

**SPORTS**



**Rangers spoil long-awaited opener for Flyers**



BACK PAGE

**Daylong anti-terrorism drill planned in Upper Darby** Page 4

**Eagles-'Boys rivalry alive and well** Page 52



For home delivery call (610) 522-8830

**THURSDAY**

OCTOBER 6, 2005

# DAILY TIMES

DELAWARE COUNTY'S NEWSPAPER

50¢

Serving Delaware County since 1876

171,500 DAILY READERS\*

Delco-Online: <http://www.delcotimes.com>

## The Chadwick Case:

Report says lawyer held in contempt for 10 years ought to go free

Page 3



H. BEATTY CHADWICK



BARBARA CHADWICK

# NO ASSETS, NO JAIL TIME

CAREER EDUCATOR | MEDICAL ASSISTANT

- Day And Evening Classes
- Career Placement Assistance
- Financial Aid Available For Those Who Qualify
- Programs Available For Non-High School Graduates

Why wait four years to find a career?

Call now for a brochure!

**800-306-7111**

[www.careertraining-chi.com](http://www.careertraining-chi.com)



**CHI Institute**  
Broomall Campus

1991 Sprout Rd., ste 42  
Broomall, PA



# Local

## 'Show me the money'

■ Judge's report recommends Main Line lawyer H. Beatty Chadwick should be released from jail.

By MARLENE DIGIACOMO  
mdigiacomo@delcotimes.com

**MEDIA COURTHOUSE** — A court-appointed master has determined that Main Line lawyer H. Beatty Chadwick is not able to show them the money that has kept him behind bars for 10 years, and recommended that he be released because jail "serves no lawful or practical purpose."

"The special master concludes that Mr. Chadwick does not possess or control any of the disputed monies and, accordingly, he does not have the ability to comply with the conditions set by the court to purge himself of his contempt," wrote former county President Judge A. Leo Sereni in a report filed this week with the Delaware County Court.

In his report, Sereni also wrote that he is "compelled to conclude that Mr. Chadwick's present incarceration has, in effect, become a life sentence without the protections and benefits of the basic constitutional protections afforded to those citizens accused of more heinous acts."

Attorney Michael Malloy, who represents Chadwick, hailed Sereni's findings. Chadwick has been in jail on contempt charges since April 5, 1995, for failing to turn over the money which he denies having. It is believed to be the longest prison term on record in a contempt matter in the United States.

"There is a legal light at the end of the tunnel," said Malloy, who expressed hope the report would provide the key to his client's freedom.

Sereni was appointed in February by present President Judge Kenneth A. