I'm sitting in the classroom at Columbia with 300 students.

BAKER: Wow.

JUSTICE IRELAND: So there was kind of a -- back in the woods in the big city looking all around -- you know, like culture shock.

0:25:30

BAKER: Yeah.

JUSTICE IRELAND: And to make matters worse, I didn't know the difference between a plaintiff and a defendant.

BAKER: [Laughing].

JUSTICE IRELAND: Because I had never taken a law course, a pre-law course, or anything like that. So I was trying to learn a new terminology, a new language so to speak.

BAKER: Mm-hmm.

0:25:49 JUSTICE IRELAND: And it was the shift in locations and in culture. You know?

BAKER: Right.

JUSTICE IRELAND: And then you had all of the Vietnam War protests.

BAKER: Right.

JUSTICE IRELAND: Students who dropped out of school, would get drafted and sent right to Vietnam. And some of  
0:26:10 them got killed right within weeks of --  
going over there. So by the time I got to law school, you know, there were deferments for students who were in school.

0:26:24 BAKER: Mm-hmm. JUSTICE IRELAND: So if you were in university, you'd be deferred from going into the military. Some of my classmates in law school really had no interest in being lawyers, they were just dodging the draft by staying in school pursuing --  
Their education. But there were a lot of demonstrations against the war. At the law school, you'd see some days, you'd see all the students holding up picket signs. They did it all over the university to the point where it was the whole university was shut down.

BAKER: And did the students have a particular grievance against the administration or were they just --

JUSTICE IRELAND: [Interposing] No.

BAKER: -protesting the war itself?

JUSTICE IRELAND: -- the war itself.

0:27:07 BAKER: Got it.

JUSTICE IRELAND: Yes.

BAKER: How did that affect your education and your experience?

0:27:14 JUSTICE IRELAND: Well it was the one and only time in the law school's history where they could not grade students. So everything was pass/fail. So everybody got a pass -- I mean nobody got an F during that one semester.

BAKER: Okay.

JUSTICE IRELAND: But if you look at your transcripts --

0:27:30 BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- you'll see there's a little footnote. For one-time only the law school was not able to provide grades.

BAKER: Wow. Okay. So, again, thinking about your childhood in Springfield, a very close-knit community, going to Lincoln, and then going to Columbia -- Law school. How did all of those experiences string together to shape who you would become as a lawyer?

0:27:59 JUSTICE IRELAND: Well you know I had several experiences that helped me understand by the time I graduated that I could actually do that work. One in particular I remember. My first year. Students had to do the moot courts. Everybody had to do the moot courts. Well unfortunately for me, my college roommate had become ill during my first year and he died --

BAKER: [Interposing] Oh.



JUSTICE IRELAND: -- and as he got worse and worse, his family at one point reached out to me. They said Dick is going to pass away and he's asked for you. So I had to decide, am I going to prepare for my moot court or am I going to go see my college friend who I love like a brother. So I made the decision to go visit my old roommate. He was 21 years old and he passed away. The week after I went to visit him.

BAKER: Wow.

JUSTICE IRELAND: So I came back to school. We had the moot court. And I hadn't prepared. I had a partner and we had a case with two

0:29:16 other students who were two Harvard students. I remember the two Harvard students were telling us don't take this personal, you know --

BAKER:[Interposing] [Laughing].

JUSTICE IRELAND: -- and I remember their parents --

0:29:27 BAKER: [Interposing] Trash talk.

JUSTICE IRELAND: -- came to watch them in action. And something happened. My partner who was an African-American from Fisk, he and I -- we swept the whole case. We won the best brief, the best oral argument, everything.

0:29:48 That was a real uplifting thing for me.

BAKER: And maybe in memory of the roommate.

JUSTICE IRELAND: Yeah --

BAKER: [Interposing] Right, who had passed.

JUSTICE IRELAND: I can't remember what I did or what I said but I just remember when they announced the outcome we were very, very pleased.

When I was in my second year in law

0:30:05

school I took a course from one of the professors there who was very prominent. He was a constitutional scholar. His name was Herbert Wechsler<sup>12</sup> -- and he taught Con Law. I was in a seminar with him. He used to call on me in every class. I knew if I go into his class he's going to call on me. And so I would prepare. If I only prepared for one class, it was going to be his. And at the end of the semester, you know, you do your final exam and I was prepared as could be for Herbert Wechsler. At that time Columbia worked on a postcard system. You gave the professor a postcard with your address and they'd send something out with the grade on it. Well I got my postcard back, it said I had an A. I was just thinking to myself, somebody made a mistake here --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- I called his office up. I said would you please double check to make sure that they didn't make a mistake on it -- what my grade was. They said, no,

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<sup>12</sup> [Herbert Wechsler](https://www.nytimes.com/2000/04/28/us/herbert-wechsler-legal-giant-is-dead-at-90.html) (1901-2000), legal scholar of constitutional and criminal law and former director of the American Law Institute, known for his contributions to creating the unified Model Penal Code.  
<https://www.nytimes.com/2000/04/28/us/herbert-wechsler-legal-giant-is-dead-at-90.html>

0:31:18       you earned an A. That told me that I could do the work  
the other students did. By my third year, you know, I was  
pretty comfortable. I had kind of figured out this is what  
I'm supposed to do. This is how

0:31:31       you write your exams. This is what you do. And I was  
pretty verbal in most of my classes. So I graduated from  
law school and then in my last year I worked in a law  
office in Harlem, and I enjoyed it.

BAKER: Mm-hmm. I thought to myself, this is exactly what I  
want to do. I want to work in the black community. I want  
to help people who are dealing with issues like this  
and I got a fellowship.

0:32:03       BAKER: And was that a family law practice or some other  
type of practice? --

JUSTICE IRELAND: [Interposing] It was a neighborhood legal  
services practice that provided all kinds of civil  
representation: landlord/tenant, contracts, installment  
contracts, marriage, divorce, that kind of stuff. Nothing  
criminal but civil. So when I was about to graduate I got  
a Reginald Heber Smith<sup>13</sup> fellowship<sup>14</sup> which was something  
that was available for people who wanted to work in  
poverty law. The office I had

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<sup>13</sup> Reginald Heber Smith, one of the founders of the legal aid movement and author of *Justice and the Poor* (1919). Also of interest [Birth of the Billable Hour](https://www.wilmerhale.com/insights/publications/slice-of-history-reginald-heber-smith-and-the-birth-of-the-billable-hour-august-9-2010)  
<https://www.wilmerhale.com/insights/publications/slice-of-history-reginald-heber-smith-and-the-birth-of-the-billable-hour-august-9-2010>

<sup>14</sup> [Reginal Heber Smith Community Fellows Program](https://repository.library.georgetown.edu/handle/10822/708816) (1965-1987), a fellowship program to recruit recent law graduates to provide legal assistance to the poor.  
<https://repository.library.georgetown.edu/handle/10822/708816>

0:32:38 worked in as a student offered me a position and I was able to take the fellowship to work in that office.

BAKER: Oh, great.

JUSTICE IRELAND: I took the New York Bar, passed the Bar, and said to myself: this is it, I'm doing exactly what I want

0:32:56 to do.

BAKER: Okay. So that was the beginning of your legal career. Before we get there, though, I do want to talk more about your law school years. Because although you were excelling as a student, you know, winning moot court competitions and all of that, you had a lot going on in your personal life --

JUSTICE IRELAND: [Interposing] Oh, boy, did I ever.

0:33:12 BAKER: What was happening in your personal life during law school?

JUSTICE IRELAND: Well you know I was married during that time. Had a baby during that time.

BAKER: That wasn't hard at all. I'm sure. [Laughing].

JUSTICE IRELAND: [Laughing] on the contrary, that was a lot to balance.

BAKER: Right.

JUSTICE IRELAND: My wife was a student at

0:33:32 Barnard. At Columbia and Barnard, we were both dealing with classes, a kid and trying to stay afloat in school and all. That was a lot to balance.

0:33:47 BAKER: Were you also working?

JUSTICE IRELAND: And I was working, yes.

BAKER: Okay, so you had a full life.

JUSTICE IRELAND: So I had a very full life, yeah.

0:33:53 BAKER: I understand there's a story about you having to take exams with the baby --

JUSTICE IRELAND: [Interposing] Oh, yes, yes. So I was in my last year and my wife had to be out of town. And somehow I'm there with the baby. I had a baby sitter who was supposed to come and take care of the baby while I went and took this exam in family law that I had been doing really great work in. The baby sitter didn't show up, and I thought to myself, if I don't take this exam, either I'm going to be in trouble or they'll give me a different exam because they don't want me to get feedback about what the questions were. So I put the baby in the carriage... wheeled her into the classroom, put my head down and started writing the exam questions. Now this was at Columbia Law School where people were fighting each other for class standing and ranking and all of that. And there's a little baby in there making noise and crying and hollering and so forth. So that lasted for about two minutes --

BAKER: [Interposing] [Laughing] Okay.

JUSTICE IRELAND: -- before somebody complained and a proctor came up to me and said you can't have a kid in

here --

0:35:12 BAKER: [Interposing] Hmm.

JUSTICE IRELAND: --not during this exam. You have to step out. And I went outside, talking to the proctor and then one of my classmates came up to me.

An African-American fellow student. He said, Rick, there are six of us in this class and we've talked among ourselves, we'll each take a half an hour --

BAKER:[Interposing] Wow.

JUSTICE IRELAND: -- and we'll take care of Beth so you -- can do your final.

BAKER: Oh, my gosh. Wow.

JUSTICE IRELAND: Around that point in time, out of the thin air, a secretary came up to me and said I'm from the  
0:35:49 Dean's Office, they sent me down, would you like me to take your child and I said of course you can have her, take her.

BAKER:[Interposing] [Laughing].

JUSTICE IRELAND: To this day my daughter says I gave her away to strangers --

[Laughter]

BAKER: But how did the exam go?

JUSTICE IRELAND: It went very well. That was one of the courses I got an A in  
0:36:06 and I was very pleased about that. My friend said I had extra help, though.

BAKER:[Interposing][Laughing].

JUSTICE IRELAND: It was family law, I brought my kid in to help me, you know?

BAKER: It's true, it's true --

JUSTICE IRELAND: [Interposing] Yeah.

BAKER: So there were six black students that you just named.

JUSTICE IRELAND: Yeah.

0:36:18 BAKER: How many students of color were there in your class?

JUSTICE IRELAND: There were 13 blacks. We were the largest group of black students in the history of Columbia. The year before us there were two. So they really increased the numbers, what, fourfold or whatever. Each student had been recruited from a different school. So there we were.

0:36:44 BAKER: So we were starting to talk about your graduation and your first job out of law school. What year did you graduate?

JUSTICE IRELAND: 1969.

BAKER: Okay. So again, height of the Vietnam War. The culture wars,

JUSTICE IRELAND: [Interposing] Oh, yeah.

BAKER: -- I mean so much happening --

0:37:01 JUSTICE IRELAND: Yep. The 60's were really amazing.

BAKER: You dropped down in New York City as a first year lawyer.

JUSTICE IRELAND: Yeah.

BAKER: What was it like practicing law during that time?

0:37:09 JUSTICE IRELAND: Well I loved it. It was fantastic. It was in court every day. I enjoyed it. And you know being in New York and Harlem, at the time, it was like there was magic in the air. It was just a great experience. And I was just starting to cut my teeth -- and learn. I worked with some

0:37:32 great lawyers. We were on 125<sup>th</sup> Street.

BAKER: Wow.

JUSTICE IRELAND: Not too far from the Apollo and I mean it was just exciting every day.

BAKER: What was one of your most inspiring parts of being here, practicing law during that time?

JUSTICE IRELAND: Well again it was the opportunity to help people, a group of people who  
0:37:57 really didn't understand the law, didn't always understand what the rules were, and needed someone to assist them in dealing with the system.

BAKER: Mm-hmm.

JUSTICE IRELAND: And I found it to be -- you know exactly  
0:38:11 what I had hoped to do as a lawyer, to try to be an advocate for the group that hadn't always been well-represented.

BAKER: So if we go back to your moot court experience, it seems like that's when you really sort of felt yourself as



a law student and could see yourself on that path of becoming a lawyer. As a lawyer, though as a young lawyer, when did you finally realize I'm a lawyer? Huh, I'm doing this.

JUSTICE IRELAND: Well I don't know that I did  
0:38:44 in the first year. I was still, you know, very -- very new to the whole process, kind of absorbing the courts, the personnel, the people, the rules, the unspoken rules and all of that. By the end of that first year I was just starting to get comfortable when I was called out of the blue. Again, a kind of accidental circumstance. I was  
0:39:18 contacted by someone in Boston, at Harvard, who said they had my name because I had been a Reginald Heber Smith Fellow and another Reggie had suggested they contact me. Would I be interested in a one-year fellowship at Harvard University? Just one year.

BAKER: Okay.

JUSTICE IRELAND: I come on up to Harvard. And it sounded like a pretty good experience but I still had the plan: up to Boston for a year, then back to New York. I'm admitted, I've passed the Bar, and this will just be a kind of an experience.

BAKER: Mm-hmm. And how long had you been practicing at that point when you received that phone call?

0:40:05 JUSTICE IRELAND: About a year.

BAKER: Just a year.

JUSTICE IRELAND: Yeah.

BAKER: Okay. And so you made your way to Boston. What was that year at Harvard like?

JUSTICE IRELAND: Well I worked at the Harvard Center for Law and Education for about six or seven months.

BAKER: Okay.

0:40:26 JUSTICE IRELAND: And I realized I didn't like it. I worked at what's called the Backup Center where we provided support to lawyers out in the field who were involved in litigation. We could provide help with writing the briefs. We could do research on the different topics. We could even provide a lawyer to argue the case before an appellate court. So there was some travel but

0:40:47 you weren't involved in a direct way with the clients. You were more like a support system to lawyers out in the field.

