

COMMONWEALTH OF MASSACHUSETTS
SUPREME JUDICIAL COURT

IN RE: SHELLEY M. RICHMOND JOSEPH

SUFFOLK, SS.

SJC NO. OE-157

**REPORT AND RECOMMENDATION OF
THE COMMISSION ON JUDICIAL CONDUCT**

INTRODUCTION

Pursuant to G.L. c. 211C, secs. 7(9) and (10), and Rule 11F of the Rules of the Commission on Judicial Conduct, the Commission on Judicial Conduct (“the Commission”) submits to the Supreme Judicial Court (“the Court”) its findings of fact, conclusions as to violations of the Code of Judicial Conduct (SJC Rule 3:09), and its recommendations for discipline in the above-captioned matter.

For the reasons described below, the Commission recommends that Judge Shelley M. Richmond Joseph (“Judge Joseph,” “Respondent”) be publicly reprimanded.

I. PROCEDURAL HISTORY

1. On May 19, 2019, the Commission initiated Complaint Number 2019-22¹ against Judge Shelley M. Richmond Joseph (“Judge Joseph”), pursuant to M.G.L. c. 211, sec. 5(1), “upon the receipt of reasonable information that appears to constitute grounds for discipline.”

The information on which the Commission initiated the complaint included the Commission’s receipt of a copy of an indictment returned by a federal grand jury on April 25, 2019, charging Judge Joseph with Conspiracy to Obstruct Justice, Aiding and Abetting Obstruction of Justice, and Aiding and Abetting Obstruction of a Federal Proceeding.

Those federal charges were in connection with allegations that, while assigned to preside over the First Session of the Newton District Court on April 2, 2018, Judge Joseph conspired with others to help a Defendant appearing before her that day evade Immigration and Customs Enforcement (“ICE”) officers who were present and waiting to take the Defendant into custody pursuant to a lawful immigration detainer and warrant.

On May 16, 2019, the Commission sent a letter to Judge Joseph, notifying her of Complaint Number 2019-22.

¹ A copy of Complaint Number 2019-22 is enclosed with the Commission’s Report as Appendix A.

2. On September 23, 2019, the Commission received a letter, dated September 18, 2019, from an attorney representing Judge Joseph on Complaint Number 2019-22, Attorney Michael B. Keating (“Attorney Keating”). In his letter, Attorney Keating requested that “[in light of the criminal proceedings in the U.S. District Court, and to preserve Judge Joseph’s right to present her defense in that case, . . . the Commission stay all proceedings in Complaint No. 2019-22 until the federal criminal proceedings are resolved.”
3. At its October 2019 meeting, the Commission granted Attorney Keating’s request and stayed all proceedings in Complaint Number 2019-22. The Commission then notified Attorney Keating of its decision.
4. On September 26, 2022, Attorney Keating sent another letter to the Commission regarding Complaint Number 2019-22, notifying the Commission that the federal charges against Judge Joseph had been dismissed on September 23, 2022.²
5. On December 16, 2022, the Commission sent a request to the Supreme Judicial Court, requesting that retired former Chief Justice of the Superior Court Judith Fabricant (“Special Counsel, Special Counsel Fabricant”) be appointed to serve as Special Counsel on behalf of the Commission to investigate Complaint Number 2019-22 and handle the matter to completion.
6. On December 22, 2022, the Supreme Judicial Court responded to the Commission’s request and agreed to appoint Special Counsel Fabricant to represent the Commission in this matter.
7. On November 19, 2024, pursuant to M.G.L. c. 211C, sec. 5(14) and Commission Rule 7(B)(4), the Commission issued Formal Charges against Judge Joseph in connection with Complaint Number 2019-22.³ On that same day, Judge Joseph was served with the Formal Charges through her attorneys, Attorney Keating, Attorney Thomas Hoopes (“Attorney Hoopes”), and Attorney Elizabeth Mulvey (“Attorney Mulvey”).

In its Formal Charges, the Commission charged Judge Joseph in connection with her conduct during hearings in Commonwealth v. Medina-Perez in the Newton District Court on April 2, 2018.

In its Formal Charges, the Commission alleged that Judge Joseph consciously participated in a plan proposed by Attorney David Jellinek (“Attorney Jellinek”) to help the defendant in Commonwealth v. Medina-Perez, Mr. Jose Medina-Perez, avoid being taken into custody by ICE agents who were waiting at the Newton District Court to take him into custody pursuant to an immigration detainer and that she also intentionally withheld information about her plan with Attorney Jellinek from courthouse staff.

