

OFFICE OF THE STATE AUDITOR

DIANA DIZOGLIO

Official Audit Report – Issued November 26, 2025

Massachusetts Commission on Judicial Conduct

For the period July 1, 2023 through June 30, 2024



OFFICE OF THE STATE AUDITOR

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November 26, 2025

Howard Neff, Executive Director
Massachusetts Commission on Judicial Conduct
11 Beacon Street, Number 525
Boston, MA 02108

Dear Executive Director Neff:

I am pleased to provide to you the results of the enclosed performance audit of the Massachusetts Commission on Judicial Conduct. As is typically the case, this report details the audit objective, scope, methodology, finding, and recommendations for the audit period, July 1, 2023 through June 30, 2024. As you know, my audit team discussed the contents of this report with agency managers. This report reflects those comments.

I appreciate you and all your efforts at the Massachusetts Commission on Judicial Conduct. The cooperation and assistance provided to my staff during the audit went a long way toward a smooth process. Thank you for encouraging and making available your team. I am available to discuss this audit if you or your team has any questions.

Best regards,



Diana DiZoglio
Auditor of the Commonwealth

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LIST OF ABBREVIATIONS

CJC	Massachusetts Commission on Judicial Conduct
EOTSS	Executive Office of Technology Services and Security
IT	information technology
W3C	World Wide Web Consortium
WCAG	Web Content Accessibility Guidelines

EXECUTIVE SUMMARY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor has conducted a performance audit of certain activities of the Massachusetts Commission on Judicial Conduct (CJC) for the period July 1, 2023 through June 30, 2024.

The purpose of this performance audit was to determine whether CJC's website adhered to the World Wide Web Consortium's Web Content Accessibility Guidelines (WCAG) 2.1 for user accessibility, keyboard accessibility, navigation accessibility, language, error identification, and color accessibility. Adherence to WCAG helps ensure that all users, regardless of ability, can access the content and functions of CJC's website.

Below is a summary of our finding, the effect of that finding, and our recommendations, with hyperlinks to each page listed.

Finding 1 Page 10	CJC's website was not fully accessible to all website users.
Effect	Noncompliance with WCAG 2.1 reduces accessibility for individuals with disabilities and limits equitable access to CJC information and services. Specific risks include the following: <ul style="list-style-type: none">• Broken or faulty hyperlinks limit users from having access to critical information and key online services offered by CJC. Broken or faulty hyperlinks also increase the likelihood that users may either access outdated or incorrect information or be directed to webpages that no longer exist.• A lack of keyboard navigability means that users with mobility impairments cannot access certain content.
Recommendations Page 11	<ol style="list-style-type: none">1. CJC should continually review its webpages to ensure that all hyperlinks lead to related information.2. CJC should ensure that its webpages provide equitable access to critical information and services offered online.

OVERVIEW OF AUDITED ENTITY

The Massachusetts Commission on Judicial Conduct (CJC) was established by Chapter 211C of the Acts and Resolves of 1978. CJC investigates allegations of misconduct by state court judges; investigates allegations that a judge has a disability preventing them from properly performing their judicial duties; and performs remedial actions or discipline against judges when necessary.

CJC consists of a nine-member board made up of three lawyers appointed by the Chief Justice of the Trial Court, three non-lawyers appointed by the Governor, and three judges who are appointed by the Supreme Judicial Court. Each of these members serves a six-year term without compensation. Members, however, are reimbursed for any expenses reasonably incurred while performing their duties. During the audit period, CJC had six full-time employees: an executive director appointed by the board, an executive assistant, an administrative assistant, and three staff attorneys.

In fiscal years 2023 and 2024, CJC received state appropriations of \$1,076,974 and \$1,135,462, respectively. Its office is located at 11 Beacon Street in Boston.

On CJC's website, users can file complaints against judges, learn about the complaint process, as well as review past complaints and CJC's annual reports.

Massachusetts Requirements for Accessible Websites

In 1999, the World Wide Web Consortium (W3C), an international nongovernmental organization responsible for internet standards, published the Web Content Accessibility Guidelines (WCAG) 1.0 to provide guidance on how to make web content more accessible to people with disabilities.