BAKER: Okay.

JUSTICE IRELAND: And I missed that client contact.

BAKER: Right.

0:41:06 JUSTICE IRELAND: And, you know, back to how I felt about being a lawyer in New York, in Harlem... It was action, it was interacting with the clients and everything. I missed that and I didn't like working in a backup center at that point in time.

BAKER: At some point did you also have to take the Massachusetts Bar?

JUSTICE IRELAND: Well not at that point.

BAKER: Okay.

0:41:23 JUSTICE IRELAND: But just as I had reached the conclusion that that was not a good fit for me, another Reggie I had crossed paths with reached out to me after I was in Boston for six or seven months. He said, hey Rick, would you be interested in working with me to build a public

0:41:44 defender program. I just got hired. I'm the first hire. You would be the second hire. Together we would create this program called the Roxbury Defenders Committee<sup>15</sup>.

BAKER: Okay. Okay. So let's stop there for a minute because I want to also paint the backdrop a little bit. This is the early 1970's in Boston.

JUSTICE IRELAND: Yeah.

BAKER: Which is a time of pretty intense tension  
0:42:12 among different communities there.

JUSTICE IRELAND: Yes.

BAKER: You were a New York City educated lawyer going to Harvard and then getting kind of plucked out to do work in Roxbury and to start this public defenders program. Can you talk a little bit about what the public defender system and the state was like before you all started this Roxbury Defender.

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<sup>15</sup> Roxbury Defenders Committee also known as the Roxbury Defenders, was a community- and defendant-centered approach to the state public defender's office that has become a common model. See also R. Ireland, *Roxbury Defenders Committee: Reflections on the Early Years*, [95 Massachusetts L. Rev 1 \(2013\)](#)

0:42:36 JUSTICE IRELAND: I can. There was a statewide organization called The Mass Defenders Committee<sup>16</sup>, which provided counsel to indigent defendants.

0:42:46 BAKER: Mm-hmm.

JUSTICE IRELAND: And so what the Mass Defenders had done was assign a lawyer to appear in the Roxbury courts one day a week to represent all of the defendants who had cases for that whole week. For bail or for arraignments, for bail hearings, for trials, for everything --

BAKER: [Interposing] One lawyer.

0:43:12 JUSTICE IRELAND: -- one lawyer, one day a week. And the community didn't think that was sufficient. There was a lot of talk about how the community was being shortchanged. It was not being treated equally and so forth and so on.

BAKER: Got it.

JUSTICE IRELAND: That's what led to the movement to say the community should have its own public defender program.

0:43:36 BAKER: Okay. So you all were able to start this Roxbury Defenders with state funding?

JUSTICE IRELAND: Yes.

0:43:44 There was also some federal funding. Now...we had the idea, we want to build a public defender program. But that's all we had, the idea. We didn't have a building. We didn't

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<sup>16</sup> Predecessor to the Committee for Public Counsel Services, providing legal services to those unable to afford it.

have staff. We didn't have hardware. We didn't have typewriters, no law books, nothing. And so we started from scratch. We found a place. Then we started to hire people. Then we started to get the law books. I remember we had hired about six or eight lawyers. And the lawyers became not only lawyers but the movers who lifted the law books, lifted up the typewriters, put them in, and did all of that.

BAKER:[Laughing].

JUSTICE IRELAND: But within a very short period of time, we had put together a very interesting collection of lawyers. We had a full staff. We had a hotline, 24-hour hotline.

BAKER: Wow.

0:44:47 JUSTICE IRELAND: We were able to talk our way in to having a weekly radio program on the black channel called WILD. It was only available

BAKER:[Interposing] [Laughing].

JUSTICE IRELAND: -- during daylight hours.

BAKER: Okay [Laughing].

0:44:59 JUSTICE IRELAND: That was the radios station. Only during daylight hours. So we had a prison unit. We had a social services unit. We had a newspaper that we put together. And we had these young lawyers, all of us were in our 20's. We started to represent our clients in district court, superior court, and even in the appellate courts.

BAKER: And -- so I want to talk a little bit about  
0:45:27 some of the cases that you tried during that time and  
were a part of. But I also want to drill down a little  
bit on the people that you brought together for this  
extraordinary group. This extraordinary launch of the  
Roxbury Defenders. Who were some of the lawyers that  
you were surrounded by during this time?

JUSTICE IRELAND: Well, you know, when we started the  
office, we were just looking for the best lawyers we could  
get.

0:45:54 BAKER: Mm-hmm.

JUSTICE IRELAND: We didn't have a lot of money to pay  
them. I think my first year there I got \$15,000 --

BAKER:[Interposing] [Laughing].

0:46:02 JUSTICE IRELAND: - but... among the lawyers we had working  
there, was Professor and Judge Margaret Burnham<sup>17</sup> who  
later became a Judge, and is now a distinguished professor  
at Northeastern University. Geraldine Hines<sup>18</sup> who became a  
judge and an associate justice of the Massachusetts  
Supreme Judicial Court. We had as alumni, we had a number  
0:46:31 of very prominent lawyers -- I think about 15 of whom  
became judges after their work at the Roxbury Defenders.

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<sup>17</sup> [Margaret A. Burnham](https://law.northeastern.edu/faculty/burnham/) (1944), professor and first black woman to serve as a judge in Massachusetts.

<https://law.northeastern.edu/faculty/burnham/>

<sup>18</sup> [Geraldine Hines](https://www.mass.gov/service-details/associate-justice-geraldine-s-hines) (1947), retired associate justice of the Massachusetts Supreme Judicial Court and the first black woman to sit on that court.

<https://www.mass.gov/service-details/associate-justice-geraldine-s-hines>

BAKER: Wow.

JUSTICE IRELAND: we had some very prominent lawyers who went on to establish law firms and all of that. Working at the Defenders became the place to be. It was -- where the action was. We took no prisoners. We were fighting for our clients.

0:46:56 BAKER: I love that. So let's talk about some of those cases. What were some of the notable cases that came out of that period?

0:47:04 JUSTICE IRELAND: Well, you know, just to paint the picture for you, I think I was 24, 25 years old, and we were representing people charged with crime and if they're found guilty, some are being put in prison. This is serious business.

BAKER: Right.

JUSTICE IRELAND: And so one of the first cases that we argued that went up to the Supreme Judicial Court had to do with the fact that there were not any stenographic transcripts of what went on in the district courts. In other words, you could have a trial in the district court, it winds up being bound over to superior court, and you don't have a record of what the witnesses testified to in the district court.

0:47:32

BAKER: Mm-hmm.

JUSTICE IRELAND: So they could change their testimony. There would be no way to say, well, didn't you

0:47:59 say X, Y, or Z. So we filed a suit on behalf of our defendants, and we worked our way up to the Supreme Court. It was 1972. This Mass Supreme Judicial Court

0:48:18 ruled that, well, we can't say the defendants have a right to a stenographic transcript but there is a way to tape record in the district courts. And that would seem to resolve the defendant's issues. So as a result of that case -- it's called *Commonwealth versus Britt*<sup>19</sup> -- tape recording in the district courts came about.

BAKER: Wow.

JUSTICE IRELAND: That was a big deal for us.

0:48:47 There was a dissent in that case which said, you know, it's not up to us to say they don't have a right because it would cost too much money. That was what the majority was saying.

This would be too expensive if we said it in all criminal cases. So we don't want to say it. But one of the dissents said we shouldn't allow the cost of it to

0:49:14 deter us from doing that. The majority said, but we can do this tape recording and so that was one. The next case, there were two companion cases<sup>20</sup> that had to do with probable cause standards.

0:49:31 The probable cause cases were a big deal because when I

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<sup>19</sup> [Commonwealth v. Samuel Britt, 362 Mass. 325 \(1972\)](#), 285 N.E.2d 780

<sup>20</sup> [Myers v. Commonwealth, 363 Mass. 843, 298 N.E.2d 819 \(Mass. 1973\)](#) and [Corey v. Commonwealth, 364 Mass. 137, 301 N.E.2d 450 \(Mass. 1973\)](#)



practiced as a lawyer, there weren't standards to tell the judges when sufficient evidence had been established to show probable cause. So every judge had a different formula. Some judges would say, well, I've heard enough, that's probable cause. So again we filed a suit, went up to the Supreme Judicial Court, and to our great surprise, we won those cases. The Supreme Judicial Court came out with standards that told judges in all cases after today, here's what you're required to do and here's the process you're to follow.

0:50:15

BAKER: Wow.

JUSTICE IRELAND: Now it's important for me to point out, we weren't the first lawyers to take that issue. It had been an issue that many lawyers had raised and challenged and lost. We just happened to be in the right place at the right time.

0:50:46 But we were arguing those cases. I was 27, arguing before the SJC.

BAKER: Wow.

JUSTICE IRELAND: Arguing before the SJC and -- I didn't really appreciate it until I sat at the SJC and I saw, over and over again, most of the judges -- most of the lawyers who appear before the SJC are seasoned veterans. They've been around a long time. You don't see a 20-year old coming up to that court.

BAKER: Yeah.

BAKER: What was happening though inside you as you were trying those cases? I mean before the SJC, did you have extraordinary confidence or were you sort of --

0:51:22 JUSTICE IRELAND: [Interposing] Oh, heck no.

BAKER: -- doubting yourself? [Laughing].

JUSTICE IRELAND: Oh, no. But I knew -- I -- you know, you do the best you can. --

BAKER: [Interposing] Mm-hmm.

JUSTICE IRELAND: -- you point out what the law is, what it ought to be, what the impact it has on your clients.

How, in fairness to defendants, they should know what the judge is going to do and how

0:51:45 the judge should have a process that they should follow in every case. Those cases are still the law of Massachusetts. I'm very proud of those two cases.

0:51:56 BAKER: How did participating in such landmark cases at such a young age, as a junior, a young lawyer, how did that influence your entire career and kind of set you on a path to do big things?

JUSTICE IRELAND: Well it did distinguish us in a way. Because people knew who we were. --

0:52:20 BAKER: [Interposing] Mm-hmm.

JUSTICE IRELAND: -- you know there was one other situation I should have mentioned. One other case that I was involved in, I think it was in '73, where we sued the judges of the Roxbury District Court --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- and so that made the newspapers. You don't see lawyers suing judges very often.

BAKER: Right.

0:52:47 JUSTICE IRELAND: We filed the suit because the judges of the Roxbury District Court seemed to be violating the constitution. There was a policy there where the judge would set a bail and then would expect the lawyers to abide by that and not appeal the bail.

0:53:04 So we would always advise our clients, if a judge sets a bail and you want to appeal it, you have a right to do that. And oftentimes we would appeal the bails and the defendant would be able to be released. Well that was not appreciated by some of the judges and so they decided to punish us by not allowing us to practice in their courts.

0:53:29 So we filed a suit against the judges. Had them served with a summons and all of that. The case went up to the Supreme Judicial Court. The single justice who heard the case referred the matter to the full bench --

BAKER: [Interposing] Wow.

JUSTICE IRELAND: -- so the full bench was going to be reviewing what the judges of the Roxbury District Court were doing with our cases.

0:53:58 BAKER: Got it. What was it like the next time you went into court after having filed [Laughing] a lawsuit against the judges of that court?

JUSTICE IRELAND: Well the best way I could explain that is to think about the skunk who shows up at a --

BAKER:[Interposing] [Laughing].

0:54:11 JUSTICE IRELAND: -- at a picnic and everybody's in good spirits and then they see a skunk [Laughing].

BAKER: [Laughing].

JUSTICE IRELAND: You'll walk in and everybody stops talking in the midst and it's the judge looks at you like you dirty rat --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: [Laughing].But it wound up changing their policies. They were under scrutiny from above high. And it wasn't about them dealing with us. They had to deal with the Supreme Judicial Court.

BAKER: I want to actually put a fine point on  
0:54:43 that because as a young lawyer, you were not only representing people in a community, but you were doing impact litigation. You were doing impact litigation as  
0:54:53 a public defender.

JUSTICE IRELAND: Yeah.

BAKER: I mean how extraordinary was that during that time?

JUSTICE IRELAND: Well, you know, it -- it goes back to my year as a Reginald Heber Smith Fellow. The whole point in that fellowship was to do law reform work and to have an impact on more than just one client. So I

0:55:16 guess the core policies at the Roxbury Defenders was represent your client but think big. If there are systemic issues you want to try to make changes.

BAKER: Hmm. I love that. How many years were you involved in the Roxbury Defenders?

JUSTICE IRELAND: Three years.

BAKER: Okay. So three high impact years.

0:55:39 JUSTICE IRELAND: [Interposing] Yeah.

BAKER: Lots of litigation. You then made a pivot to state government. What was that transition like? How did that happen?

JUSTICE IRELAND: Well there was a step in between.

BAKER: Okay.

JUSTICE IRELAND: I finished up at Roxbury Defenders but as I was finishing up, because of those cases, I, I crossed paths with some of the professors at Harvard Law School who were following those cases.

BAKER: Mm-hmm.

0:56:00 JUSTICE IRELAND: And so I was invited to participate in an LLM program that they were just starting on clinical legal education. There was a professor named Gary Bellow<sup>21</sup> who reached out to me and he said, Rick, we're doing this new LLM program. We'd like you to be involved.

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<sup>21</sup> [Gary Bellow](https://www.nytimes.com/2000/04/15/us/gary-bellow-64-advocate-of-legal-services-for-the-poor.html) (1936-2000), Professor at Harvard Law School and pioneer in public interest and poverty law.  
<https://www.nytimes.com/2000/04/15/us/gary-bellow-64-advocate-of-legal-services-for-the-poor.html>

We've watched you in court with your cases.

0:56:29 Gary used to invite me to come in to talk to the students there. And I used to work with some of his students in the courtrooms and all. So I said, yeah, you know, that would be a good move for me. I want to teach. And an LLM would help me in that regard so I did that for a year.

