



The Commonwealth of Massachusetts
COMMISSION ON JUDICIAL CONDUCT

11 BEACON STREET SUITE 525
BOSTON, MASSACHUSETTS 02108
(617) 725-8050
FAX (617) 248-9938
WWW.MASS.GOV/CJC

PRESS RELEASE

CONTACT: Howard V. Neff, III
Executive Director
617-725-8050

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**MASSACHUSETTS COMMISSION ON JUDICIAL CONDUCT REPORT OF
ACTIVITIES FOR THE THIRD QUARTER OF 2014**

BOSTON, MA (October 16, 2014) – On October 16, 2014, the Commission on Judicial Conduct’s Executive Director, Howard V. Neff, III, published this interim report of Commission activities, covering the Commission’s activities for the third quarter of calendar year 2014, from July 1, 2014 through September 30, 2014. During that period, eighty-four complaints were filed with the Commission, and out of those complaints, eleven were docketed for investigation or preliminary inquiry, as they alleged conduct that, if true, would constitute judicial misconduct. During that same period, one additional complaint was initiated by the Commission pursuant to Commission Rule 6A.

During the third quarter, the Commission held two meetings and considered twenty-three complaints that had been docketed in 2014 and in previous years.

Of those twenty-three complaints, twelve were dismissed by the Commission after investigation or preliminary inquiry. In one of those dismissed complaints, the Commission noted that the subject judge had retired and was not subject to recall. In two other dismissed complaints, the Commission found that the evidence did not rise to the level of judicial misconduct but expressed its concern to the judge that he or she should avoid the same or similar conduct in the future. Two of the twenty-three complaints considered by the Commission in the third quarter are still being considered.

Among the twenty-three complaints considered by the Commission were Agreed Dispositions that became effective in 2014 and in previous years. Pursuant to those Agreed Dispositions, the Commission monitored the conduct of judges in connection with an additional nine complaints. During the third quarter of 2014, the Commission successfully closed four of those complaints.

Pursuant to the Commission’s statute and rules, an Agreed Disposition may take the form of an Informal Adjustment in which the Commission informs or admonishes the judge that certain conduct is or may be cause for discipline, or an Agreed Disposition may take the form of a



reprimand. This form of disposition requires agreement by the judge. In most cases, this type of disposition has a valuable, favorable effect on a judge's conduct. The terms of such a disposition usually include a period of monitoring by the Commission and conditions imposed on the judge that are designed to prevent a repetition of the misconduct. The conditions may include counseling, education, assignment of a mentor judge, monitoring by the Commission for a specified period of time, voluntary retirement, or other appropriate conditions.

The Commission's statute and rules, and a copy of the 2013 Annual Report are available on the Commission's website: www.mass.gov/ejc.

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