² A copy of the motion to dismiss, with attached agreement between Judge Joseph and the United States Attorney and the statement of facts, is enclosed with the Commission’s Report as Appendix B.

³ A copy of the Formal Charges is enclosed with the Commission’s Report as Appendix C.

The Commission also alleged that, through her words and conduct during the hearings in the Medina-Perez matter on April 2, 2018, Judge Joseph created an appearance of bias. That conduct included Judge Joseph instructing the session clerk to turn off the courtroom recording system, in violation of District Court Special Rule 211, and then having a substantive discussion regarding the Medina-Perez matter with Attorney Jellinek and then-Assistant District Attorney Shannon Jurgens (“Attorney Jurgens McDermott”).

The Commission also alleged that, during subsequent conversations and/or interviews with Newton District Court First Justice Mary Elizabeth Heffernan (“Judge Heffernan”), then-Regional Administrative Justice Stacey Fortes (“Chief Justice Fortes”), then-Chief Justice of the District Court Paul Dawley (“Chief Justice Dawley”), and Special Counsel Fabricant about the events on April 2, 2018, Judge Joseph was not candid and honest with them regarding going off the record on April 2, 2018, or regarding whether she had any role (intentional or inadvertent) in helping Mr. Medina-Perez avoid being taken into custody by ICE on that day.

For this alleged conduct, the Formal Charges specifically charged Judge Joseph with violating the Code of Judicial Conduct by failing to comply with the law, in violation of Rule 1.1; by failing to act, at all times, in a manner that promotes public confidence in the independence, integrity, and/or impartiality of the judiciary, and by failing to avoid impropriety, in violation of Rule 1.2.; by failing to uphold and apply the law, and to perform all duties of judicial office fairly and impartially, in violation of Rule 2.2; by failing to perform her judicial duties competently, in violation of Rule 2.5; by failing to cooperate with other judges and court officials in the administration of court business, in violation of Rule 2.5; and by failing to cooperate and be candid and honest with judicial disciplinary authorities, in violation of Rule 2.16.

The Formal Charges also charged Judge Joseph with willful judicial misconduct, conduct prejudicial to the administration of justice and unbecoming of a judicial officer, and conduct that brought the judicial office into disrepute, in violation of M.G.L. c. 211C.

8. On November 29, 2024, Attorney Mulvey provided the Commission with Judge Joseph’s Response to the Formal Charges.⁴
9. On December 2, 2024, the Commission filed the Formal Charges and Judge Joseph’s Response to the Formal Charges with the Supreme Judicial Court. The Supreme Judicial Court then docketed this matter as SJC No. OE-157.
10. On January 9, 2025, the Supreme Judicial Court appointed Attorney Denis J. McInerney as the Hearing Officer for this matter (“Hearing Officer”).
11. On March 25, 2025, the Commission filed a Pre-Hearing Memorandum with the Hearing Officer.⁵

⁴ A copy of Judge Joseph’s Response to the Formal Charges is enclosed with the Commission’s Report as Appendix D.

⁵ A copy of the Commission’s Pre-Hearing Memorandum (without the referenced March 25, 2025 Stipulation) is enclosed with the Commission’s Report as Appendix E.