BAKER: Okay. Were you focusing on the criminal practice? Was that sort of the focus of the LLM?

JUSTICE IRELAND: Yes.

0:56:59 BAKER: By the way, I want to point out that you became a criminal lawyer, a damn good criminal lawyer, throughout the first six, seven years of your career. But you didn't start that way.

JUSTICE IRELAND: Right. That's right.

BAKER: And so how did you cut your teeth?

0:57:12 Was it just through those cases with the Roxbury Defenders or were you also just gobbling up as much as you could learn?

0:57:18 JUSTICE IRELAND: I was gobbling as much as I could learn, but I have to say, part of the experience at the Roxbury Defenders was that there was a core group of older lawyers who would be in that court every day. And they kind of adopted us. I used to talk with some of them every morning before I would go into court with my cases. It was like they were mentors. Like they adopted the Roxbury

Defenders. And I would say to them, I'd give them a thumbnail sketch. Here's the case I've got,

0:57:57 here's the theory I'm going to use, what do you think? Well Rick, maybe you should try it this way. Not that.

0:58:05 I often tell a story when I first started with the Roxbury Defenders. There was an older black lawyer named Henry Quarles<sup>22</sup>, and I once said to him, I said Henry, I'm not sure where am I supposed to stand when I first go into the courtroom. He said come here, come here kid. And he took me into a courtroom and he drew an X on the floor. He said you stand right there.

0:58:33 And he was drawing X's for everybody --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- you know? He would explain the law to people. He would give suggestions and tips. Well there was a whole core of them. Who -- I think they saw in these young black lawyers, they saw some people coming behind them who had a whole different point of view about things. Who were going to make some changes and they

0:58:59 wanted to help them along the way.

BAKER: Yeah.

JUSTICE IRELAND: So. That was very important. Very important.

BAKER: Well so, again, just sort of looking back on your

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<sup>22</sup> [Henry E. Quarles, Jr.](https://masslawyersweekly.com/1996/02/19/quarles-loved-work-and-law/) (n.d.-1996), criminal defense attorney in Brockton, MA. <https://masslawyersweekly.com/1996/02/19/quarles-loved-work-and-law/>

career at that point, you've gone to Lincoln University, you had then gone to Columbia Law School in the 1960's during the height of the Vietnam War, and then you'd moved to Boston during a pretty intense time in terms of Boston's own history of racial justice and strife. You had litigated significant impact cases, high impact cases, before the Supreme Judicial Court, the highest court in the state. Then you go to Harvard. You get your second degree from an Ivy League institution. You get your LLM. Did you take a breath and say, okay, well now I just want to relax --

JUSTICE IRELAND: [Interposing] No.

BAKER: -- or [Laughing]?

JUSTICE IRELAND: [Interposing] No, no. You know, again, another accidental circumstance.

BAKER: [Interposing] Okay.

0:59:49 JUSTICE IRELAND: -- and so I'm finishing up at Harvard and I get a phone call one day from a fellow who calls and says, I got your name from David Nelson<sup>23</sup>. David Nelson was our first black federal district court judge in Massachusetts. David was at Harvard when I was there. I made it my business to get to know him. In fact I did some work with David, an independent study. --

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<sup>23</sup> [The Honorable David S. Nelson](http://www.longroadtojustice.org/topics/leadership/david-nelson.php) (1933-1998), district judge of the U.S. District Court for the District of Massachusetts, nominated by President Jimmy Carter. <http://www.longroadtojustice.org/topics/leadership/david-nelson.php>



1:00:21 So David knew who I was. He gave my name to someone. They called me, and they said that the incoming governor is putting together his staff --

BAKER: [Interposing] Okay, and which governor was that at the time?

JUSTICE IRELAND: Michael Dukakis<sup>24</sup>.

BAKER: Okay. Okay.

JUSTICE IRELAND: -- And would you be interested in working with us? And I said no. No thank you --

1:00:41 BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: Because I had other plans. I was going to work with Margaret Burnham<sup>25</sup> in her office. She and Max Stern had a -- a criminal law office. So the fellow called me back and he said, listen, before you say no, why don't you talk to somebody who knows about state government and then at least you'll have more full information about what you're saying no to. So I did due diligence. I spoke to someone I had met when I was doing the cases at the SJC. This fellow said to me, you know, you should take that job because it's not just any old job, it was being counsel to the Secretary of Administration and Finance which --

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<sup>24</sup> [Michael S. Dukakis](https://www.britannica.com/biography/Michael-Dukakis) (1933-present), politician and lawyer. He served as governor of Massachusetts (1975-79, 1983-91), and was the Democratic Party's nominee for president in 1988.

<https://www.britannica.com/biography/Michael-Dukakis>

<sup>25</sup> Margaret A. Burnham, *supra* note 17 at 38

BAKER: [Interposing] Wow.

JUSTICE IRELAND: -- is a very important job.

Administration and Finance is the cabinet that oversees the budget for the state.

BAKER: Right.

1:01:40 JUSTICE IRELAND: And it has oversight over 100 different state agencies and I would have been the counsel to the secretary, cabinet secretary. So I said, yeah, let's pursue that.

1:01:56 BAKER: Mm-hmm.

JUSTICE IRELAND: And so I wound up working in state government for about three years in A & F<sup>26</sup>.

BAKER: Wow.

JUSTICE IRELAND: It was a great experience for me. It was totally different from criminal law. It was all about administrative law, government, all of that.

BAKER: Totally different.

1:02:13 JUSTICE IRELAND: Yeah.

BAKER: So because it was so different, how did you, again, get up to speed on all those different aspects?

JUSTICE IRELAND: Oh, boy, many a long day, you know, long days, worked weekends. Tried to find out as much as I could about things. But I also learned the process, you don't have to do everything in one day. I did a lot

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<sup>26</sup> Administration and Finance

of research and I found that I could accomplish a lot by communication and collaboration. And I didn't have to always do everything the way it had always been done in the past.

1:02:51

BAKER: Right. Were there any mentors on the state government side that you can point to?

JUSTICE IRELAND: Well I have to say people were always kind and helpful but I didn't have a personal mentor who could pull me aside and say, kid, here's what you're supposed to do on this. It was just like trial and error, and learn as you go.

BAKER: Got it. Got it. Before you pivot away from your early days and your early career, I'm wondering if there's any advice you would give to lawyers just starting out on their careers?

1:03:27

JUSTICE IRELAND: Oh. Well one thing I think about sometimes is how I often felt like I had to do a perfect job. No mistakes. Well, that's almost a formula for failure because nobody can always do a perfect job. You do the best job you can do every day but if you make a mistake you learn from the mistake and you keep moving. Don't set yourself up for falling short by striving to be perfect. Accept that you're a human being and, and you're never going to be able to bat 1000 all the time. It took me a long time to kind of be comfortable with that. You know? You don't want to make mistakes ever.

JUSTICE IRELAND: But if you do, you don't want to feel like that's the end of the world.

BAKER: No.

JUSTICE IRELAND: You just keep trying to move.

1:04:30 BAKER: So you were working in state government.

JUSTICE IRELAND: Yeah.

BAKER: And then you were appointed to the juvenile court. What was that process like and how did that happen?

1:04:43 JUSTICE IRELAND: Well before I was appointed to the juvenile court, I was contacted. It was another accident of circumstances. There had been a state agency that had quite a public history of problems, graft and so forth.

They needed someone to head up this agency who people would have faith and trust in. The agency was called The Board of Appeal on Motor Vehicle Liability Policies and Bonds<sup>27</sup>.

BAKER: Okay.

1:05:22 JUSTICE IRELAND: The Secretary of Insurance reached out to me and he said, Rick, would you be willing to head up this state agency. And I thought about it. I thought this might be a good move for me to leave A & F and go to a state agency. I've been here for three years. It's another kind of experience, I'll be the head of the

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<sup>27</sup> [The Board of Appeal](https://www.mass.gov/the-board-of-appeal), a three-member panel that conducts hearings for consumers appealing: an at-fault for a motor vehicle accident; a decision of the Registrar of Motor Vehicles; an insurance cancellation.  
<https://www.mass.gov/the-board-of-appeal>

agency. If I can clean up this agency and get it back on track that'll be a good thing. So I took that job.

1:05:51 I was only there four or five months. Then I got a contact from the governor's office --

BAKER: [Interposing] Wow.

JUSTICE IRELAND: -- that said there's a vacancy coming up in the juvenile court and we think you should apply.

Well, you know, if you get a call from the governor's office that makes the appointments to the bench and they suggest you apply, you've got to apply.

BAKER: [Laughing].

JUSTICE IRELAND: So I did. One thing I should explain is that in 1972, the Massachusetts voters decided to amend our state constitution and require judges to retire at age 70. That meant that a lot of judges who were on the bench had to leave the bench because they were 70 or older. We had some judges when I practiced who were in their 80's. A couple in their 90's.

1:06:52 So there were a lot of judicial vacancies. Fast forward to here we are five years after 1972, the constitutional amendment, and there's a vacancy in the Boston Juvenile Court. So I put my name in.

JUSTICE IRELAND: And guess what happened?

BAKER: [Laughing].

JUSTICE IRELAND: [Laughing]. I got the appointment. I was 32 years old.

BAKER: Wow.

JUSTICE IRELAND: One of the youngest judges in the history of the state.

1:07:21 At that time I didn't know what I was getting into.

BAKER: Did you know much about juvenile law?

JUSTICE IRELAND: Didn't know very much about juvenile law. I had represented a few juveniles but most of what I knew was from textbooks.

1:07:39 I didn't go into juvenile court on a -- on a daily basis, on a monthly basis. It was very infrequently.

BAKER: I know that you were next appointed to the

1:07:51 appeals court. But I want to actually drill down a little bit on some of the notable things that may have come out of that experience on the juvenile court.

JUSTICE IRELAND: Well you know Shalanda, I've always said I thought my years at the juvenile court were probably the most important in my whole judicial career. I was there for 13 years. For 13 years

1:08:12 I saw every kind of situation involving people who have struggles. I mean mental illness, teenage pregnancy, homelessness, poor education or no education.

Generational patterns of abuse and neglect. I mean whatever kind of social problem can exist, I saw it as a juvenile judge as part of a juvenile court case.

1:08:46 So I saw abuse and neglect cases every day.

BAKER: Yeah. Yeah.

JUSTICE IRELAND: That's heartbreaking stuff, you know.

1:08:53 I saw delinquency cases. I saw the truancy and the kids who run away from home. I saw all of that, every day, I was seeing the have nots of society.

JUSTICE IRELAND: The underbelly of society. Every day. It just sensitized me to the struggles that so many people have just making it day to day, and some people don't think about that too much.

1:09:22 But it was drilled into me. I had a real clear understanding about mental illness and how that can impact on generations. And how children who have been abused, they're going to have a lifetime of issues and that kind of thing.

1:09:42 BAKER: Yeah. So obviously you were seeing a lot of structural problems, right --

JUSTICE IRELAND: [Interposing] Yes.

BAKER: -- structural social problems.

JUSTICE IRELAND: Yeah.

1:09:48 BAKER: How are you trying to address those structural problems as a judge at that time?

JUSTICE IRELAND: I always tried to do several things simultaneously. One was, deal with the individual that's in front of you. Deal with what their issue is. Another though, at the same time, is to look at the system in a broader way.

1:10:08 You know, I wrote a book on Massachusetts Juvenile Law.<sup>28</sup>

BAKER: Yes, I did know.

JUSTICE IRELAND: It took me seven years to write that book. It's now in its 30<sup>th</sup> year of publication. I wrote it for judges and for lawyers. It's pretty comprehensive on the kinds of issues that the juvenile court deals with, the case law, and some of the issues that are connected to the cases.

BAKER: Yep. Yep, so you were always sort of thinking big picture even -- well, especially I think has a judge --

1:10:40

JUSTICE IRELAND: [Interposing] Yes, yeah.

BAKER: -- and so then you were appointed to the appeals court. What was that process like?

JUSTICE IRELAND: It was kind of interesting because being a trial judge, you sit in the courtroom and you listen to the evidence. You listen to the lawyers, and then you make a ruling. You use all of your experience, your knowledge of the law, but you're the decision-maker.

1:11:10 The buck stops with you. Then I became an appellate judge. I'm at the appeals court where they work in panels of three. So you no longer are the final decision-maker. You work with two other judges. And I worked with very seasoned, experienced, thoughtful judges. They were like my mentors. I was the new kid on the block. I was a

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<sup>28</sup> [Juvenile Law, Vol. 44 & 44A, Massachusetts Practice Series](#) Thomson Reuters (1993; 2d ed. 2006)



trial judge, had a lot of experience, 13 years, but I wasn't an experienced appellate judge. There's a certain way you write in an opinion. There's a certain way you identify the issues. There's a certain way you cite to the cases and so forth and so on. So that was a process for me. Now in Massachusetts, the appeals court does the lion's share of the appellate work. The SJC hears a few cases.

BAKER: Right.

JUSTICE IRELAND: Maybe 200 cases a year. But the appeals court might hear 2,000 cases. So I was 1 of 14 judges and it was a very challenging experience but I was learning how to be an appellate judge. I was doing a lot of writing and rewriting. Reading and writing, reading and writing -

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- not just doing my stuff but then critiquing the other judges' writing as well.

1:12:45 In some cases all 14 judges would critique one judge's efforts but oftentimes it was just the other two.

BAKER: Can you describe the law clerk system at the  
1:13:00 the Mass Appeals Court. Is there a pool of law clerks or did you have your own?

JUSTICE IRELAND: When I was there, you had one law clerk each year. So I was there for seven years. I understand now I think they do pools.

1:13:14 But back in my day, I had one clerk each year.

BAKER: Okay. While you were on the appeals court, I'm wondering how your experiences, your professional experiences and personal experiences, to date informed the way that you approached your decision-making as a judge?