In 2005, the Massachusetts Office of Information Technology,¹ with the participation of state government webpage developers, including developers with disabilities, created the Enterprise Web Accessibility Standards. These standards required all executive branch state agencies to follow the guidelines in Section 508 of the Rehabilitation Act amendments of 1998. These amendments went into effect in 2001 and established precise technical requirements to which electronic and information technology (IT) products

1. The Massachusetts Office of Information Technology became the Executive Office of Technology Services and Security in 2017.

must adhere. This technology includes, but is not limited to, products such as software, websites, multimedia products, and certain physical products, such as standalone terminals.

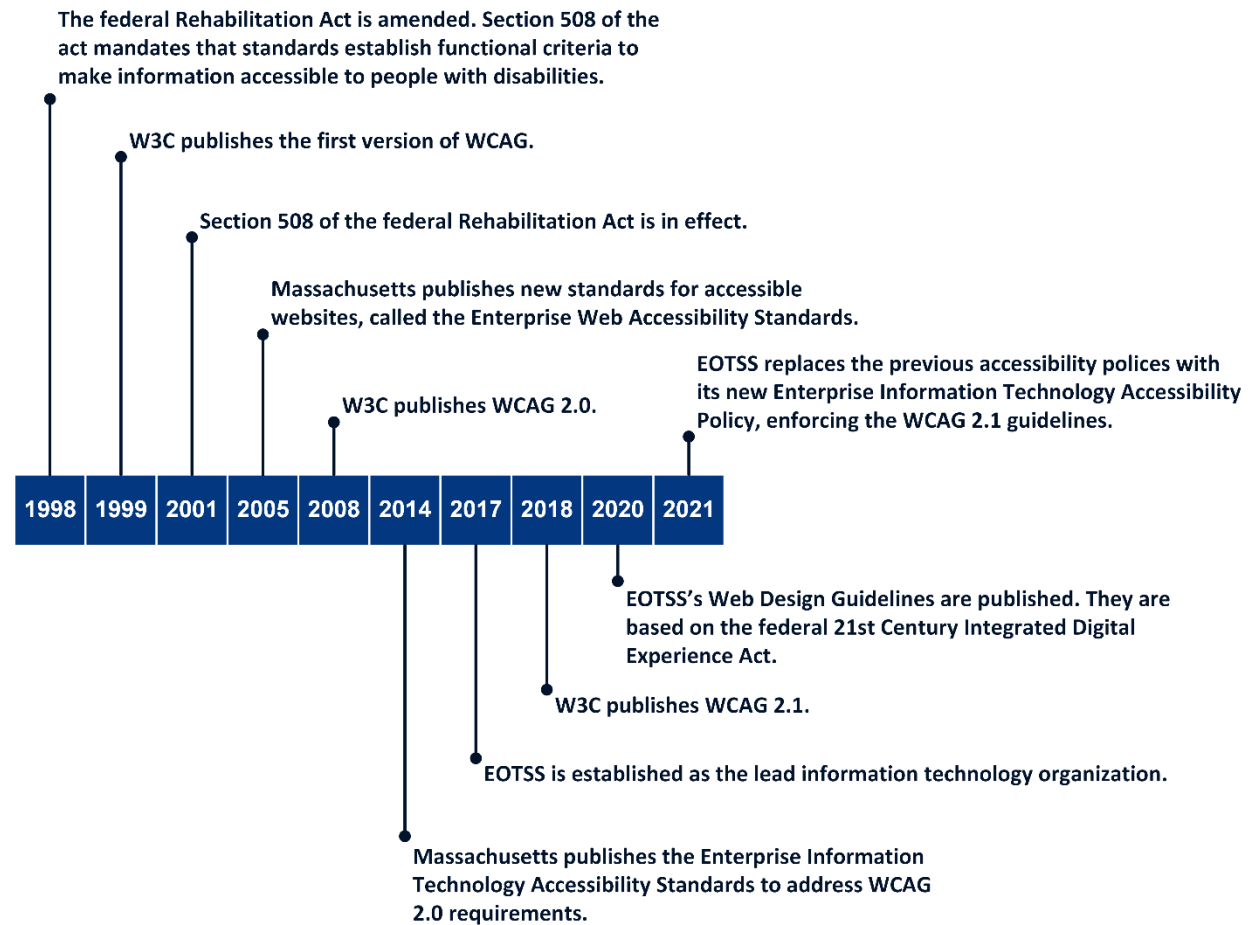
In 2008, W3C published WCAG 2.0. In 2014, the Massachusetts Office of Information Technology added a reference to WCAG 2.0 in its Enterprise Information Technology Accessibility Standards.