12. On April 24, 2025, Judge Joseph filed a Pre-Hearing Memorandum with the Hearing Officer.⁶
13. On March 25, 2025, the parties entered into a Stipulation regarding certain facts relevant to the Formal Charges in this matter.⁷ As part of this March 25, 2025, Stipulation, the parties agreed that appendices attached to the stipulation “[would] be admitted as exhibits, or if so indicated [in the Stipulation], marked for identification and available for use [during the public hearing] as indicated.”
14. On May 23, 2025, the parties entered into another Stipulation regarding certain facts relevant to the Formal Charges in this matter.⁸ As part of this May 23, 2025, Stipulation, the parties agreed that appendices attached to the stipulation “[would] be admitted as exhibits, or if so indicated [in the Stipulation], marked for identification and available for use [during the public hearing] as indicated.”
15. On June 9, 10, 11, 12, 13, and 16, 2025, a public hearing took place in this matter, pursuant to M.G.L. c. 211C, secs. 7(3) and 7(4), and Commission Rule 10. Seventeen witnesses testified under oath: Attorney Jellinek, Attorney Jurgens McDermott, Mr. Eric Mendoza, Newton District Court First Assistant Clerk Magistrate Lawrence Okstein, Mr. Paul Scott Noe, Judge Heffernan, Chief Justice Fortes, Chief Justice Dawley, Judge Joseph, Retired Judge Bonnie H. MacLeod, Attorney Elizabeth Bostwick, Retired Judge Carol S. Ball, Attorney Allison Khoury, Retired Judge Severlin B. Singleton, III, Mr. Mark Gerrity, Attorney Douglas Brooks, and Mr. Michael McPherson.
16. Pursuant to M.G.L. c. 211C, sec. 7(7) and Commission Rule 10(B), all six days of the hearing were transcribed.⁹
17. The Commission was represented by Special Counsel Fabricant and the Commission’s Executive Director, Howard Neff. Judge Joseph was represented by Attorney Hoopes, Attorney Mulvey, and Attorney Keating. The Hearing Officer formally admitted into evidence the exhibits stipulated to by the parties. Judge Joseph introduced six additional exhibits into evidence.¹⁰ The Commission introduced one additional exhibit into evidence.¹¹
18. On July 3, 2025, the Commission filed its “Proposed Findings of Fact, Conclusions of Law, and Recommendations for Discipline” with the Hearing Officer.¹²

⁶ A copy of Judge Joseph’s Pre-Hearing Memorandum is enclosed with the Commission’s Report as Appendix F.

⁷ A copy of the March 25, 2025 Stipulation of the parties is enclosed with the Commission’s Report as Appendix G.

⁸ A copy of the May 23, 2025 Stipulation of the parties is enclosed with the Commission’s Report as Appendix H.

⁹ Copies of the certified transcripts for all six days of the public hearing are enclosed with the Commission’s Report as Appendix I.

¹⁰ Copies of all six exhibits introduced into evidence by Judge Joseph during the public hearing (Exhibits 1, 2, 3, 3-A, 4, and 5) are enclosed with the Commission’s Report as Appendix J.

¹¹ A copy of the exhibit introduced into evidence by Special Counsel during the public hearing (Exhibit AA) is enclosed with the Commission’s Report as Appendix K.

¹² A copy of the Commission’s “Proposed Findings of Fact, Conclusions of Law, and Recommendations for Discipline,” dated July 3, 2025, is enclosed with the Commission’s Report as Appendix L.

19. On July 3, 2025, Judge Joseph filed her “Requests for Findings of Fact and Conclusions of Law” with the Hearing Officer.¹³
20. On July 10, 2025, the Commission filed its “Response to the Respondent’s Request for Findings of Fact and Conclusions of Law” with the Hearing Officer.¹⁴
21. On July 10, 2025, Judge Joseph filed her “Request for Findings of Fact and Conclusions of Law” with the Hearing Officer.¹⁵
22. On October 30, 2025, the parties entered into a Stipulation relating to the transcripts of the public hearing.¹⁶

In this Stipulation, the parties agreed that copies of “blacklined” transcripts and “revised” transcripts of Days 1 through 6 of the public hearing in this matter “shall be admitted for identification.”

In this Stipulation, the parties also agreed that the revised transcripts, which were included with this Stipulation as Exhibits 13 through 18, “reflect edits that the parties agreed should be made to the stenographer’s final certified transcripts, dated August 27, 2025, as approved by the hearing officer.”¹⁷

The parties also agreed that “[t]he blacklined transcripts (Exhibits 7 through 12) reflect the differences between the stenographer’s final certified transcripts and the revised transcripts.”

23. Pursuant to M.G.L. c. 211C, sec. 7(8) and Commission Rule 11(A), on October 31, 2025, the Hearing Officer submitted his “Report of the Hearing Officer to the Commission on Judicial Conduct” (“Hearing Officer’s Report”) to the Commission and to Judge Joseph.¹⁸

In the Hearing Officer’s Report, the Hearing Officer made findings of fact “that the CJC has failed to prove by clear and convincing evidence that Judge Joseph authorized the scheme to help Mr. Medina-Perez exit through the back of the courthouse in order to evade ICE.”¹⁹ The Hearing Officer further found that “the evidence put forth by the CJC does not establish by clear and convincing evidence that Judge Joseph knew of or approved Attorney Jellinek’s plan . . .”²⁰

¹³ A copy of Judge Joseph’s “Requests for Findings of Fact and Conclusions of Law,” filed on July 3, 2025, is enclosed with the Commission’s Report as Appendix M.

¹⁴ A copy of the Commission’s “Response to the Respondent’s Request for Findings of Fact and Conclusions of Law,” dated July 10, 2025, is enclosed with the Commission’s Report as Appendix N.

¹⁵ A copy of Judge Joseph’s “Request for Findings of Fact and Conclusions of Law,” filed on July 10, 2025, is enclosed with the Commission’s Report as Appendix O.

¹⁶ A copy of the October 30, 2025 Stipulation is enclosed with the Commission’s Report as Appendix P.

¹⁷ The Hearing Officer’s Report and all pleadings filed by the parties after October 30, 2025 cite to the revised transcripts that are attached to the October 30, 2025 Stipulation as Exhibits 7 through 12. Unless directed otherwise by the Court, any pleadings filed by the parties after this Report will also cite to those revised transcripts.

¹⁸ A copy of the Hearing Officer’s Report is enclosed with the Commission’s Report as Appendix Q.

¹⁹ Hearing Officer’s Report, at p. 94.

²⁰ Hearing Officer’s Report, at p. 94.

The Hearing Officer did find that Judge Joseph “unintentionally created the appearance of impropriety and bias, in violation of Rule 1.2, by (1) making statements on and off the record that could be interpreted to suggest that she did not want ICE to take custody of Mr. Medina-Perez, and (2) going off the record during a discussion relating to ICE’s interest in taking custody of him.”²¹ The Hearing Officer further found that “Judge Joseph created the appearance of impropriety and bias (or partiality) by the tone and substance of some of her statements and questions on the afternoon of April 2, 2018, relating to the possibility of ICE taking custody of Mr. Medina-Perez under the unusual circumstances presented to her that day, which Judge Joseph compounded by granting Attorney Jellinek’s request to go off the record when she did.”²²

Finally, in his Report, the Hearing Officer found that, during her subsequent conversations and/or interviews with Judge Heffernan, Chief Justice Fortes, Chief Justice Dawley, and Special Counsel Fabricant about the events on April 2, 2018, Judge Joseph “was fully candid in her conversations” with them regarding going off the record on April 2, 2018 and regarding whether she had any role in helping Mr. Medina-Perez avoid being taken into custody by ICE on that day.²³

Based on his factual findings, the Hearing Officer concluded that “Judge Joseph violated Rule 1.2 (and, as a result, Rule 1.1) by creating the appearance of impropriety and bias through her statements regarding ICE during the sidebar conference, and by going off the record in violation of Special Rule 211 during that discussion.”²⁴

Based on his factual findings that “Judge Joseph was unaware of Special Rule 211 and did not go off the record with the intent of shielding any substantive matters from public view,” the Hearing Officer concluded that Judge Joseph’s conduct “[did] not rise to the level of a Chapter 211C § 2(5) or Code violation, except in how it contributed to the appearance of impropriety and bias. . .”²⁵

The Hearing Officer also concluded that, based on his findings of fact, the evidence did not support the Commission’s charges that Judge Joseph had engaged in willful judicial misconduct, conduct prejudicial to the administration of justice and unbecoming a judicial officer, and conduct that brought the judicial office into disrepute, in violation of M.G.L. c. 211C.

The Hearing Officer also specifically concluded that, based on his findings of fact, the evidence did not support the Commission’s charges that Judge Joseph had violated Rule 2.2, by failing to perform all duties of her judicial office fairly and impartially; had violated Rule 2.5, by failing to perform her judicial duties competently; had further violated Rule 2.5 by failing to cooperate with other judges

²¹ Hearing Officer’s Report, at p. 98.

²² Hearing Officer’s Report, at p. 101.

²³ Hearing Officer’s Report, at p. 105.

²⁴ Hearing Officer’s Report, at p. 113.

²⁵ Hearing Officer’s Report, at p. 40.