JUSTICE IRELAND: Because I saw so much in the juvenile court of the underside of society, I often  
1:13:41 thought about the impact, whatever we were doing would have on the public. I would remind my colleagues of what we were saying in terms of its impact not just on the individual but on the public at large. So that was a very important aspect of, you know, the carryover from the juvenile court.

BAKER: Right. At this stage we're almost 20 years into your career.

JUSTICE IRELAND: Yeah.

BAKER: When did you start to see yourself as a judge? This is your second time on the bench, right? First at  
1:14:17 the juvenile court and now on the appeals court. At what point did you start to see yourself as a judge? Was it on the juvenile court or when --

JUSTICE IRELAND: [Interposing] I think by the time I left the juvenile court, maybe. --

As I said, I started when I was in my early 30's.

1:14:32 I'd say after I'd been there maybe 10 years.

BAKER: [Laughing]. Okay.

1:14:40 JUSTICE IRELAND: I started thinking of myself as a real, you know, seasoned judge.

BAKER: Yeah. And so Justice Ireland, after your appointment to the appellate court, you served for a number of years, and then you were appointed by Governor Weld<sup>29</sup> to the Supreme Judicial Court. And that was in 1997.

JUSTICE IRELAND: Yes.

1:15:05 BAKER: How did it feel to be the first black justice to sit on the highest court in Massachusetts in over 300 years?

JUSTICE IRELAND: Well it was daunting. I should give you a little background. So I had been at the appeals court for 5 years and there was a vacancy on the Supreme Judicial Court. I applied. I was a finalist. Met with the Governor. Governor Weld. He picked Charles Fried<sup>30</sup>.

BAKER: Okay.

1:15:38 JUSTICE IRELAND: The next year there was another vacancy. I applied. Made it to the finalists. Met to be a finalist. Met with the Governor. He picked Margaret Marshall<sup>31</sup>.

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<sup>29</sup> [William F. Weld](https://www.nga.org/governor/william-floyd-weld/) (1945-present), former governor of Massachusetts (1991-1997).  
<https://www.nga.org/governor/william-floyd-weld/>

<sup>30</sup> [The Honorable Charles A. Fried](https://hls.harvard.edu/faculty/charles-fried/) (1935-present), served as U.S. Solicitor General under President Ronald Reagan (1985-1989) and as an Associate Justice of the Supreme Judicial Court of Massachusetts (1995-1999).  
<https://hls.harvard.edu/faculty/charles-fried/>

<sup>31</sup> [The Honorable Margaret H. Marshall](https://www.mass.gov/info-details/the-honorable-margaret-h-marshall) (1944-present), served as the 24th chief

BAKER: Hmm.

JUSTICE IRELAND: Then there was another vacancy in 1997.

1:15:56 Some of my friends said to me, Rick, what's the point in applying? Don't waste your time. You've applied twice. You were at least as qualified as the other candidates and he didn't pick you. So screw him.

BAKER: [Laughing].

JUSTICE IRELAND: But my thinking was I will keep applying until I'm my last breath because sooner or later one of us has to be on this SJC.

BAKER: [Interposing] Yep. Yep.

JUSTICE IRELAND: So I applied again.

BAKER: Mm-hmm.

JUSTICE IRELAND: This is the third time. And I know he thought I was too liberal. He had said that to a lot of people.

1:16:43 But I didn't know that his plan was to leave the governorship shortly after he made his appointments. He left so that his Lieutenant Governor, Paul Cellucci<sup>32</sup>, would have time to serve as governor so that he could run for governor in his own right with the next election. So Weld picked me.

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justice of the Massachusetts Supreme Judicial Court (1990-2010), the first woman to hold the position. In 2012, she rejoined Choate, Hall & Stewart as Senior Counsel. <https://www.choate.com/attorneys/margaret-marshall.html>

<sup>32</sup> [Argeo Paul Cellucci](https://www.nga.org/governor/argeo-paul-cellucci/) (1948-present), former governor of Massachusetts (1997-2001). <https://www.nga.org/governor/argeo-paul-cellucci/>

BAKER: On try number three.

JUSTICE IRELAND: Third time.

BAKER: [Interposing] Got it.

JUSTICE IRELAND: Yep. Yep. Well of course, when I was appointed, I started thinking to myself, holy cow --

BAKER: [Interposing] [Laughing].

1:17:23 JUSTICE IRELAND: -- it happened. Now what am I going to do? You know, it was daunting to think, you know. I thought of it first on an individual level. It's something I had hoped to see occur at some point. But I also thought in a broader way, I would be representing.. us.

BAKER: Right.

1:17:49 JUSTICE IRELAND: I certainly didn't want to make any mistakes. I certainly wanted to do a good job and I certainly wanted to be able to contribute equally with all my colleagues. I just knew that I was going to be under a lot of scrutiny.

BAKER: Definitely. I want to talk a little bit about the application process because, I think when some hear I applied to the bench, didn't get the appointment, they think, oh, well that was just submitting one form. What was the process like?

1:18:28 JUSTICE IRELAND: Oh, it's a very complicated process in Massachusetts. So, yes, you start with a paper process. It asks you all kinds of questions and so forth and so on. And then there's a group called a Judicial

Nominating Commission<sup>33</sup>, usually it's about 20 people appointed by the governor: lawyers, retired judges, folks in the legal system. They interview the candidates and ask them questions. Then they whittle it down to a short list. Give that list to the governor. Then the governor's people look at that short list, whittle it down, and then give the governor and the lieutenant governor some names. Then the governor interviews the candidates.

1:18:55

BAKER: Right.

JUSTICE IRELAND: And then the governor makes a decision. To finish the process, once the governor decides I'm going to nominate this person, then the state police get involved, the tax department, they've got to make sure the person has no kind of... unseen issues.

1:19:37

Have they paid their taxes? Are there any outstanding issues, criminal issues, you know? Anything.

BAKER: Wow. So it does not sound like an easy process.

JUSTICE IRELAND: No, it's not.

BAKER: At all. So you did get that appointment from Governor Weld in 1997.

JUSTICE IRELAND: Yeah.

1:19:54

BAKER: And you mentioned going into that you thought,

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<sup>33</sup> [The Judicial Nominating Commission](https://www.mass.gov/orgs/judicial-nominating-commission) (the "JNC"), a non-partisan, non-political, and non-compensated Commission that serves as the Administration's screening mechanism for judicial candidates.  
<https://www.mass.gov/orgs/judicial-nominating-commission>

okay, there's going to be a lot of scrutiny on me --

JUSTICE IRELAND: [Interposing] Yeah.

BAKER: -- what were those first years like on the SJC?

JUSTICE IRELAND: Well they were as I expected --

1:20:03 BAKER: [Interposing] [Laughing] okay, okay.

JUSTICE IRELAND: -- but they were also very good years.

You know I was the junior judge. The newest judge. So everything at the SJC is done in order of seniority. They are following procedures that have been in place for... hundreds of years. They have a special way that they discuss the cases. You listen first to the most senior judge. Then the next most senior -- you don't interrupt them when they discuss the case. And you hear from each judge. Well the last judge to speak would be the junior judge.

BAKER: Right [Laughing].

JUSTICE IRELAND: By that time everything's been already discussed. When you vote, you vote in oral -- in order of seniority. When you walk into the courtroom, you

1:20:58 walk in in order of seniority -- most senior judge.

The last one to enter is the junior judge.

BAKER: [Laughing].

1:21:05 JUSTICE IRELAND: So when you're discussing the cases and you vote on the cases, usually the junior judge is just kind of an add-on. Sometimes that's the final vote. It could be the vote that makes a difference if there's a 3

to 3 split. But oftentimes everyone has agreed with everything by the time the junior judge gets to vote.

1:21:33 BAKER: And so you've been the bench for over 20 years at that point, and then you were the new kid on the block.

JUSTICE IRELAND: Right.

BAKER: I'm wondering what other types of surprising things you learned when you went to the SJC in terms of culture or the way the court itself functioned.

1:21:47 JUSTICE IRELAND: Well, you know, one of the things that I didn't understand until I got there was each judge, seven judges, they function separately like silos. I mean they come together to hear cases.

1:21:59 But then they go their separate ways when it comes to reviewing the cases and so forth. Then each judge is assigned some cases to work on and they circulate their cases to the other judges.

So I have two cases to write each month. I circulate my cases. The six judges read my cases. Give me feedback. Meantime I'm reading the two cases from each of the other judges so I'm critiquing their writing.

1:22:32 Then we come together once a month to meet and to discuss the cases and to vote on the cases. So you function individually but you collaborate as well.

BAKER: It also seems a little bit different from the really collaborative structure of the Mass Appeals Court.



JUSTICE IRELAND: Right.

1:22:52 BAKER: Right? Which sounded like it was just a lot of iteration.

JUSTICE IRELAND: Yes.

BAKER: As a group.

JUSTICE IRELAND: Yes.

1:22:57 BAKER: And so when did you feel like you really hit your stride at the SJC?

JUSTICE IRELAND: It took a couple of years there. Now I'm being very honest because part of that whole process is kind of unspoken. You know? One thing, the way I was taught when I came on there was you don't talk about the

1:23:20 cases with your colleagues except when you're all together in the same space. Now I think in modern times, maybe they don't do it the same way. But back when I started at the SJC, most of the other judges had worked together for 10, 15 years. They knew each other.

BAKER: Wow.

1:23:40 JUSTICE IRELAND: They knew how each other thought and they could anticipate their thinking about the cases.

BAKER: Okay. So right around this time, the late 1990's, you were not only Justice Ireland, right, Associate Justice of the SJC, but then you also become Dr. Ireland.

1:24:00 How did that come about?

JUSTICE IRELAND: Well... another accident of circumstances.

So, see I've had a lot of those in my career, but one of the things I did when I started as a judge was I started to teach. I became a judge in 1977. I started to teach at Northeastern University in January of 1978, within months of becoming a judge. And I continued nonstop to teach from 1978 until today at Northeastern University. That's going to be 45 years in January.

BAKER: That's a long time.

JUSTICE IRELAND: Yeah.

BAKER: [Laughing].

JUSTICE IRELAND: So after I'd been at Northeastern for about 10 years, I found out that there was a special fringe benefit for part-time faculty.

1:24:58 If you taught a course, you earned a course credit -- you or a family member could take one course each semester you taught. But it had to be done during that same course.

BAKER: Mm-hmm.

JUSTICE IRELAND: Same semester.

1:25:15 BAKER: Mm-hmm.

JUSTICE IRELAND: So I tried to talk to my kids and I said, hey, want to take a college course at Northeastern, no takers. Nobody was interested. And I let another year or two go by and then I thought to myself, you know, this is a golden opportunity and it would be a shame to waste this opportunity. So if no one else is going to do it, I'm going to try it. So I was teaching and the first

1:25:46 course I took, I remember, was Microeconomics and I learned a lot. I was able to teach and take the course and manage it and do my judging at the same time.

BAKER: Wow.

JUSTICE IRELAND: So I decided, well, I'll take a second course, just to see. Well I took another course. I think that was on organizational structure and I thought, man, this is really amazing, this information which I never  
1:26:13 thought about way outside my, you know, my lane of information. By the time I had taken two or three courses, I said to myself, well, I might as well make this official and I applied to the PhD program: Law, Policy, and Society<sup>34</sup>.

1:26:31 BAKER: Yep.

JUSTICE IRELAND: I took one course each time I taught a course. Did that for 5 years. Finished the coursework and then did the dissertation, did the proposal, did the defense, did everything by the books. And got the degree in 1970 - 1998.

BAKER: So one year into your time at the SJC.

JUSTICE IRELAND: Yeah.

BAKER: That's extraordinary. A few years

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<sup>34</sup> [The Doctor of Law and Policy program](https://www.northeastern.edu/graduate/program/doctor-of-law-and-policy-boston-14421/) (DLP), PhD program at Northeastern University designed for experienced professionals who are interested in the origins, development, implementation, and analysis of legal and public policy decisions in government and related institutions.  
<https://www.northeastern.edu/graduate/program/doctor-of-law-and-policy-boston-14421/>

1:27:00 into your time at the SJC, you feel like you're getting your stride, you're learning those cultural pieces, but then Governor Patrick knocks on your door. And he asks you to become the next Chief Justice of the SJC.

JUSTICE IRELAND: So, yeah, you know, I went on the SJC in 1997.

BAKER: Okay.

JUSTICE IRELAND: In 1999, two years later, Herbert Wilkins stepped down. He had to, he was 70, as chief justice of the SJC. So the question was, who's going to be the chief justice? Well I applied to be chief. And Margaret Marshall applied to be chief. And there were some others. So Margie, Margaret Marshall was known as Margie, she was selected to be chief justice. That's 1999. We get to 2010 and Margie decides to step

1:27:36  
1:28:01 down before she turns 70 because her husband was ill. Now at that point in time I had almost 30 years in. And Alice, my wife Alice, and I had been talking about retirement and, you know, doing some new things, some different things, and I was thinking, you know maybe this is a good time for me to retire. But then out of the blue, Margie announced she was stepping down. And so  
1:28:34 then the question was, was I going to apply to be chief justice.

BAKER: And at that point you were the most senior Justice.

JUSTICE IRELAND: Yes, I was the most senior judge there. I'd been there since '97, so we're talking.. 13 years. When I was first contacted, I said no, not, I'm not interested. --

1:28:58 BAKER: And why was that?

JUSTICE IRELAND: Well there was a whole laundry list of things that were going on in Massachusetts at the time.

1:29:10 And you know I'd been around long enough to know each one of those separate things would be a big headache for anyone who was the chief justice. And I didn't know if I wanted to own those things. The state had been in a state of fiscal difficulty for several years so there had been a freeze for four years for hiring anyone to work in the court system for four years. There was a scandal that

1:29:47 had been going on within the probation department of the courts to the point where the SJC had ordered an investigation into the hiring practices within the probation department. The investigation had concluded that there was patronage and nepotism within the hiring system of the probation department. Now here's the thing. The patronage was caused by members of the legislature, recommending particular candidates for positions within the probation department and those people were getting special treatment and being hired. So this is the probation department within the court system.

BAKER: Okay.

JUSTICE IRELAND: That caused poor relationships between the legislature and the judiciary. The legislature didn't like the fact that the court was pointing out that there was patronage and nepotism. In addition to that, because there had been a hiring freeze, that meant you couldn't fill a job if someone died or moved away or retired.

1:31:10 So the court was asking employees to do more and more with less and less. So morale was very poor.

BAKER: Okay.

JUSTICE IRELAND: Another factor was judges hadn't had a pay raise in seven years. So you can imagine how they were feeling about the work. And I just looked at all of that --

BAKER: [Interposing] Huh.

1:31:10 JUSTICE IRELAND: -- and I thought to myself -- oh, one last thing was the governor had announced that he had a plan to fix things by moving probation officers into the executive branch and taking them away from the judges' control and putting them under his umbrella.

BAKER: So you were invited to apply for this chief justice job and you said no way, no how [Laughing].

JUSTICE IRELAND: Yeah, I said no. I'm not interested.

BAKER: But what changed your mind?

JUSTICE IRELAND: Well... it became public knowledge that I had declined.

BAKER: Oh.

1:32:13 JUSTICE IRELAND: And so I heard from a number of people.

BAKER: Hmm.

JUSTICE IRELAND: All walks of life.

BAKER: Hmm.

JUSTICE IRELAND: You've got to do it.

BAKER: [Laughing].

JUSTICE IRELAND: When will one of us be in this position again?

BAKER: Yeah.

1:32:30 JUSTICE IRELAND: And some voices were saying, you know what, you can do this. You don't have to do it the way anybody else has done it. You know? Alice used to say to me, a lot of folks are sweet-talking you but you're the one who would -- if you take the job, you own it and you're going to have to deal with it.

BAKER: Yeah.

JUSTICE IRELAND: But at a certain point I guess I just concluded that it was something that I had to do.

BAKER: Yeah.

JUSTICE IRELAND: I had to give it a shot. I had to at least try.

1:33:07 BAKER: I want to talk about how you turned things around for the court in a moment. But I also want to freeze us in time. So you're not only the first black associate justice to the SJC, you become the first black chief

justice in the Commonwealth. How many peers did you have who were similarly situated around the country? Were there other chiefs?

JUSTICE IRELAND: Well there were other black chiefs --

BAKER: [Interposing] Okay.

JUSTICE IRELAND: -- I think at that time there might  
1:33:35 have been half a dozen.

BAKER: Oh, okay.

JUSTICE IRELAND: I didn't know them at that time --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- I came to know some of them,  
1:33:43 through my work with the Institute of Judicial  
Administration here in NYU.

BAKER: Yeah.

JUSTICE IRELAND: We're going to talk about that in a few minutes. But that connected me to a network of judges across the country that really helped me as I was chief justice.

1:34:02 BAKER: That's great. That's great. And we all know that now -- your presence and your work really opened the doors for so many folks to come behind you on the SJC and now Kim Budd<sup>35</sup> is also an African-American who serves as the

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<sup>35</sup> [The Honorable Kimberly S. Budd](#) (1966-present), chief justice of the Supreme Judicial Court of Massachusetts and former justice of the Massachusetts Superior Court. She is the first black woman to lead the Supreme Judicial Court of Massachusetts. Chief Justice Budd joined the faculty of IJA's New Appellate Judges Seminar in 2021.



chief justice.

JUSTICE IRELAND: Yes.

BAKER: So that's extraordinary and -- thank you for that work that you've done. But let's go back to the challenges. So you stepped in as chief. On day one, what's your plan for reform?

1:34:31 JUSTICE IRELAND: The way I thought about it, it seemed to me that it was important to try to build some bridges between the courts and the legislature, to try to reach out to not just the leadership of the legislature but the rank and file --

1:34:51 Try to educate them about what the court's mission was. I became a regular knocking on doors at the state house. I always said I don't have an agenda. I'm just here to introduce myself. And to tell you a little bit about what the courts are doing. But I did have a point in my visits to the legislature. I wanted them to think about the fact that there were 40,000 people going into our courthouses

1:35:23 across the state every day. Every single day. And that they were looking for justice from the courts and that they had expectations and that we couldn't provide those expectations if we didn't have the support of the

legislature. Sometimes I invite a rep or a senator to join me to go to the courthouse in their district --

BAKER: [Interposing] Wow.

JUSTICE IRELAND: -- where they could see for themselves

that there weren't enough people working for the court to accommodate the public. There weren't enough court officers. You couldn't put a judge in a courtroom without a court officer --

BAKER: [Interposing] Wow.

JUSTICE IRELAND: -- that's not secure. That doesn't work. If you don't have enough people who work at the front counter in the clerk's office, you don't have enough people to do the paperwork with the people. So it was a process.

BAKER: So you're boots on the ground as a chief justice.

JUSTICE IRELAND: Yeah.

BAKER: So you're going into communities with lawmakers.

JUSTICE IRELAND: Yes.

BAKER: How unusual was that?

JUSTICE IRELAND: Well that was unusual, I have to say.

BAKER: [Interposing] [Laughing].

1:36:42

JUSTICE IRELAND: I don't think my predecessor chiefs approached it the same way I did. But I decided that if it was worth it for me to build those bridges, I had to do the work. So I knocked on a lot of doors. At one point the legislature, the speaker of the house told me that I had visited every member of the house.

BAKER: [Laughing].

1:36:57

JUSTICE IRELAND: They have 160 members in the house.

BAKER: Wow.

JUSTICE IRELAND: Then there's the senate with 40 members.

BAKER: Yeah.

JUSTICE IRELAND: But I just thought that was an important part of my job. What that meant was in addition to my writing the opinions and administering the courts,

1:37:13 I kind of added a third job which was to be liaison for the courts with the legislature.

BAKER: What was the end result of all that work? What did you do in the courts?

JUSTICE IRELAND: After I reached out to the rank and file, of course, I'm meeting with the speaker of the house and senate president on a kind of a regular basis. -- I thought it made sense for me to try to share information about what the court was doing, what

1:37:46 we hoped to do in the future, how they could help us. I always was very respectful and all of that. But I tried to keep them abreast of what we were dealing with. I suggested to the speaker of the house that it might be a good point in time for legislation that would help the courts reorganize to try to address the issue with the probation department and the claims of patronage and nepotism. He was a very reasonable guy, and he saw the benefit of that.

BAKER: Wow.

JUSTICE IRELAND: So we came up with a plan to restructure our Massachusetts courts. Now the old system was that

there was one position called the Chief Justice for  
1:38:38 Administration and Management. The CJAM<sup>36</sup>.

BAKER: Okay.

JUSTICE IRELAND: Who was responsible for rules that  
governed the judges and the management of the courts.  
Everything done by a judge. We thought why not split that  
into two parts. Have a chief justice for the trial court  
who's over the judges and the judicial personnel and then  
a court administrator who is a professional manager --

BAKER: [Interposing] Right [Laughing].

1:39:11 JUSTICE IRELAND: -- who's in charge of all of the aspects  
of running the courthouse buildings, purchasing all of the  
equipment and supplies that they need and managing all of  
that. So that was a change in court structure. Then we  
said while we're at it, and because there was a claim of  
patronage and nepotism, let's change the way court  
employees are hired. Let's have a system that looks at a  
person's qualifications not who they know but what they  
know.

1:39:48 BAKER: Okay.

JUSTICE IRELAND: And let's do it in a color blind  
way so we don't even know who their sponsors are, who are  
writing their letters of recommendation until we've  
concluded that their qualified for the job. So that means,

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<sup>36</sup> CJAM, Chief Justice for Administration and Management.

now, if a person wants to get a job working within the court in Massachusetts, you can click on the internet, you see what jobs are there, you see they'll all be posted now. You fill out an application that shows your qualifications. Then they call you in. Then the last step now is who is writing the letters of recommendation. Those are public now.

BAKER: Wow.

JUSTICE IRELAND: And the person has to explain who their other family members are who work in the court system --

1:40:41

BAKER: [Interposing] Oh, wow.

JUSTICE IRELAND: -- sometimes you'd have a whole family, everybody in a family was working in the court system. And no one claimed to know that.

1:40:51

But now it's all done out in the open.

BAKER: Wow.

JUSTICE IRELAND: So that changed the culture. When I was a juvenile court judge, I often saw that someone would just show up one day and they'd be given a job of court officer. No training, no advanced notice, but they knew somebody. -- Those days are done with this court reorganization.

BAKER: Wow.

JUSTICE IRELAND: Process. Yes.

BAKER: I just want to be very clear that this was a

complete revamping of the way business was done in the state.

JUSTICE IRELAND: Absolutely, yes.

BAKER: And meanwhile you were running a very busy court.

1:41:28 JUSTICE IRELAND: Yeah.

BAKER: I mean this is -- this sounds extraordinary. It reminds me, though, of your early days at the Roxbury Defenders. Right? Where you were building something from scratch.

1:41:37 JUSTICE IRELAND: Yes.

BAKER: Were you drawing on that experience at all?

JUSTICE IRELAND: Well of course that was part of it. One thing I left out, as I think about it, is probably worth sharing. So as I had mentioned the governor who had just appointed me, had proposed that probation officers become part of the executive branch. So within a month or so of my being appointed chief, I disagreed with the governor --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- publicly.

BAKER: [Interposing] Oh.

JUSTICE IRELAND: I said, you know, my experience as a judge was that judges need to be able to work in a courtroom with a probation officer, be able to ask that  
1:42:16 probation officer to do things to help with the cases. If you had probation officers working for the executive

branch, the judge would not have any control over that aspect of the case. I talked about that from my experience as a trial court judge. And so that didn't please the governor too much but... I think we were able to prevail on that. Probation officers stayed within the court system under the direction of judges as opposed to being moved to the executive branch.

1:42:55 BAKER: And what about the pay issues? And the resource issues?

JUSTICE IRELAND: Well one of the things about the pay, again, I went to the members of the legislature and I would say to them, you know, where do you think Massachusetts judges rank in terms of their pay, related to other states?

1:43:16 Well of course there's data on that. We were 48<sup>th</sup> in the country --

BAKER: [Interposing] Oh wow.

JUSTICE IRELAND: -- at that point in time. Now most members of the legislature would say, oh, we're probably in the middle, you know, maybe 20<sup>th</sup> or whatever. But when I showed them what the data was from the National Center for State Courts<sup>37</sup>.

1:43:27

BAKER: Mm-hmm.

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<sup>37</sup> [National Center for State Courts](https://www.ncsc.org/).is an independent, non-profit organization focused on improving the administration of state courts in the United States, and courts around the world.  
<https://www.ncsc.org/>

JUSTICE IRELAND: And then I went to the business community and I said to them, you know, you have issues that need to be resolved, you need qualified judges to resolve your business matters, and you're not going to attract judges if they're paid 48<sup>th</sup> in the country.

BAKER: Right.

1:43:55 JUSTICE IRELAND: You need qualified judges who are paid a decent rate. So at a certain point we had the business community who was supporting our push for some kind of pay raise. The legislature knew that something had to be done.

BAKER: That's great.

JUSTICE IRELAND: And so we had been able to kind of build bridges.

1:44:19 BAKER: How long was this overall reform project? Because this is quite a project that you undertook.

JUSTICE IRELAND: Yes.

BAKER: How long did it take?--

1:44:25 JUSTICE IRELAND: It took about two years.

BAKER: That's it?

JUSTICE IRELAND: Yeah, that's it.

BAKER: Wow.

JUSTICE IRELAND: It took about two years of almost daily -- we'd get -- you know, a discussion and talk and then it was done by way of legislation. The speaker of the

1:44:39 house and I joined together. We did a press conference



where we both said we supported this legislation. And it passed.

BAKER: Wow.

JUSTICE IRELAND: Yeah.

BAKER: Congratulations.

JUSTICE IRELAND: Thank you.

BAKER: And I'm sure many judges thank you and many plaintiffs and defendants --

1:44:56 JUSTICE IRELAND: [Interposing] Some still to this day thank me.

BAKER: That's great.

JUSTICE IRELAND: Yeah.

BAKER: Well let's turn to the substance of the decision-making. I'd love to hear a little bit about some of the notable cases that you decided during your time on the SJC.

JUSTICE IRELAND: Well you know I anticipated that question so I will just preface my response to that question by saying during my 17 years at the SJC I think I authored about 500 opinions.

1:45:26 BAKER: Okay.

JUSTICE IRELAND: To the parties in those 500 cases, I think each party would say their case was significant and important.

BAKER: Hmm.

JUSTICE IRELAND: Some of the cases dealt with criminal

law. Some with zoning. Some with abuse cases. Of course, all kinds of topics within the legal system. And I gave you ten cases today, tomorrow I could give you another ten and the next day a different set of ten.

BAKER: Right.

JUSTICE IRELAND: But some do jump out at me.

1:46:07 I'll tell you, one very few people know about it -- but I often think about it, it's called *Commonwealth versus Arriaga*<sup>38</sup>. That was a case that had to do with the use of preemptory challenges. Now back to my years as a public defender.

BAKER: Right.

JUSTICE IRELAND: The topic of preemptory challenges was something that was a very important topic among the criminal bar because sometimes prosecutors would eliminate all prospective jurors of color or from any distinct group in order to try to shape a jury a particular way. When it came to race, oftentimes the courts would say, well, we can't say this was discriminatory because we don't know the race of the individuals who had been challenged using preemptory challenges. So that goes back to the 70's --

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BAKER: [Interposing] Right.

