

# Burnor files complaint against lawyer in 2003 case

## CLAIMS MAROTTA WAS 'OVERLY CONCERNED' AND 'COOPERATIVE' WITH DEFENSE

BY MELISSA PINGETON  
NEW LEADER STAFF WRITER

SPENCER — It has been more than four years since Keri Burnor accused the Rev. Joseph Chu-Cong, at the time a monk at St. Joseph's Abbey in Spencer, of fondling her without her consent.

Burnor, who goes by "Sister Keri," filed a grievance May 18 with the state Board of Bar Overseers against her attorney for that case, Anthony Marotta, alleging that he "threw" her case. Burnor said that Marotta was "overly concerned and 'cooperative' with the defense and not focused on prosecuting the case to the full extent of the law."

Burnor also alleges another woman stepped forward with similar allegations against Chu-Cong, but her lawyer did not bring that up during Chu-Cong's 2003 trial.

When contacted, Attorney Sarah Chambers of the Office of the Bar Counsel said that "our investigations are confidential" and "can't be discussed."

"I can't confirm that there is a case," she said.

Marotta could not immediately be reached for comment.

On March 13, 2003, Chu-Cong was found not guilty in Western Worcester District Court in East Brookfield of one account of indecent assault and battery.

Two years earlier, on Aug. 23, 2001, Burnor met with Chu-Cong to discuss his book *On the Contemplative Experience*, as well as her relationship with the abbey.

"As Fr. [Joseph] was leaving after my brief

confession, he fondled my left breast," Burnor told the New Leader in April 2003.

According to an abbey spokesman, Chu-Cong died Nov. 30, 2004.

Burnor began her association with the abbey in January 1999, where she was encouraged by monks to become a hermit.

During that time, Burnor attended services at St. Joseph's Abbey, and she received spiritual teaching from several members of the community.

Burnor, the abbey and Chu-Cong supposedly reached an agreement on May 5, 2002 that stated Burnor would drop her allegations if Chu-Cong were permanently removed from any ministry that gave him contact with women. After discovering that Chu-Cong met with three ladies one month after the agreement, Burnor decided to proceed with a criminal complaint.

After the charges were filed, the abbey took out a restraining order that forbade Burnor from setting foot on any property owned by St. Joseph's Abbey. Since 2003, though, Burnor and abbey officials have made some progress, including lifting the restrictions barring her from the abbey.

### 'THROWING' THE CASE

Now Burnor is accusing Marotta of negatively affecting the outcome of the trial, stating the "the Commonwealth failed to prosecute the case Commonwealth vs. Joseph Chu-Cong according to the Due Process Clause of the 14th Amendment by which the States are bound. I will also demonstrate

that my rights as a witness for the Commonwealth were violated."

Among the charges filed include incompetence, communication issues, conflict of interests, and disloyalty to his client.

As to why it has taken four years to file this complaint, Burnor said, "I just came to know of these problems about one year ago. After four years, I think this is the best course of action to take."

Burnor said that at the time of the case, Marotta told her that he "had never taken on an adult sex abuse case," and he was "surprised" with the assignment. According to Burnor, Marotta was not able to effectively communicate to the jury the way she was initially abused by Chu-Cong. She feels that if Marotta has previous experiences in sex abuse cases, he would have known how to communicate this to the jury.

Before the trial began, according to Burnor, she and Marotta only had two meetings totaling about three hours. She also felt Marotta was not a good listener.

"I had to blindly trust him," she stated. "When I was concerned about his competence I would write letters to him clarifying issues I felt he needed to know about."

In her complaint, Burnor stated she asked her psychologist to write a letter supporting her mental health status. After faxing the letter to Marotta, he returned it to Burnor and said he never read it, and not to give him anything unless he asked for it first.

Burnor claims in her complaint Marotta did not properly defend her during the trial.

She alleged Marotta failed to establish the credibility of Burnor as a candidate for hermit status, and that it was Burnor herself who produced documents on March 13, 2003, the day of the trial, that defended her status.

Also, she stated, Marotta did not object when Burnor was referred to as being "mentally or emotionally marginal."

Furthermore, she feels that she was "set up to be the only witness ... without having any testimonial support." The morning of the trial, when the Rev. Peter Joyce, pastor of St. Mary's Parish in Southbridge, arrived early to testify, he was told that the defense objected because he was not a "fresh complaint witness"; he was not allowed to testify.

Also, according to Burnor, Marotta did not look into allegations from another woman who claimed she was assaulted by Chu-Cong in a similar manner. The woman was willing to testify or write an affidavit in support of Burnor, the complaint stated.

Marotta failed to inform Burnor of financial and social assistance services, Burnor stated, noting the case "exhausted my resources to survive," causing her "great difficulty."

"This case and the betrayal caused me suffering of incalculable cost and irreplaceable damage to my reputation, vocation and faith in the legal system of Worcester," said Burnor.

Melissa Pingeton may be reached at (508) 909-4143, or by e-mail at [mpingeton@stonebridgepress.com](mailto:mpingeton@stonebridgepress.com).