- and court officials in the administration of court business; or had violated Rule 2.16 by failing to cooperate and be candid and honest with judicial disciplinary authorities.
24. On November 10, 2025, pursuant to M.G.L. c. 211C, sec. 7(8) and Commission Rule 11(C), Special Counsel Fabricant filed “Objections on behalf of the Commission on Judicial Conduct to the Hearing Officer’s Report.”²⁶
25. Judge Joseph did not file any objections to the Hearing Officer’s Report. On November 17, 2025, her attorneys filed a “Statement Regarding the Hearing Officer’s Report and request for modification of recommendation submitted on behalf of Judge Joseph” (“Statement”).²⁷
26. On November 18, 2025, Judge Joseph’s attorneys notified the Commission that Judge Joseph would not be requesting an opportunity to be heard before the Commission, pursuant to M.G.L. c. 211C, sec. 7(9) and Commission Rule 11, regarding its recommendation for discipline.

II. FINDINGS OF FACT

Based upon a review of the full record of the public hearing, including a review of the substance of the testimony presented and the exhibits introduced as evidence, by the standard of proof of clear and convincing evidence, the Commission accepts and adopts all of the Hearing Officer’s factual findings.

The Commission also accepts and adopts the findings of fact of the Hearing Officer because nearly all of the factual findings relevant to whether Judge Joseph violated the Code and/or M.G.L. c. 211C, as charged, largely depend on a determination of the credibility of the witnesses who testified, and the Hearing Officer was in the unique position to observe the testimony of those witnesses personally, to ask those witnesses questions directly, and to otherwise assess the content, substance, and credibility of the evidence presented.

III. CONCLUSIONS

The Commission accepts and adopts the conclusions of the Hearing Officer, with the following two exceptions.

First, the Commission concludes that Judge Joseph’s instruction to the clerk to turn off the courtroom audio recording system during a substantive discussion in the Medina-Perez matter, in violation of District Court Special Rule 211, was a violation of Rule 1.1 of the Code of Judicial Conduct. Rule 1.1 provides that a judge “shall comply with the law.” The “Terminology” section of the Code defines “law” to include court rules issued

²⁶ A copy of Special Counsel’s objections is enclosed with the Commission’s Report as Appendix R. In connection with this Report, the Commission considered the objections filed by Special Counsel.

²⁷ A copy of Judge Joseph’s “Statement” is enclosed with the Commission’s Report as Appendix S. In connection with this Report, the Commission considered this “Statement” filed on behalf of Judge Joseph, which responded to the objections filed by Special Counsel on November 10, 2025, and argued that the appropriate disposition for this matter would be dismissal of the complaint.

by . . . a Chief Justice of a Trial Court Department.” Judge Joseph’s ignorance of Rule 211 does not absolve or mitigate the violation. To the contrary, her ignorance of Rule 211 was itself a violation of Rule 2.5(A) of the Code, which requires a judge to ‘perform judicial . . . duties competently.’ It was Judge Joseph’s responsibility to familiarize herself with the rules of the District Court and to abide by them.²⁸

Second, the Commission concludes that Judge Joseph’s suggestions to detain the defendant overnight were not, as the Hearing Officer concluded, mere good faith error of law, not subject to discipline. Rather, the Commission concludes that, in making these suggestions in the context of the discussion about ICE and the prospect that ICE would take the defendant into custody, Judge Joseph created the appearance of willingness to use a state criminal charge for an illegitimate purpose: to keep the Defendant in state, rather than federal custody. The Commission concludes that, by proposing to hold Mr. Medina-Perez in state custody despite the absence of any lawful authority to do so, Judge Joseph violated Rules 1.1 and 1.2 of the Code.

IV. RECOMMENDATIONS AS TO DISCIPLINE

Based on the Hearing Officer’s findings of fact and the Commission’s consideration of both the objections filed by Special Counsel and the “Statement” filed by Judge Joseph, the Commission respectfully recommends that Judge Joseph be publicly reprimanded as follows:

Judge Shelley M. Richmond Joseph is hereby publicly reprimanded for failing to abide by District Court Special Rule 211 when she instructed a clerk to turn off the courtroom audio recording system during a Defendant’s arraignment, in violation of her duty under Rule 1.1 of the Code of Judicial Conduct to comply with the law and in violation of her duty under Rule 1.2 of the Code to act in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary.