JUSTICE IRELAND: -- I remember one famous case called

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<sup>38</sup> [Commonwealth v. Arriaga](https://casetext.com/case/commonwealth-v-arriaga-1?q=Commonwealth%20v.%20Arriaga&p=1&tab=keyword&jxs=&sort=relevance&type=case), 438 Mass. 556, 781 N.E.2d 1253 (Mass. 2003)  
<https://casetext.com/case/commonwealth-v-arriaga-1?q=Commonwealth%20v.%20Arriaga&p=1&tab=keyword&jxs=&sort=relevance&type=case>

*Commonwealth v. Soares*<sup>39</sup> where preemptory challenges were the topic, major topic of the case. So I'm sitting on *Arriaga*<sup>40</sup> and the issue was raised again. And I was the author of the opinion. And I proposed to my colleagues that we follow the federal model. The parties hadn't proposed it. I proposed it. -- I said you know the feds ask for race and ethnicity and it would be something that we should be thinking about as well.

1:48:03 And so I inserted language in my draft that was circulated which suggested that, going forward, we instruct the jury commissioner to make the forms require people to indicate race and ethnicity. Everybody agreed with that and thought that was a very good idea. And that's what we did in that case.

BAKER: Wow.

JUSTICE IRELAND: So going forward then, after that case, there was data there. So you would know if a prospective juror who was challenged was of a racial group. -- Now that in modern times also can apply to people of a certain sexual orientation or whatever

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<sup>39</sup> [Commonwealth v. Soares](#), 377 Mass. 461, cert. denied, 444 U.S. 881 (1979), held that Article 12 of the Massachusetts Declaration of Rights precludes the exclusion of jurors on the basis of "sex, race, color, creed or national origin," and established a method for analyzing the validity of a preemptory challenge that would influence the Supreme Court's creation of its landmark framework in *Batson v. Kentucky*, 476 U.S. 79 (1986).

<https://casetext.com/case/commonwealth-v-soares-2> ; For further developments, see also, Brian A. Wilson, [Rethinking Batson-Soars](#), 65 Boston Bar Journal 3 (Summer 2021) <https://bostonbar.org/journal/rethinking-batson-soares/>

<sup>40</sup> *Commonwealth v. Arriaga*, supra note 38 at 82

distinct group they might be in.

BAKER: Right.

JUSTICE IRELAND: -- but in *Arriaga*<sup>41</sup>, it was focused on race. I was very proud of that.

BAKER: You continued to be focused on the broader reform projects and the broader kind of structural issues that you're addressing which obviously as an SJC justice you're well positioned to do that.

JUSTICE IRELAND: Yes.

BAKER: Are there any other cases in that genre that you want to highlight?

JUSTICE IRELAND: Well, no. Well yeah. I would say, in a way, the same-sex marriage cases have some kind of relationship.

1:49:24 They're a distinct group, you know. And of course the Massachusetts Supreme Judicial Court was the first state court to conclude that same-sex couples could marry under the state constitution.

BAKER: Let me stop you there, Sir, 'cause I was a law student entering Massachusetts at that time, 2002.

Then in 2003 the *Goodridge*<sup>42</sup> case was decided by the SJC which really, you know, made such a ripple across the LGBTQ community, across the country. The court said, you

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<sup>41</sup> Ibid.

<sup>42</sup> [Goodridge v. Dept. of Public Health](https://www.casemine.com/judgement/us/5914b79aadd7b04934780068), 440 Mass. 309 (2003)  
<https://www.casemine.com/judgement/us/5914b79aadd7b04934780068>

know, gay marriage is the law of the land. What was it like to be on the court during that time which was, some may recall, a pretty heated political environment as well.

JUSTICE IRELAND: Oh, listen. It was one of the most interesting cases I sat on. It was interesting because when the case was actually argued, there was standing room only in our courtroom. There were TV trucks parked outside the court with representatives from CNN and NBC and all of these networks from around the country. There were even from other countries. From Britain and from Europe to hear this case. Now two other states had addressed the issue of same-sex marriage but they had ducked.

1:50:39

BAKER: [Interposing] That's right.

JUSTICE IRELAND: So here we were and we were the first state to really be in a position to say under our state constitution, same-sex couples have a right to marry. After the case was over, we were writing our draft opinions, and we did it in a very secretive way. We never put down on paper when we were having our consultations about these cases.

1:51:29

BAKER: Hmm.

JUSTICE IRELAND: Sometimes the clerks would report they were getting calls from Britain to some of our law clerks to find out if there was any information they could share about the progress of the case. I remember that around

the corner from the courthouse, there, one day, I went for a walk and on one side of the street there were groups holding picket signs that said they were in favor of same-sex marriage and across the street people holding signs who were opposed to it. There were television ads on TV, you know, about the outcome in the case.

BAKER: Wow.

1:52:13 JUSTICE IRELAND: So finally we reached the point where we were going to release our opinion. It was a 4 to 3 opinion. Now we're 7 judges. There were 3 dissents. I mean you think about it. If just one of those 4 judges had voted the other way, the case would have not upheld same-sex marriage, it would have reversed same-sex marriage.

BAKER: Hmm.

JUSTICE IRELAND: But the opinion comes out. Then there's a move to remove the four judges who voted in the majority.

BAKER: Right.

JUSTICE IRELAND: There were television ads. There were planes riding in the air with the banners that said, remove the bad judges. I remember. I would listen on the radio, to some of the ads. And one Sunday I was at my church and a group came in who was not happy with my vote in the case. And they tried to persuade the members of the church to... I guess you'd say... defrock me or --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- you know remove me from  
1:53:21 membership in the church because of how I had voted.

BAKER: Right.

JUSTICE IRELAND: I mean everybody had an opinion about that case. Bus drivers, cab drivers, you know, people would walk up to me, you know, on the street with different comments. We got all kinds of emails from around the world. A lot of people called us bad names. Said some bad things.

BAKER: It would be easy to, you know, hide and duck but two years later, another case that is in the sort of gay marriage set of cases that were just cited by the court was before you. And that case was *Cote-Whitacre*<sup>43</sup> which raised the question of whether same-sex couples from out-of-state could go into Massachusetts, get married, and then that marriage license would be valid in other  
1:54:18 states. So that was the question.

JUSTICE IRELAND: Yes.

BAKER: What was it like deciding that companion case?

JUSTICE IRELAND: Well I could ask you what it was like --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- because you were my law clerk then.

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<sup>43</sup> [Cote-Whitacre v. Dept. of Public Health](https://casetext.com/case/cote-whitacre-v-dept-of-public-health), 446 Mass. 350 (2006), 844 NE2d 623. <https://casetext.com/case/cote-whitacre-v-dept-of-public-health>

BAKER: So you know what it was like. But I'd just say for the record, we had a similar issue. And it was not quite exactly the same issue as *Goodridge* --

BAKER: [Interposing] Right.

JUSTICE IRELAND: -- but it was related. Could people from outside the state come in and take advantage of our ruling that said same-sex couples could marry?

BAKER: Right.

JUSTICE IRELAND: Well as it turned out, the majority of my colleagues relied on a 1913 law which said that out-of-state people could not benefit from such a ruling. Now that 1913 law was enacted to deter interracial marriages in our state. I was the sole dissent in the *Cote-Whitaker* case. I felt that the same logic that had supported the *Goodridge* decision should apply to *Cote-Whitaker*. So that was a 6 to 1 opinion. And I, with your assistance, wrote my dissent. I'm pleased to report that within two years the governor and the legislature decided to pass legislation that supported the conclusions that we had reached in our dissent making it possible for out-of-state same-sex couples to come into Massachusetts and marry. But being the dissent on that issue was something I felt was the right thing to do and I wasn't going to use a law that had been put in place to deter interracial marriages as something I thought would be fair.

1:55:25

1:56:36 BAKER: Right. And so fast forward, almost a decade



later, we have the U.S. Supreme Court declaring that gay marriage is the law of the land in the *Obergefell*<sup>44</sup> case where *Goodridge* is cited.

JUSTICE IRELAND: Yes.

1:56:51 BAKER: And so what was it like to sort of see that? --

JUSTICE IRELAND: Well you know the big thing about the *Goodridge* case, in my mind, was that once Massachusetts indicated that same-sex couples could marry under its state constitution you saw state after state within the U.S. follow that ruling and look at their own state constitutions and say, yes, in our state as well,

BAKER: [Interposing] Right.

JUSTICE IRELAND: -- same-sex couples can marry. And then what happened was it didn't just stop within the United States. You saw country after country apply it.

Then you saw it from not only one country but the majority of the countries. -- I'm not saying every country in the world but the very large majority around the world reached the same conclusions and that all started with

1:57:49 *Goodridge* in Massachusetts. I'm very proud of that.

BAKER: Yeah. Is it your proudest moment? At court?

JUSTICE IRELAND: As a judge?

BAKER: Mm-hmm.

JUSTICE IRELAND: It's one of the proudest. Yeah, one of

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<sup>44</sup> [Obergefell v. Hodges](https://www.oyez.org/cases/2014/14-556), 576 US \_\_\_\_ (2015) <https://www.oyez.org/cases/2014/14-556>

the things I have to say though, you know, I've thought about it a lot in the anticipation of this taping. As a juvenile court judge I probably sat on thousands of cases. As an appeals court judge I probably sat on a thousand cases. As an SJC judge I probably heard thousands but wrote 500 opinions --

BAKER: [Interposing] Wow.

JUSTICE IRELAND: -- and there's some cases I'm just as proud of as *Goodridge*. Some that aren't in the law books. I still think about some of the juvenile court cases where I was able to get a kid back on track and help them have a constructive life.

1:58:45 That was a big deal to me. I think about some of the cases where we made a conclusion that gave a group of people some rights that they should have had for a long time. Just as important as *Goodridge*. So it's hard to say that *Goodridge* or *Cote-Whitaker* are, you know, number one on my list. -- There are a bunch. You know one of the cases I worked on I think about sometimes is a case that had to do with female cafeteria workers who wanted to receive the same level of pay as the school janitors<sup>45</sup>.

1:59:30 BAKER: Wow.

JUSTICE IRELAND: And which seems only fair.

BAKER: Right.

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<sup>45</sup> [Jancey v. School Committee of Everett](https://casetext.com/case/jancey-v-school-committee-of-everett), 427 Mass. 603, 695 N.E.2d 194 (Mass. 1998) <https://casetext.com/case/jancey-v-school-committee-of-everett>

JUSTICE IRELAND: I was one of three judges. We were in the minority. The majority said, well, they're  
1:59:43 different. You know the statutes are different and so forth and so on, and so the women weren't entitled to the same level of pay as the janitors. But I felt they were.

BAKER: Yep.

JUSTICE IRELAND: You know? Equal pay for equal work -- and so forth and so on.

BAKER: So it's obvious that you've influenced and impacted so many people's lives as a judge in the decisions that you made. What about the employees that you interacted with and the staff around you? I'm curious to know about how you treated the court employees and also how you communicated various initiatives with them?

JUSTICE IRELAND: Well, you know, one of the things I guess I was taught as a young person growing  
2:00:28 up was everybody deserves respect.

BAKER: Right.

JUSTICE IRELAND: So when I became a judge, I made it my business to get to know the janitors and the folks  
2:00:42 who were down at the bottom of the pecking order.

BAKER: Right.

JUSTICE IRELAND: When I got to the SJC, part of my job was to try to reach out to court personnel just to let them know, I know you've been carrying a lot of extra work and haven't been supported. I know we've asked you to do

more and more with less and less but we're trying to make a difference. So I would go to a courthouse, I'd pick a courthouse, and I'd show up and I'd say to the head person, I'd like to meet with the janitorial staff. Take me down. Let me meet with them.

BAKER: Wow.

JUSTICE IRELAND: They take me up to the group that works security at the front of the house. You know? Usually you go and you want to see the presiding judge, the people at the top. But I always worked from the bottom up to the top and I would just have a little interaction with court staff. I found that meant so much to the staff, just somebody was saying to them you're important.

BAKER: Yeah.

JUSTICE IRELAND: And I've often said to young lawyers who come along, make sure you get to know the secretaries. Make sure you get to know the janitors. You know I'll tell you one quick story that I always thought about. When I was at the SJC as an associate justice, my office was way down on the far corner. Way down on the end.

BAKER: [Laughing] I remember that.

JUSTICE IRELAND: And that office was always freezing cold during the winter. My first year or two, I'd go in, you turn the heat on,

and it takes maybe two hours for it to warm up. So in the

meantime you're in your overcoat. One day I said something to one of the janitors about it and he said, judge, don't worry, I'll take care of that. And for the next, I don't know, five or six years I'd come in in the mornings and it would be just as warm and toasty because he had come in at 6:00 o'clock

2:02:42 to turn the heat on for me and he didn't have to do that.

BAKER: Wow. Wow. Yep.

JUSTICE IRELAND: But you know what? He was trying to help me. He wanted to see me succeed and there were so many people who gave me a boost.

BAKER: Right.

JUSTICE IRELAND: I'm just mindful of the secretaries and the folks who sometimes can be invisible, but who can make such a difference.

BAKER: Yeah. That grace, you know, it just makes you feel very grateful.

JUSTICE IRELAND: Yeah.

BAKER: To be there. Were there people that are more visible who mentored you and offered grace along the way?

2:03:19 JUSTICE IRELAND: Oh, so, so many. I mentioned one, Henry Quarles, the older lawyer. You know he had gone to law school in -- he graduated in 1921. -- He was one of the first pioneers --

BAKER: [Interposing] Is this the X person --

JUSTICE IRELAND: -- yeah -- yes --

2:03:35 BAKER: -- that was with you [Laughing] -- okay --

JUSTICE IRELAND: -- yes, draw the X --

BAKER: [Interposing] Yes --

JUSTICE IRELAND: -- stand there --

BAKER: -- there we go, okay.

