



THE COMMONWEALTH OF MASSACHUSETTS  
COMMISSION ON JUDICIAL CONDUCT

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**PRESS RELEASE**

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FOR IMMEDIATE RELEASE  
March 4, 2008

**COMMISSION ON JUDICIAL CONDUCT RESCHEDULES  
PUBLIC HEARING FOR JUDGE MICHAEL J. LIVINGSTONE**

**BOSTON, MA (March 4, 2008)** – The Commission on Judicial Conduct has set May 19, 2008 as the new date to begin the Public Hearing on the Formal Charges against Judge Michael J. Livingstone, Associate Justice of the Plymouth Division of the Probate & Family Court Department.

The original Hearing date of January 2, 2008 was postponed (see Commission's press release of December 20, 2007) in order to let the Supreme Judicial Court consider a Conditional Submission pursuant to Commission Rule 13B. That submission, by agreement of the judge and the Commission, was filed under seal on January 7, 2008 in Complaint Nos. 2005-104 and 2006-97 and Supreme Judicial Court Docket No. OE-0120. (Commission Rule 13B was adopted by the Supreme Judicial Court on May 8, 2007, effective as of July 1, 2007.) Pursuant to Commission Rule 13B, the Conditional Submission was and remains impounded. By order dated February 20, 2008 (attached), the Supreme Judicial Court rejected the agreed recommendation for discipline contained in the Conditional Submission. That puts the matter back procedurally where it was prior to the Rule 13B submission: awaiting Hearing.



The Hearing will be presided over by the Hearing Officer appointed by the Supreme Judicial Court, retired Superior Court Justice Charles F. Barrett. This Hearing will take place pursuant to G.L. c.211C, §7 and Commission Rule 10, in a courtroom to be announced.

The Formal Charges and the Judge's Response in this matter, as well as the Commission's governing statute and rules, the Code of Judicial Conduct, and the Commission's press releases are available on the Commission's website: [www.mass.gov/cjc](http://www.mass.gov/cjc).

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**Supreme Judicial Court for the Commonwealth of Massachusetts**

**John Adams Courthouse**

**One Pemberton Square, Suite 1400, Boston, Massachusetts 02108-1724**

**Telephone 617-557-1020, Fax 617-557-1145**

RE: No. OE-0120

IN RE: Michael J. Livingstone

**NOTICE OF DOCKET ENTRY**

Please take note that the following entry was made on the docket of the above-referenced case:

February 20, 2008, ORDER: Upon consideration, the agreed recommendation for discipline contained in the "Conditional Submission To The Supreme Judicial Court Upon Acknowledged Evidence By The Commission on Judicial Conduct And The Honorable Michael J. Livingstone Pursuant To G. L. c. 211C And Commission Rule 13B On Complaint Nos. 2005-104 And 2006-97" is hereby rejected. The Commission on Judicial Conduct shall proceed in accordance with G. L. c. 211C and the Commission Rules. By the Court.

Susan Mellen, Clerk

Dated: February 20, 2008

To: Michael E. Mone, Sr., Esquire  
John A.D. Gilmore, Esquire  
Charles F. Barrett  
Gillian E. Pearson, Esquire