



COMMONWEALTH OF MASSACHUSETTS  
 COMMISSION ON JUDICIAL CONDUCT  
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## COMPLAINT FORM

CJC Complaint No. \_\_\_\_\_

This form is designed to provide the Commission with the information to screen your complaint and to begin an investigation of your allegations. Please read the accompanying materials on the Commission's function and procedures before filling out this form. ONLY ONE JUDGE MAY BE COMPLAINED OF ON EACH FORM.

## PLEASE TYPE OR PRINT CLEARLY ALL INFORMATION

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Name of judge Richard J. Chin, Justice of the Superior Court, Regional Administrative Justice

Court Plymouth Superior Court

Case name Beck et al. v. DOE et al.

Docket number Civil Action 00-0076A

Attorneys involved David L. Higgs, pro se; Rodney W. Young, pro se; Mark W. Batten BBO #566211, Martha K. Harrison, BBO #644834; Betsy Ehrenburg BBO #554628; Mark P. Sutliff, BBO #544308, Asst. A.G.

Date(s) of misconduct February 25, 2002 – date decision and order of summary judgment signed.

Has an appeal been filed? Transcript of hearing completed May '03, but **record has not been assembled.**

A summary of the general nature of your complaint: Regional Administrative Justice Chin signed a decision and order of summary judgment incorporating nine indefensible distortions of the record. These blatant falsifications rationalize the Court's dismissal of charges against defendants on the bases, variously, of plaintiffs' lack of evidence, of the defendants' lack of malice, and of plaintiffs' public-figure status. The Court's reliance upon undisclosed, *ex parte* sources is strongly indicated.

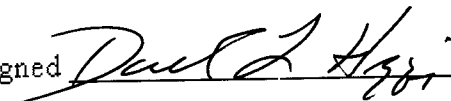
**Specific Facts:**

Please describe exactly what the judge did that was misconduct, and on what date(s). YOUR COMPLAINT WILL BE SCREENED ON THE BASIS OF THIS FORM ONLY. DO NOT RELY UPON ATTACHMENTS TO MAKE YOUR ALLEGATIONS. (You may attach copies of any documents which support your allegations, for the purposes of the investigation.)

Justice Chin incorporated 9 transparent distortions of the record, quoted below,\* in his 02/25/02 summary judgment [tab 3 in plaintiffs' attached 'Super Brief']. While the Appeals Court should by now have reviewed these matters, the Superior Court, administered by Justice Chin, has failed to assemble the case record ever since May '03 when the transcript of summary-judgment hearing at long last was made available. Even if the appeal were allowed to proceed – perhaps by dint of this grievance – the Commission's review *at this time* of the Court's gratuitous counterfeits would be timely. The utter deceit but nonetheless dispositive impact of these sham passages is detailed in *Super Brief*.

1. "The plaintiffs ... publicly accused the South Shore Charter School, its management, and the Department of Education, of **conspiring together in acts directed toward acquiring unwarranted reimbursements** from the Department of Education ...." [Decision: tab 3, p. 1; Super Brief: p. 9]
2. "In the November 13, 1997 issue of the CEO & Founder Update, [Defendant] Anderson wrote that he asked [Plaintiff] Young **why they had to rely on EduCore-generated figures** in making submissions to the DOE." [Decision: tab 3, p. 17; Super Brief: p. 78]
3. "**On March 26, 1997**, Anderson wrote a memo to Beck requesting an alteration to be made to the school's February 1997 Fiscal Year Claim Report ...." [Decision: tab 3, p. 3; Super Brief: p. 33]
4. "[T]he board of trustees of the SSCS appointed two trustees of the school to investigate and compare the **allegations raised by the defendants**. According to the preliminary draft of the resulting report, **Beck did make a number of errors** ...." [Decision: tab 3, pp. 5, 6; Super Brief: pp. 50, 58]
5. "The resulting site visit report ... stated: '... Several school volunteers indicated that these disruptions have become more frequent, with one expressing the fear that **one of these men** could become violent.'" [Decision: tab 3, pp. 7, 18; Super Brief: p. 60]
6. "... [A]n **FBI agent told Young** that no investigation pertaining to him was ever made ...." [Decision: tab 3, p. 5; Super Brief: p. 47]
7. "**In June 1998**, Miles began noticing irregularities in the telephone, fax, and computer equipment ...." [Decision: tab 3, p. 5; Super Brief: p. 37]
8. "... [T]he FBI told Miles that there was **enough evidence to begin a formal investigation** ...." [Decision: tab 3, pp. 5, 21; Super Brief: pp. 32, 42, 43, 49]
9. "... A copy of **Higgs' FBI report** states that **the** '[i]nvestigation determined **that** access to **the** system was obtained via default Windows 95 settings allowing file sharing **from a remote access**.'" [Decision: tab 3, p. 5; Super Brief: pp. 40, 46]

[\* bolding and italics supplied by complainant to identify unwarranted words and phrases furnished by the Court.]

Signed   
Date OCT 14 2003

Please mail completed form to :

Executive Director  
Commission on Judicial Conduct  
14 Beacon Street, Suite 102  
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