2:03:37 JUSTICE IRELAND: Well he was one of the first black grads of Suffolk University Law School. But there was a whole team of them. But there was David Nelson, the first federal judge who was very supportive of me -- There were many, many people along the way who just kind of gave me a boost. One of my mentors was a guy named Francis X. Morrissey<sup>46</sup>. Frank Morrissey. He was an Irishman who had been one of the Kennedy supporters. And he took me under his wing. I still haven't figured out why but he liked me. I used to talk to him about the courts and all. And he used to just give me good old suggestions.

2:04:28 Rick, what about this. And I got to the point where I would talk to him almost every day about the law and about the court system. He mentored me in so many ways. Told me about politics.

BAKER: [Interposing] Well that's helpful in --

2:04:44 Massachusetts, right [Laughing]?

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<sup>46</sup> [Francis X. Morrissey](https://www.jfklibrary.org/sites/default/files/archives/JFKOH/Morrissey%2C%20Francis%20X/JFKOH-FRXM-01/JFKOH-FRXM-01-TR.pdf) (1910-2008), Massachusetts attorney who served as a judge on the Boston Municipal Court <https://www.jfklibrary.org/sites/default/files/archives/JFKOH/Morrissey%2C%20Francis%20X/JFKOH-FRXM-01/JFKOH-FRXM-01-TR.pdf>

JUSTICE IRELAND: Yeah, very much so.

BAKER: Yeah.

JUSTICE IRELAND: Very much so. But I think about it from the perspective of all of the people who have helped me along the way. I certainly couldn't have done any of what I've done all by myself.

BAKER: Hmm. And so to that end, I know a lot of people who have made it to roles such as yours who rely on a  
 2:05:07 committee to help with major decisions at different inflection points. And you've had many forks in the road along the way. I'm wondering who's on your committee? And who would be the first person you call when you're really facing the tough decisions, Alice aside, I mean we  
 2:05:24 know she's the chair of the committee [Laughing] --

JUSTICE IRELAND: [Interposing] Well that's number one, Alice.

BAKER: Right, right. Well that is so helpful. Why is she such a good sounding board for you?

JUSTICE IRELAND: Well my wife is a very intelligent, smart, savvy person and she's got a good heart and she's thoughtful. And she's the daughter of a pioneer judge in his own right. Judge Horace Davenport<sup>47</sup> of Norristown, Pennsylvania, is the first black judge in

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<sup>47</sup> [The Hon. Horace A. Davenport](https://www.phillytrib.com/obituaries/horace-a-davenport-98-montco-judge/article_f907a407-3a3f-58fe-b865-54a22a27ad78.html) (1919-2017), grandson of a slave and the first African-American judge to sit on the Common Pleas Court in Montgomery County. [https://www.phillytrib.com/obituaries/horace-a-davenport-98-montco-judge/article\\_f907a407-3a3f-58fe-b865-54a22a27ad78.html](https://www.phillytrib.com/obituaries/horace-a-davenport-98-montco-judge/article_f907a407-3a3f-58fe-b865-54a22a27ad78.html)

Norristown, so she grew up with a dad who was a real judicial pioneer.

BAKER: Yep.

2:06:02 JUSTICE IRELAND: So she's smart, she knows better than I.

BAKER: So she's chair of the committee.

JUSTICE IRELAND: Yes.

2:06:07 BAKER: Who else is on your committee right now?

JUSTICE IRELAND: Well these days, I have my childhood friend, Wayne A. Budd<sup>48</sup>, former U.S. Attorney.

BAKER: Mm-hmm.

JUSTICE IRELAND: I've got a friend from church, James Wells, who's a dear friend. I like to chitchat

2:06:25 with him. I've got a Robert Freeman<sup>49</sup>, the well-known artist -- he's not a lawyer --

BAKER: [Interposing] Oh, right, yes.

JUSTICE IRELAND: -- so you know, some of the things I deal with these days I just like good common sense as a kind of feedback on things.

2:06:43 BAKER: So I want to return to the court for a minute and talk a little bit about some of the other reforms that you helped to facilitate. --

JUSTICE IRELAND: Sure.

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<sup>48</sup> [Wayne A. Budd](https://www.thehistorymakers.org/biography/wayne-budd-41) (1941-present), Senior Counsel at Goodwin Procter, in the firm's Litigation Department. Former U.S. Attorney for the District of Massachusetts. <https://www.thehistorymakers.org/biography/wayne-budd-41>

<sup>49</sup> [Robert T. Freeman](https://robertfreemanart.com/) (1946-present), known for large-scale, figurative oil paintings offering commentary on racial tensions. <https://robertfreemanart.com/>



2:06:49 BAKER: There is a study conducted by Harvard University and Mass General Hospital in 2013 concerning discrimination within the court. I was wondering if you could talk a little bit about --

JUSTICE IRELAND: [Interposing] Oh, sure.

BAKER: -- the study and what it found.

JUSTICE IRELAND: I'd say back in 2012, there had been talk about the judicial evaluation process that was done on a regular basis

2:07:17 which asked lawyers to evaluate judges. The result of these judicial evaluations could result in some judges being told that they weren't doing a good job, that they had to do extra classroom stuff, they had to have a mentor assigned to them. These evaluations were very important. Well as it turned out, oftentimes judges of color received very poor evaluations and the judges felt that the evaluations were unfair. They were done anonymously. They were done by any lawyer who appeared before a judge, et cetera. So the SJC set up a committee to look into that. The committee retained Harvard and Mass General to analyze these evaluations. So the Mass General and Harvard evaluations concluded that there was indeed bias and discrimination in the evaluation process of the black and brown judges.

2:08:30 BAKER: How was that received within the court and outside of it? --

JUSTICE IRELAND: It was not well received within the court. Some judges thought that the Mass General and Harvard studies were not done properly. They

2:08:46 didn't like the methodology. They wanted to have another study done, et cetera, et cetera. But when I found out about the studies, I felt that it was important that all

2:09:00 the judges in the whole state, over 400 judges, should know about these studies. So I decided that they should all receive copies of all of the studies. Now there followed after the first two studies, someone said, well, let's do a third study.

BAKER: Wow.

JUSTICE IRELAND: And the third study wasn't so harsh and

2:09:24 some of the chief justices felt, well, then let's ignore the first two studies and go with the third study --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- I said I didn't think that would be a good way to go but so let's share all three studies with every judge in the state.

BAKER: How did that change the way business was done if at all?

JUSTICE IRELAND: Well it took a while.

2:09:47 But eventually I think most of the chief justices concluded that there was some implicit bias in terms of accepting the conclusions of the studies. Then they thought about it some more

2:10:02 and they said, you know, if judges of color are being discriminated against, we can assume that other court employees are also viewed and being treated the same way. So there was a slow pivot from we're not sure we accept these conclusions to, well, yes, we actually do accept it to let's do some work on how all of us who work in the court system are thinking about race. So they do a lot of work on implicit bias studies now within court personnel and all of that to try to make sure that we're where we should be in terms of dealing with people of color who work within the court system, or come into the court system.

BAKER: From my perspective it does seem like you were always doing civil rights work. Your foundation was very much rooted in sort of helping marginalized or underrepresented folks and underserved communities as a lawyer and then as you pivoted into the judiciary, you were still sort of doing that work, at least from my

2:10:59 perspective. How did the civil rights thread in your mind weave throughout your career and how did your work as a young lawyer really influence your work as a judge? --

2:11:18 JUSTICE IRELAND: Well you know it's all interwoven.

BAKER: Okay.

JUSTICE IRELAND: You know? It's the sum of the parts. Sometimes I still think of myself as a Roxbury Defender. You know? But the experience in the juvenile court dealing

with some of the have nots of society has stayed with me my entire career. My experience when I worked in administration and finance and dealing with some of the administrative governmental things also factored in. And it all kind of is part of who I am and what my experiences were.

2:11:57  
BAKER: What about now as you're kind of in another chapter of your career? How do the work you did as a judge inform your work on civil rights and justice today?

JUSTICE IRELAND: Well I think it all kind of works together. I still have the focus on, you know, the underrepresented. How to level the playing field as much as possible. These days though I'm trying to get students motivated to look at it the same way, and to think about the folks who don't have

2:12:30  
BAKER: [Interposing] Mm-hmm.

2:12:44  
JUSTICE IRELAND: -- and what we can do to help them. And that's a challenge.

BAKER: What are some of the challenges of that? Reaching students to get them to see from the perspective that you're trying to get them to see from?

JUSTICE IRELAND: Oh. Well I don't want to talk negatively about students. But these days I don't think students think too much about, you know, the have not so I think most of them are thinking about what they want to do in the future. What kind of professions can I have.

2:13:23 JUSTICE IRELAND: I'm teaching first year, second year students and I think they're just still trying to figure it out for themselves.

BAKER: Yeah.

JUSTICE IRELAND: Yeah.

BAKER: Did you see any shifts after the George Floyd moment which, you know, we can all kind of point to the summer of 2020.

2:13:39 JUSTICE IRELAND: [Interposing] Yes. I did see some shifts in that regard.

BAKER: Yeah.

2:13:43 JUSTICE IRELAND: But I think now that that's... a little bit behind us --

BAKER: [Interposing] Right.

JUSTICE IRELAND: -- I think I see going back, you know. just not thinking about it the same way.

BAKER: And so I do want to pivot to kind of race and being a person of color in spaces that

2:14:02 have not traditionally been inhabited by people of color. How have you dealt with racism along the way?

JUSTICE IRELAND: Well, you know, I won't say that's complicated but I start with I accepted racism as part of our culture, part of our society, part of our history.

BAKER: Mm-hmm.

JUSTICE IRELAND: But I also know that I could not have

done what I've done without the assistance of some very  
2:14:32 special white folks who have helped me, boosted me, lifted  
me up, pointed me in the right direction, helped me avoid  
problems. Some of my closest friends, mentors, teachers  
were white and were good.

2:14:47 BAKER: [Interposing] Mm-hmm. So I'm not willing to say  
that because of racism that means you can't trust any  
whites. You have to take people as they are. You have to  
hope that they're decent and kind, if they're not you  
kind of figure that out and you move on. But you stay  
focused on what your long-term goals are, what you want to  
accomplish, and try not to let that distract you or a  
person keep you from your long-term goal.

BAKER: Right. Right.

JUSTICE IRELAND: Yeah.

BAKER: Are there any pieces of advice beyond that that  
you would offer to a young lawyer of color, a new judge  
who's a person of color who wants to be successful and  
be able to navigate some of those things?

2:15:37 JUSTICE IRELAND: Well I've always said to younger lawyers  
who are, there's some simple things you can do to really  
distinguish yourself. You can always be prepared

2:15:50 for whatever your assignment is. '

BAKER: Right.

JUSTICE IRELAND: You can always be on time. Never late.  
Give 100% to whatever the task is.

2:16:04 And be prepared because my life has been filled with accidents of circumstances where, you know, that door opens up and, you know, there you are.

BAKER: Right.

JUSTICE IRELAND: And if you're ready, and you're prepared, and you're focused, maybe you, you know, maybe it's your time.

2:16:27 But for me that's kind of been my story.

So. I would say, again, you know, don't let people tell you what you can't do. You know? Have some inner strength.

BAKER: And that's it.

JUSTICE IRELAND: Yeah.

BAKER: Got it. So I want to turn a little bit to the circumstance that brought us together: The Institute for Judicial Administration and your work here.

JUSTICE IRELAND: [Interposing] Oh, absolutely.

BAKER: So can you talk a little bit about how you got introduced and the work you've been doing?

2:17:00 JUSTICE IRELAND: Sure, yeah. You know when I was on the juvenile court and I just got appointed to the appeals court, I went to a friend who happened to be the Chief Justice of the Mass SJC.

2:17:15 His name was Ed Hennessey<sup>50</sup>. And I said, Ed, I just got

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<sup>50</sup> [Edward F. Hennessey](https://www.mass.gov/person/edward-f-hennessey#:~:text=Hennessey.,judge%20of%20the%20Superior%20Court.) (1919–2007) <https://www.mass.gov/person/edward-f-hennessey#:~:text=Hennessey.,judge%20of%20the%20Superior%20Court.>

appointed to the appeals court. Now what am I going to do?

BAKER: [Interposing] [Laughing].

2:17:24 JUSTICE IRELAND: He said, Rick, the first thing I think you should do is go down to NYU to their appellate judges program. That will help you. I applied to come down here to this program. Now I'd been a trial judge for 13 years. But being a student here for 2 weeks helped me immeasurably.

BAKER: Wow.

JUSTICE IRELAND: I learned, you know, the big picture about appellate court. You know? Error review, you're looking to see if there was an error, if there was, was it harmful, was it harmless? You know, so forth and so on. So that helped me kind of start my appellate career on the right foot. When I was nominated to the SJC, I thought back to the appellate judges program here and I was, again, a student. Now this time I'm going to be at the SJC, I'm going to be at a bigger court, but I was again a student. That helped me immeasurably going forward with my supreme judicial court experience. Then within a year or two some of the folks here at IJA reached out to me and asked me if I wanted to participate in the summer appellate judges program. And at first it was just a cameo role and that was great. I said to Sam



Estreicher<sup>51</sup>, well, I don't want to do anything, you know, long term, just a walkthrough, do a little bit and let me just sit in the back and just take in as much as I can. But Sam kind of cajoled me into taking on a bigger role each year. And then the last, I don't know, 10 or 15 years I was in deep --

BAKER: [Interposing] [Laughing].

2:19:25 JUSTICE IRELAND: -- and I enjoyed it because you've got judges coming from all over the country, state and federal judges. It's a great interaction opportunity to hear what judges are doing all over the country.

BAKER: Right.

2:19:25 JUSTICE IRELAND: And it was something that I looked forward to. Kind of kept my batteries going.

BAKER: Yeah.

JUSTICE IRELAND: You know? So it was good.

