

# **Massachusetts Gov. Baker nominates Rachel Hershfang as Associate Justice of Appeals Court, Asha White as Circuit Justice of District Court**

Today, Governor Charlie Baker announced the nomination of Rachel Hershfang as Associate Justice of the Appeals Court and Asha White as Circuit Justice of the District Court.

“The decades of experience in public service that Rachel Hershfang and Asha White will bring to the respective courts and the people of the Commonwealth make them well-qualified candidates,” said Governor Charlie Baker. “I look forward to the Governor’s Council’s consideration of their nominations for these appointments.”

“I am pleased with the nomination of these two distinguished attorneys who both have the experience to serve the courts well should they be confirmed,” said Lt. Governor Karyn Polito. “I am confident that their skills and knowledge will allow them to serve all those who will appear before them with fairness and justice.”

The District Court hears a wide range of criminal, civil, housing, juvenile, mental health, and other types of cases. District Court criminal jurisdiction extends to all felonies punishable by a sentence up to five years, and many other specific felonies with greater potential penalties; all misdemeanors; and all violations of city and town ordinances and by-laws. The District Court is located in 62 courts across the Commonwealth.

The Massachusetts Appeals Court is a court of general

appellate jurisdiction. The justices review decisions that trial judges from the several Departments of the Trial Court have already made in many different kinds of cases. The Appeals Court also has jurisdiction over appeals from final decisions of three State agencies: the Appellate Tax Board, the Industrial Accident Board and the Commonwealth Employment Relations Board.

The Appeals Court has twenty-five statutory justices, including the chief justice. The Massachusetts Appeals Court mission is a commitment to: doing justice under the law by rendering thoughtful, well-reasoned appellate decisions in a timely and efficient manner, treating all those who come before the court fairly and impartially.

Judicial nominations are subject to the advice and consent of the Governor's Council. Applicants for judicial openings are reviewed by the Judicial Nominating Commission (JNC) and recommended to the governor. Governor Baker established the JNC in February 2015 pursuant to Executive Order 558, a non-partisan, non-political Commission composed of volunteers from a cross-section of the Commonwealth's diverse population to screen judicial applications. Twenty-one members were later appointed to the JNC in April 2015.

### **Rachel Hershfang**

Attorney Rachel Hershfang has been a senior trial attorney at the Securities and Exchange Commission (SEC) since 2008. She advises investigations of securities law violations including fraud, technical and accounting violations, and manages cases as they move through the civil litigation process.

Before the SEC, Hershfang was an Assistant United States Attorney at the United States Attorney's Office from 2000 to 2008, where she specialized in prosecuting cases involving drugs and money laundering. From 2005 through 2008, she was also the Deputy Chief of the Organized Crime Drug Enforcement

Task Force in the U.S. Attorney's Office, supervising its work throughout Boston and New England.

Prior to the U.S. Attorney's Office, Hershfang served as a Litigation Associate with Ropes & Gray from 1996 to 2000, working cases involving contract breaches, trademark infringements and Telecommunications Act disputes. In 1999, during her time at Ropes & Gray, she became a Special Assistant District Attorney to the Middlesex District Attorney's Office, where she tried cases, negotiated plea bargains and handled arraignments, bail arguments and motions to suppress. A 1989 graduate of Northwestern University with a Bachelor's Degree in English,

Hershfang later earned a Master's Degree in English from the University of Chicago in 1992, then her Juris Doctorate from Yale Law School in 1995. A member of the Boston Bar Association since 2011, she became a member of the BBA Council in 2017 and now sits on its Executive Committee. She previously sat on two BBA steering committees, and served on the Boston Bar Journal's Board of Editors from 2011 to 2017.

### **Asha White**

Attorney Asha White is Assistant Attorney General and Deputy Chief of the Criminal Bureau at the Office of Massachusetts Attorney General Maura Healey, where he joined last year. He supervises a wide variety of prosecutions, including cases of white collar crime, human trafficking, financial investigations, gaming enforcement, and major and cyber crimes, along with Victim Services, the Detective unit of the Massachusetts State Police and the Digital Evidence Lab.

Prior to his time in the Attorney General's office, he served from 2018 to 2020 as an Assistant Court Magistrate in the Dorchester Division of the Boston Municipal Court, and from 2009 to 2018, he ran his own law office, working on both private and appointed criminal cases including homicides

across state and Boston municipal courts. White has also served as a supervising attorney in the Central Division of Boston Municipal Court for Suffolk Lawyers for Justice from 2015 to 2017, training bar advocates in Suffolk County.

He served as Assistant Corporation Counsel in the Litigation Division of the City of Boston Law Department from 2008 to 2009, representing the city in civil cases in both federal and state court. Prior to his time with the city, he worked in the Suffolk District Attorney's Office as an Assistant District Attorney in the Roxbury District Court, Superior Court Teams: Major Felony Unit and Gang Unit, where he prosecuted both misdemeanors and felonies. White earned his Juris Doctorate from Northeastern University School of Law in 2004 after graduating from Boston College with a Bachelor's Degree in Sociology in 2001.

He has been a member of the Massachusetts Black Lawyers Association since 2018, becoming president of the group this April. He is also a member of the Boston Bar Association Task Force on Ensuring Police Accountability, and has been part of the Boston University School of Law LALSA Mentorship Program since last year. A one-time co-coach of the Frederick Douglass Moot Court Competition, White worked with both the Massachusetts Bar Association's Tiered Community Mentoring Program and the Massachusetts Association of Magistrate and Assistant Clerks from 2018 to 2020.