

HOUSE No. 1467

By Ms. Gobi of Spencer (by request), petition of Steven Drury that judicial officers be required to provide certain memoranda of decisions made by such legal officers of the courts. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT TO PREVENT GOVERNMENT BY MEN RATHER THAN LAW, AND, TO INSURE THAT PUBLIC POLICY REMAINS THE CONSTITUTIONAL PREROGATIVE OF THE LEGISLATURE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 That every judge, chancellor, magistrate and/or any other judicial
2 officer, employed and/or appointed and/or elected, in the sovereign
3 State of COMMONWEALTH OF MASSACHUSETTS who had the
4 power to issue rulings, orders, judgments and/or decrees is required
5 to provide a memorandum with each and every decision justifying it
6 as to the Facts of the case, the Law of the case, and the legal Conclu-
7 sion therefrom in all actions to come before that judicial official; that
8 if the records of any court within the Judicial Branch, maintained at
9 any place in government, show that such official, on an order, judg-
10 ment, ruling and/or decree submitted for recordation has knowingly
11 or otherwise misrepresented the law and the fact, or both, said judi-
12 cial officer will be guilty of a felony. Upon conviction, such punish-
13 ment shall be not less than five (5) years imprisonment, \$250,000.00
14 fine or both, addition they shall be forfeiture of all retirement bene-
15 fits, and irrevocable suspension of license to practice law or dis-
16 charge form the bench.

17 SUCH ACTION shall be brought in a court of record within the
18 judicial branch of the State, having jurisdiction to try criminal
19 actions.

20 PROCEDURE to implement this Act:

21 1. The Judicial Committee of the Legislature shall within 60 days
22 after enactment of this law, prepare and order the printing of special
23 complaint forms, for use by any citizen or resident alien, living

24 within the geographical jurisdiction of any state of the Union and/or
25 territory of the United States, to initiate this criminal action against
26 any judicial officer of the judicial branch of government of the sov-
27 ereign State of Commonwealth of Massachusetts republic

28 2. The aforesaid citizen or resident alien shall file the aforesaid
29 complaint with:

30 a. the chairman of the Judicial Committee, and

31 b. the Secretary of State

32 3. The Secretary of State is required to cause, within 10 days of
33 the receipt of the complaint, for the full text of it to be published in:

34 a. the official journal(s) of the State, and

35 b. the largest daily newspapers in circulation within the geograph-
36 ical boundaries of the State.

37 4. Said Judicial Committee chairman shall make the complaint a
38 priority matter and the committee is required to appoint a special
39 prosecutor within 30 days of receipt of the complaint.

40 5. The special prosecutor is required, within 10 days of appoint-
41 ment to:

42 a. state his prosecutorial activities, and

43 b. notify the complaining citizen or resident alien of his appoint-
44 ment

45 6. Upon completion of his investigation, not to exceed 60 cal-
46 endar days, the special prosecutor shall move the Grand Jury for an
47 indictment, or may proceed on an information.

48 7. The judicial officer so charged shall not be tried within the
49 court in which he presides.

50 8. The clerk of the court of record, upon receipt of said indictment
51 or information, shall expedite the scheduling of this action as a pri-
52 ority matter.

53 9. Punishment - Citizen being damage shall have the right after
54 conviction of this law to rehear there cases and judges who do not
55 comform or reduce to writing all decision such citizen shall cause a
56 complaint and having two such complaints file no matter what the
57 decision complaints shall be filed with JNC, the judges shall be
58 ask to set down intill such hearing without pay and not hold any
59 judgship in the state of Massachusetts within state jurisdiction till
60 a decision thereof; and if found to have cause the judge will not be
61 allowed to continue on the bench within the state of Massachusetts