



# The Commonwealth of Massachusetts

## COMMISSION ON JUDICIAL CONDUCT

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### PRESS RELEASE

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**FOR IMMEDIATE RELEASE**  
June 23, 1997

### JUDGE PRUDENCE M. MCGREGOR DISCIPLINED BY COMMISSION ON JUDICIAL CONDUCT

BOSTON, MA (June 23, 1997) -- Judge Prudence M. McGregor, Associate Justice of Bristol County Probate & Family Court, has been reprimanded by the Commission on Judicial Conduct. Judge McGregor has waived her right to a hearing and agreed that the facts are as follows:

On February 26, 1996, Judge McGregor accepted a telephone call from another judge. Judge McGregor permitted the other judge to speak to her about a matter in which Judge McGregor had issued an initial chapter 209A restraining order that morning. Judge McGregor permitted the other judge to ask that she advance the next hearing on that matter to an earlier date. Judge McGregor permitted the other judge to describe to her the other judge's personal knowledge of disputed evidentiary facts concerning the proceeding. Judge McGregor did not try to stop this improper *ex parte* communication, nor did she report it to any Chief Justice, as required by Canon 3(B)(3)(a) of the Code of Judicial Conduct. As a result of this improper *ex parte*

communication, Judge McGregor ordered the hearing advanced to the following morning. At that hearing, largely as a result of the improper *ex parte* communication, which she disclosed on the record, Judge McGregor told the 209A plaintiff that she did not find the plaintiff's testimony credible, did not want to see the plaintiff's bruises, and was dismissing the restraining order which she had issued the day before.

Judge McGregor has agreed to accept a private reprimand for the following misconduct:

a. permitting a private communication designed to influence her judicial action, where interests to be affected thereby were not represented, in violation of Canon 3(A)(4) of the Code of Judicial Conduct (SJC Rule 3:09);

b. failing to report that improper *ex parte* communication by a judge to the Chief Justices of the Supreme Judicial Court and of that judge's department, in violation of Canon 3(B)(3)(a);

c. permitting that improper *ex parte* communication to influence her judicial action, in violation of Canon 1, Canon 2, and Canon 2(A).

Judge McGregor has agreed that the private reprimand be made public by means of this press release.

Judge McGregor has further agreed to a six-week suspension without pay, a two-week educational program at her own expense during her vacation time, and the assignment of a mentor judge.

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