In 2017, the Executive Office of Technology Services and Security (EOTSS) was designated as the Commonwealth's lead IT organization for executive branch state agencies. EOTSS is responsible for the development and maintenance of the Enterprise Information Technology Accessibility Standards² and the implementation of state and federal laws and regulations relating to accessibility. As the principal executive agency responsible for coordinating the Commonwealth's IT accessibility compliance efforts, EOTSS supervises executive branch state agencies in their efforts to meet the Commonwealth's accessibility requirements.

In 2018, W3C published WCAG 2.1, which built on WCAG 2.0 to improve web accessibility on mobile devices and to further improve web accessibility for people with visual impairments and cognitive disabilities. EOTSS published the Enterprise Information Technology Accessibility Policy in 2021 to meet Levels A and AA of WCAG 2.1.

2. EOTSS has since changed the titles and numbers of at least some of its policies and standards between the end of the audit period and the publication of this report. In this report, we reference the titles and numbers of EOTSS's policies and/or standards as they were during the audit period (unless stated otherwise).

Timeline of the Adoption of Website Accessibility Standards by the Federal Government and Massachusetts



Executive branch state agencies must comply with EOTSS's policies and standards. However, non-executive branch state agencies, such as CJC, must also comply with EOTSS's accessibility policies and standards when using an EOTSS web domain,³ as established by EOTSS's Website Domain Policy. Part of this policy states that any government organization using an EOTSS web domain must comply with EOTSS's Web Design Guidelines, which were published in 2020 and were based on the federal 21st Century Integrated Digital Experience Act. This law helps state government agencies evaluate their website design and implementation decisions to meet state accessibility requirements.

3. EOTSS web domains, according to the Website Domain Policy, include Mass.gov, Massachusetts.gov, Ma.gov, State.ma.us, related subdomains (e.g., example.mass.gov), and all domains that EOTSS owns and manages.

Web Accessibility

Government websites are an important way for the general public to access government information and services. Deloitte's⁴ 2023 Digital Citizen Survey found that 55% of respondents preferred to interact with their state government services through a website instead of face-to-face interaction or a call center. Commonwealth of Massachusetts websites have millions of webpage views each month.

However, people do not interact with the internet uniformly. The federal government and nongovernmental organizations have established web accessibility standards intended to make websites more accessible to people with disabilities, such as visual impairments, hearing impairments, and others. The impact of these standards can be significant, as the federal Centers for Disease Control and Prevention estimates that 1,488,012 adults (26% of the adult population) in Massachusetts have a disability, as of 2022.⁵ Among the estimated 26% of the adult population, 14% reported having serious difficulty with cognition, 10% reported having serious difficulty with mobility, 6% reported having deafness or serious difficulty hearing, and 5% reported having blindness or serious difficulty seeing (even when wearing glasses).⁶ Examples of web accessibility measures include, but are not limited to, having captioning on videos to help people with difficulty hearing understand the contents of the video; having form fields describe what data needs to be input into them to help people who have cognitive difficulties; and ensuring that people can interact with a webpage using keyboard commands alone to help people who have difficulty with mobility.

How People with Disabilities Use the Web

According to W3C, people with disabilities use assistive technologies and adaptive strategies specific to their needs to navigate web content. Examples of assistive technologies include screen readers, which read webpages aloud for people who cannot read text; screen magnifiers for individuals with low vision; and voice recognition software for people who cannot (or do not) use a keyboard or mouse. Adaptive strategies refer to techniques that people with disabilities employ to enhance their web interactions.⁷ These strategies might involve increasing text size, adjusting mouse speed, or enabling captions.

4. Deloitte is a global company that provides tax, accounting, and audit services to businesses and government agencies.

5. This data is collected from surveys conducted using both landline telephones and cellular telephones, and all responses are self-reported.

6. The percentages do not add up to 26%, as estimated by the federal Centers for Disease Control, because of overlapping data. The self-reported survey allows individuals to report having multiple disabilities.

7. Web interaction refers to the various actions that users can take while navigating and using the internet. It encompasses a wide range of online activities, including, but not limited to, clicking on hyperlinks, submitting forms, posting comments on webpages, and engaging with web content and services in other forms.

To make web content accessible to people with disabilities, developers must ensure that various components of web development and interaction work together. This includes text, images, and structural code, users' browsers and media players, and various assistive technologies.

Accessibility Features of a Website⁸

A website's header should appear throughout an entire website and contain hyperlinks to main content areas.