BAKER: Cases are being decided all the time. New law is beings made all the time. It's such a vibrant space for that.

JUSTICE IRELAND: Yes.

BAKER: Well so that's how you learned a little bit about how to make decisions?

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<sup>51</sup> [Samuel Estreicher](http://its.law.nyu.edu/facultyprofiles/index.cfm?fuseaction=profile.overview&personid=19902) (1948-present), Dwight D. Opperman Professor of Law at NYU School of Law and Faculty Director at the Institute of Judicial Administration as well as founder and Director of the Center for Labor and Employment Law. <http://its.law.nyu.edu/facultyprofiles/index.cfm?fuseaction=profile.overview&personid=19902>

JUSTICE IRELAND: Right.

BAKER: How did you learn the administrative stuff? I mean that's stuff that you just don't learn in a book. --

JUSTICE IRELAND: Well, no, you don't. And it's a challenge. Some of it is common sense but some of it is understanding the culture, too. --

2:20:09 BAKER: [Interposing] Mm-hmm.

JUSTICE IRELAND: -- you've got to understand, I mean, part of the administration with the courts is you have to get the support of the legislature and the executive branch. You could have a perfect... whatever, and if they don't buy into it, it just sits there. So part of it is salesmanship. And I thought to myself, you know, I might not know all of the administrative stuff but I can figure out how to kind of interact one on one and talk with someone and get their input and collaborate and maybe I don't do it the way someone else did it but if I can get their buy-in, they meet me in the middle then we can make some progress here.

2:20:58 BAKER: So before we leave your time as a judge, I want to ask if there's any work that remains unfinished that you would, you know, recommend folks get to work on in the court system in Massachusetts in particular. Any sort of open threads that you're sort of like,

2:21:17 ah, that's one body of work that someone needs to tackle, or is everything functioning as well as it could be?

JUSTICE IRELAND: Well, you know I think Chief Justice Budd is doing a great job these days. And I think the court system is really afloat doing a very good job. You think about it. The courts -- we have over 100 courthouses spread across the state. Over 40,000 people going into court every day.

2:21:47 BAKER: Yeah.

JUSTICE IRELAND: You've got over 6,000 court employees. They're all doing their job to provide a service to the public that people pretty much taken for granted, which is the courts are always going to be there when I need them, I'm going to get what I need, and so forth and so on. That's a daily challenge to be able to continue to do that. But I think they're doing a pretty good job with that.

2:22:11 BAKER: Great.

JUSTICE IRELAND: Yeah.

BAKER: And so you're retired. Right? [Laughing].

JUSTICE IRELAND: Well I don't know if I'd use that word. I did retire for a month.

2:22:20 BAKER: Okay.

JUSTICE IRELAND: Yeah.

BAKER: Okay.

JUSTICE IRELAND: And then I started my full time job as professor you know? Yeah.

BAKER: What about that job keeps you going? You know?

JUSTICE IRELAND: Well I enjoy interacting with the kids.  
2:22:30 I shouldn't call them kids, with the students.

BAKER: [Laughing].

JUSTICE IRELAND: And, you know, one of the things I enjoy  
is exposing them to the court system and to have them  
think about courts and what they do and how they operate  
and so forth.

2:22:47 BAKER: What kind of stories do you share with them, the  
battles stories and that sort?

JUSTICE IRELAND: You know I'm not really a battle  
war history kind of person. Every now and then something  
leaks out but now very often.

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- not very often. I try to keep it in  
the day with them. These days I spend a lot of time  
talking about the constitution. I want them  
to look at the constitution, that are available in the  
constitution, that are built into our constitutional  
democracy.

BAKER: Mm-hmm.

JUSTICE IRELAND: And -- I want them to think about making  
sure that those rights and guarantees are available to  
everyone.

BAKER: Yeah. So I want to close a little bit.

2:23:34 JUSTICE IRELAND: [Interposing] Yes.

BAKER: You've talked about Alice a couple of times. And

how she is the chair of your committee, your sounding board. --

2:23:42 JUSTICE IRELAND: Yes.

BAKER: Can you talk a little bit about your family, your -- Alice -- your kids, your grandchildren now?

JUSTICE IRELAND: Yeah, we've got grandkids, yeah.

2:23:50 So Alice has been really a wonderful partner. She has helped me at almost every step of my career. I could not have done it without her. We got three kids who are in their 50's.

BAKER: Wow.

2:24:10 JUSTICE IRELAND: And we've got 4 grandkids who range from I think it's 8 to 26, 25. And everybody's doing good.

BAKER: [Laughing].

JUSTICE IRELAND: Which pleases me.

BAKER: Right.

2:24:24 JUSTICE IRELAND: And I don't ask anybody to follow my path. I don't set any standards for anybody. They're all engaged in constructive stuff. We've got some musicians in the family. You know? And my son is a trained violist -- His son is into music now. Beth, my daughter Beth, is in college administration --

BAKER: Is this the one you gave away, right? [Laughing]

JUSTICE IRELAND: Yep, and she still says, 'he gave me away to strangers'.

BAKER: [Laughing]. Got it.

JUSTICE IRELAND: [Laughing].

BAKER: So I want to do a little bit of rapid fire questions.

JUSTICE IRELAND: All right.

2:25:05 BAKER: Okay. One, who are your heroes?

JUSTICE IRELAND: Well I start with my parents.

You know the older I get the more I see what they did.

They got tutors for me and I took that for granted. I didn't even think about they had to pay for that.

BAKER: Yeah.

JUSTICE IRELAND: I didn't think about that until I was middle aged. I think about my grandparents. You know my grandfather was put on a train with a sticker that said send him to Springfield, pass him along.

2:25:37 He was a hero. Of course Martin Luther King<sup>52</sup>, Thurgood Marshall<sup>53</sup>

BAKER: [Interposing] Right.

JUSTICE IRELAND: -- were heroes. Those black lawyers who, you know, helped us as we started our careers. They were heroes. I look at some of the people I have worked with like Margaret Burnham<sup>54</sup> and Geraldine Hines<sup>55</sup>, they're

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<sup>52</sup> [Martin Luther King, Jr.](https://www.nobelprize.org/prizes/peace/1964/king/biographical/) (1929-1968), Baptist minister and prominent leader of the American civil rights movement in the 1950s to 60s.

<https://www.nobelprize.org/prizes/peace/1964/king/biographical/>

<sup>53</sup> [The Hon. Thurgood Marshall](https://www.oyez.org/justices/thurgood_marshall) (1908-1993), the first black justice of the U.S. Supreme Court [https://www.oyez.org/justices/thurgood\\_marshall](https://www.oyez.org/justices/thurgood_marshall)

<sup>54</sup> Margaret A. Burnham, *supra* note 17 at 38

<sup>55</sup> Geraldine Hines, *supra* note 18 at 39

my heroes. And there are a lot of unsung heroes in my life, people who have just kind of given me a = boost along the way or a kick in the pants when I needed one, too.

BAKER: Right.

JUSTICE IRELAND: To kind of keep me on track. You know?

BAKER: We talked a lot about your mentors and also helpers along the way .

JUSTICE IRELAND: Yeah.

BAKER: But are there any mentors that you want to name?

2:26:24 In this interview?

JUSTICE IRELAND: Well, yeah, I mentioned one, Francis X. Morrissey, wonderful mentor. I had a law professor mentor, Maurice Rosenberg<sup>56</sup> who was just a wonderful, very supportive guy who made me feel like I could do the work. There are so many professional folks I've crossed paths with. But I also think about a lot of the day to day people. I had some wonderful friends in church.

2:27:00 There was a woman who only went to sixth grade named Inez. I'm not going to say her last name but she was someone, every Sunday, I could count on who would say, 'sugar, how you doing, are they picking on you?'

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<sup>56</sup> [Maurice Rosenberg](http://www.columbia.edu/cu/pr/95/18703.html) (1919-1995), Professor of Columbia University School of Law. <http://www.columbia.edu/cu/pr/95/18703.html>.

2:27:19 Just knowing that I had a group of folks in my church who were there for me. You know I could get beat up all week going into the courthouse but I could go to my church and I could just be Rick. And it wasn't Judge Ireland. Wasn't chief justice. Just there's Rick over there. And they would just, you know, pat me on the back. You'll be all right boy. Just, you know, that's such an important kind of support system.

BAKER: Right.

JUSTICE IRELAND: You know? And it's -- as I told you, I grew up in the church. So that wasn't new for me.

BAKER: Right. Right.

2:27:56 JUSTICE IRELAND: I had a dear friend who was 94 years old. She used to sit behind me in church and she had a cane and, you know, there were some Sundays I'd be tired and I'd be falling asleep --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- and she'd be jabbing me with that cane. 'Wake up boy'.

[Laughter]

BAKER: Those helpers along the way, right, you need them.

JUSTICE IRELAND: [Interposing] [Laughing].

2:28:15 JUSTICE IRELAND: Exactly, exactly.

BAKER: And do you have any regrets?

JUSTICE IRELAND: None.

BAKER: Wow.



JUSTICE IRELAND: None. I'm grateful.

Even for the failures.

2:28:25 BAKER: Mm-hmm.

JUSTICE IRELAND: Because I think they made me stronger. And just -- I wish I'd done more. You know? I used to say to the students, sometimes, you know, I wish I had studied harder --

BAKER: [Interposing] [Laughing].

JUSTICE IRELAND: -- when I was in school. I had one guy say to me, but wait a minute, you're a chief justice so you must have done okay in school. But you know I really don't have any regrets at all. No.

2:28:49 BAKER: How do you live a life without regrets then?

JUSTICE IRELAND: Well... you take it one day at a time. And you do the best you can each day.

BAKER: Yeah.

JUSTICE IRELAND: But I'm mindful of the fact that, you know, I didn't just do this on my own. I stand on shoulders.

2:29:07 And you know here's something that I would like to share. You know, when I became a juvenile judge, I didn't really understand it at the time, but I succeeded a judge. There was a vacancy because the judge who was sitting there had reached age 70. His name was G. Bruce Robinson<sup>57</sup>. Now I

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<sup>57</sup> [Hon. G. Bruce Robinson](http://www.longroadtojustice.org/people/judges.php) (1902-1995).  
<http://www.longroadtojustice.org/people/judges.php>

didn't really think about Judge Robinson except I'm going to get his slot. But Judge Robinson was the second black judge in the history of Massachusetts.

2:29:43 BAKER: Wow.

JUSTICE IRELAND: He had been appointed in 1948.

BAKER: Wow.

JUSTICE IRELAND: 65 years after the first black judge in Massachusetts. We waited 65 years between the first black judge and the second black judge. That's three generations.

BAKER: Yeah.

JUSTICE IRELAND: And the first judge, his name was George Lewis Ruffin<sup>58</sup>. He was appointed in 1883. He was the first black Harvard Law School graduate. He was the first black appointee or elected person to the Boston City Council. And the first black judge. They were first. Judge Robinson was like a pioneer whose shoulders I stood on. Judge Robinson stood on Judge Ruffin's shoulders.

2:30:34 BAKER: Hmm.

JUSTICE IRELAND: You know, we all stand on other people's shoulders. I stand on David Nelson's shoulders and Henry Quarrel's shoulders and -- you know, this person's and the janitors and the secretaries' shoulders. Hopefully some people who follow

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<sup>58</sup> [Hon. George Lewis Ruffin](https://www.blackpast.org/african-american-history/ruffin-george-lewis-1834a-1886/) (1834-1886).  
<https://www.blackpast.org/african-american-history/ruffin-george-lewis-1834a-1886/>

me will stand on my shoulders and

2:30:58 so if there's anything they can draw from my experience I hope they will think to themselves, you know, if that guy could do it, maybe I could do it. If he could do it and they told him he

2:31:11 should go to trade [high school] because he didn't have the ability to do college work, maybe I could do it. Maybe they might think, well, if that guy could do it, maybe it doesn't really matter what my background is or what my parents did or didn't do or whatever, maybe I could do it. So I hope that's something that people think about when they see me.

2:31:33 BAKER: Yeah.

JUSTICE IRELAND: You know? Because my message has always been if I could do it, others like me could do it, too.

BAKER: I love that. I love that. And you should know that I'm on your very capable shoulders as well.

JUSTICE IRELAND: Thank you.

BAKER: Every day. I want to turn to what is next. I mean you said you're sort of in retirement [Laughing]. But what after teaching? What do you envision?

2:32:02 JUSTICE IRELAND: Well you know I've always talked about writing a book. And Alice has encouraged me to do that.

2:32:08 I don't know if that's going to happen but I'm developing some ideas along those lines.

BAKER: Okay.

2:32:34 JUSTICE IRELAND: And I've got a couple of projects in mind that I would like to maybe put together a grant proposal on and pursue. But I'm taking the teaching just one year at a time. Right now I'm enjoying it. I've been, as I said, at Northeastern for 45 years.

BAKER: Yeah.

JUSTICE IRELAND: So... I don't know. Right now I feel very fit. Reasonably sharp mentally. So I hope I can keep going for a while.

2:33:01 BAKER: That's great. And so my last question to you is really whether there are any other sort of parts of your extraordinary life you want to share with those who are listening today? Any last things you want to offer? You've offered so much. So it's fine if the answer is no but I'm wondering if there's anything else you want to share.

2:33:11 JUSTICE IRELAND: I can't think of another bit of advice or a thought or an observation. Except, you know just whatever you see as your goal, pursue it 100%.

BAKER: Great.

JUSTICE IRELAND: Okay.

BAKER: Well thank you so much Judge Ireland. JUSTICE

IRELAND: Thank you Shalanda.

BAKER: It's great to spend this time with you.

JUSTICE IRELAND: Yes.

BAKER: Thank you for all the work you've done for this country and for the Commonwealth of Massachusetts.

JUSTICE IRELAND: Absolutely. Thank you.

[END RECORDING]