

Third SJC justice announces she will step down this year

Justice Fernande "Nan" Duffly smiles as she prepares to be sworn in by Mass. Gov. Deval Patrick in Boston in this Thursday, Feb. 17, 2011 file photo. (AP Photo/Elise Amendola)

A third Supreme Judicial Court justice in the matter of weeks announced her retirement today, further clearing the seven-member bench and allowing Gov. Charlie Baker to reshape the state's highest court.

Justice Fernande R.V. Duffly, who was appointed in 2011 by then-Gov. Deval Patrick, said in a statement she intends to step down July 12 to spend time with her husband, who is recovering from surgery.

Her announcement follows that of Justices Robert Cordy and Francis X. Spina, both of whom said they're also retiring this year. Fellow Justices Justice Margot G. Botsford and Justice Geraldine S. Hines will also hit the mandatory retirement age of 70 next year, giving Baker at least five seats to fill in his first term.

The Massachusetts Bar Association noted the number of appointments matched that of Patrick, though his came across two four-year terms.

Duffly said in a statement that she originally had intended to step down in 2017 after serving for 25 years as a judge.

"When my husband's recent surgery required me to devote more of my time to helping him fully recover, I moved up my retirement date," she said.

"It has been a privilege to serve as a jurist in the Trial Court, the Appeals Court and the Supreme Judicial Court. My years on the bench confirm for me that broad and diverse perspectives make an enormous contribution to the decision making process."

Martin Healy, the Massachusetts Bar's chief legal counsel, praised Duffly, who was the high court's first Asian-American justice. He also noted the potentially new direction the court could go.

"These retirements create a historic opportunity for Governor Baker to make an immediate and lasting impact on the future makeup of the SJC," Healy said. "This will be a brand-new court with very little institutional knowledge, so it will be interesting to see how things play out. We're not likely to see this again for quite some time."

By: Matt Stout