Judge Joseph is also publicly reprimanded for failing to familiarize herself with the rules of the District Court upon or after becoming a judge, in violation of her duty under Rule 2.5(A) of the Code to perform her judicial duties competently and

²⁸ Beginning in 1992, and emphatically since at least 2007, this Court has advised judges that substantive discussions with parties appearing before them in criminal cases should always take place on the record. See Murphy v. Boston Herald, Inc., 449 Mass. 42, 57 n. 15 (2007); Commonwealth v. Serino, 436 Mass. 408, 412 n. 2 (2002); Commonwealth v. Fanelli, 412 Mass. 497, 501 (1992). Indeed, in a footnote to its 2007 decision in Murphy v. Boston Herald, this Court wrote: “If there ever was a case that demonstrates the need for lobby conferences, where cases or other court matters are discussed, to be recorded, this is the case. This litigation, with all its unfortunate consequences for those involved, might not have occurred if the critical lobby conference (that involving the robbery case) had been transcribed. We trust that the lesson learned here will be applied by trial judges to prevent unnecessary problems that often arise from unrecorded lobby conferences.” Murphy v. Boston Herald, Inc., 449 Mass. 42, 57 n. 15 (2007). In 2015, three years before the events in issue here, this Court amended Rule 12 of the Rules of Criminal Procedure specifically to require that all discussions regarding pleas take place on the record.

diligently.

Judge Joseph is also publicly reprimanded for proposing, in the context of the discussion about ICE and a lawful ICE detainee, that a Defendant be detained in state custody without any lawful authority to hold the Defendant in state custody, in further violation of her duties under Rules 1.1 and 1.2 of the Code of Judicial Conduct.

Finally, through her conduct during a discussion with counsel on April 2, 2018, regarding the presence of ICE and counsel's concern that ICE would take the Defendant into custody, including her statements and proposals to address that concern by detaining the Defendant in state custody without any lawful authority, a topic not within her lawful role, and her conduct in instructing the session clerk to turn off the courtroom audio recording system during that discussion, Judge Joseph failed to act in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and created an appearance of impropriety, in further violation of Rule 1.2 of the Code.

The Commission also recommends that the Chief Justice of the Court Department to which Judge Joseph is assigned appoint a mentor judge to assist her for whatever period the Chief Justice deems appropriate.

In determining its recommendation for discipline in this matter, the Commission considered the merits and specific circumstances of the present case, weighing the effect of Judge Joseph's misconduct upon the judiciary and the public's perception of the judiciary.

This Court has stated that the purpose of the Code is "to preserve the integrity, independence, and impartiality of the judiciary and, moreover, to preserve public confidence in the integrity, independence, and impartiality of the judiciary." Matter of Killam, 388 Mass. 619, 622 (1983). This Court has also observed that, "[b]ecause of the great power and responsibility judges have in passing judgment on their fellow citizens, such standards are desirable and necessary and there should be strict adherence to them." Matter of Morrissey, 366 Mass. 11, 16-17 (1974).

In Morrissey, this Court also stated that public "assurance" is an important factor in what "disciplinary measures" are appropriate. *Id.* at 17 ("[T]he resulting disciplinary measures have served to give assurance to the public that such conduct will not be tolerated and that the judiciary itself is ever ready to carry out the corrective process when necessary.").

Based on the Court's prior decisions and orders in connection with cases involving judicial misconduct, the Commission's recommendation for discipline in this matter considered the following factors in connection with its recommendation for discipline:

1. Judge Joseph's misconduct has brought "undeserved discredit to the

administration of justice in the Commonwealth.” Matter of Larkin, 368 Mass. 87, 91-92 (1975).

2. Judge Joseph’s misconduct relates to actions she took in her official capacity. Matter of DeSaulnier (No. 4), 360 Mass. 787 (1972).
3. Judge Joseph did not commit a wide variety of improprieties, both on and off the bench, occurring over an extended period of time. Matter of Troy, 364 Mass. 15 (1973).
4. In connection with its recommendation for discipline, the Commission also considered the following factors:
 - a. The Hearing Officer did not find that Judge Joseph’s misconduct was “willful.” M.G.L. c. 211C, sec. 2(5)(b).
 - b. Judge Joseph was a relatively new judge at the time of the April 2, 2018, incident, but she already had a great deal of experience as a criminal defense lawyer, including experience in the Newton District Court.
 - c. Judge Joseph has already experienced hardship due to the heightened public scrutiny and lengthy pendency of this matter, the federal indictment, and her suspension from the bench pending resolution of the federal indictment

V. CONCLUSION

For all of the above reasons, the Commission respectfully recommends that the Supreme Judicial Court adopt the Commission’s recommendation for discipline against Judge Joseph.

Respectfully submitted,
For the Commission on Judicial Conduct,



Bruce Herring
Chair

Dated: January 13, 2026