Properly labeled fields where a user can enter text allow screen readers to read aloud the types of information that the user should enter.

Alternative text should provide a description of any images present so that screen readers can describe those images.

Headings organize web content in a logical manner and allow users to navigate that content easily.

Screen reader users and people with motor disabilities rely in part on the Tab key to navigate between major portions of a website's content.

The screenshot shows the homepage of the Massachusetts Commission on Judicial Conduct. The header includes a 'Menu' button, a search bar, and links for 'Select Language' and 'State Organizations'. The main content area features a large blue banner with the text 'Learn about filing a complaint with the Commission on Judicial Conduct' and an image of the state flag. Below this is a section titled 'What would you like to do?' with three buttons: 'Learn about the procedure to file a complaint and what happens after a complaint is filed', 'Review Frequently Asked Questions about the CJC', and 'File a complaint against a judge'. Further down is a section titled 'What you need to know' with five buttons: 'Enabling statute of the Commission on Judicial Conduct', 'Massachusetts Code of Judicial Conduct', 'Rules of the Commission on Judicial Conduct', 'Members of the Commission on Judicial Conduct', and 'Annual Reports of the CJC'. The footer includes the state seal, 'All Topics', 'Site Policies', 'Public Records Requests', and copyright information.

8. We resized this webpage to fit in this audit report. To see the unaltered webpage, visit <https://www.mass.gov/learn-about-filing-a-complaint-with-the-commission-on-judicial-conduct>.

AUDIT OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor has conducted a performance audit of certain activities of the Massachusetts Commission on Judicial Conduct (CJC) for the period July 1, 2023 through June 30, 2024.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

Below is our audit objective, indicating the question we intended our audit to answer, the conclusion we reached regarding the objective, and where our objective is discussed in the audit finding.

Objective	Conclusion
1. Did CJC's website comply with the Executive Office of Technology Services and Security's Enterprise Information Technology Accessibility Policy and the Web Content Accessibility Guidelines (WCAG) 2.1 for user accessibility, keyboard accessibility, navigation accessibility, language accessibility, error identification, and color accessibility?	No; see Finding <u>1</u>

To accomplish our audit objective, we gained an understanding of the CJC internal control environment relevant to our audit objective by reviewing applicable policies and procedures and interviewing CJC staff members and management. In addition, to obtain sufficient, appropriate evidence to address our audit objective, we performed the procedures described below.

Web Accessibility

To determine whether CJC's website adhered to WCAG 2.1, for user accessibility, keyboard accessibility, navigation accessibility, language accessibility, error identification, and color accessibility during the audit period, we performed the following procedures for a random, nonstatistical⁹ sample of 20 webpages from a population of 74 webpages:

9. Auditors use nonstatistical sampling to select items for audit testing when a population is very small, the population items are not similar enough, or there are specific items in the population that the auditors want to review.

User Accessibility

- We determined whether content on each webpage could be viewed in both portrait and landscape modes.
- We determined whether content on each webpage was undamaged and remained readable when zoomed in to both 200% and 400%.

Keyboard Accessibility

- We determined whether all elements¹⁰ on each webpage could be navigated using only keyboard commands.
- We determined whether any elements on each webpage prevented a user from moving to a different element when using only keyboard commands to navigate the webpage in question.
- We determined whether the first focusable control¹¹ on each webpage was a hyperlink that would redirect users to the main content of the webpage.

Navigation Accessibility

- We determined whether each webpage contained a title that was relevant to the webpage's content.
- We determined whether there was a search function present to help users locate content across the whole website.
- We determined whether hyperlinks correctly navigated to the intended webpages.
- We determined whether headings within webpages related to the content of the section below the header.

Language Accessibility

- We determined whether any video content found on each webpage had all important sounds and dialogue captioned.
- We determined whether the words that appeared on each webpage matched the language attribute¹² to which the webpage in question was set.
- We determined whether any webpage sections that contained language differing from that to which the webpage was set contained their own specified language attribute.

10. An element is a part of a webpage that contains data, text, or an image.

11. The first focusable control is the first element a user will be brought to on a webpage when navigating with a keyboard. If first focusable control also redirects users to the main content of a webpage, then it is known as a bypass block or a skip link.

12. A language attribute (also known as a language tag) identifies the native language of the content on the webpage or PDF (e.g., a webpage in English should have an EN language attribute). The language attribute is listed in the webpage's or PDF's properties. This, among other things, is used to help screen readers use the correct pronunciation for words.

Error Identification

- We determined whether mandatory form fields alerted users if they left these fields blank.
- We determined, for form fields that required a limited set of input values, whether users were alerted if invalid values were entered into these types of fields.
- We determined whether there were labels for any elements that required user input. We also determined whether these labels were programmed correctly.
- We determined whether examples were presented to assist users in correcting mistakes (for example, a warning when entering a letter in a field meant for numbers).

Color Accessibility

- We determined whether there was at least a 3:1 contrast in color and additional visual cues to distinguish hyperlinks, which WCAG recommends for users with colorblindness or other visual impairments.

We used nonstatistical sampling methods for testing and, therefore, did not project the results of our testing to any corresponding populations.

We found certain issues in our testing of the accessibility of CJC's website. See [Finding 1](#) for more information.

Data Reliability Assessment

To determine the reliability of the URL list that we received from CJC management, we interviewed knowledgeable CJC staff members and checked that certain variable formats (e.g., dates, unique identifiers, and abbreviations) were accurate. Additionally, we ensured that none of the following issues affected the URL list: abbreviation of data fields, missing data (e.g., hidden rows or columns, blank cells, or absent records), and duplicate records. We also ensured that all values in the dataset corresponded with expected values.

We selected a random sample of 10 URLs from the CJC URL list and traced each to the corresponding webpages on CJC's website, checking that each URL and webpage title from the URL list matched the information on CJC's website. We also selected a random sample of 10 URLs from CJC's website and traced the URL and webpage title to the URL list to ensure that there was a complete and accurate population of URLs on the URL list.

Based on the results of the data reliability procedures described above, we determined that the URL list was sufficiently reliable for the purposes of our audit.

DETAILED AUDIT FINDINGS WITH AUDITEE'S RESPONSE

1. The Massachusetts Commission on Judicial Conduct's website was not fully accessible to all website users.

The Massachusetts Commission on Judicial Conduct's (CJC's) website was not fully accessible to all website users. We reviewed a sample of 20 webpages and found that 2 webpages were not compliant with Web Content Accessibility Guidelines (WCAG) 2.1. We determined that one of these webpages contained a broken hyperlink, and the second webpage had content that could not be navigated to using the keyboard.

Noncompliance with WCAG 2.1 reduces accessibility for individuals with disabilities and limits equitable access to CJC information and services. Specific risks include the following:

- Broken or faulty hyperlinks limit users from having access to critical information and key online services offered by CJC. Broken or faulty hyperlinks also increase the likelihood that users may either access outdated or incorrect information or be directed to webpages that no longer exist.
- A lack of keyboard navigability means that users with mobility impairments cannot access certain content.

Authoritative Guidance

The World Wide Web Consortium's WCAG 2.1 states,

Success Criterion 2.1.1 Keyboard

(Level A)

All functionality of the content is operable through a keyboard interface without requiring specific timings for individual keystrokes, except where the underlying function requires input that depends on the path of the user's movement and not just the endpoints. . . .

Success Criterion 2.4.5 Multiple Ways

(Level AA)

More than one way is available to locate a web page within a set of web pages except where the web page is the result of, or a step in, a process.

Reasons for Issue

CJC management provided us with the following reasons for the exceptions identified in this audit:

- CJC management stated that the keyboard navigability issue may have been related to the selected webpage template. CJC management stated that they would take steps to correct the issue once they determined the cause.
- CJC management stated that the broken hyperlink led to an outdated webpage. CJC management stated that it had unintentionally left the webpage published. Since our audit work, CJC management stated that it has unpublished this webpage.

Recommendations

1. CJC should continually review its webpages to ensure that all hyperlinks lead to related information.
2. CJC should ensure that its webpages provide equitable access to critical information and services offered online.

Auditee's Response

The Commission is continuing to work to solve [the issue related to Success Criterion 2.1.1], but it appears to be a problem related to the "binder" page template provided by [the Executive Office of Technology Services and Security].

The specific webpage [with the issue related to Success Criterion 2.4.5] was an older page whose substantive content was moved and/or revised. The links were broken because [CJC] inadvertently left the page active when [CJC] should have unpublished it.

Auditor's Reply

Based on its response, CJC has taken measures to address our concerns regarding this matter. As part of our post-audit review process, we will follow up on this matter in approximately six months.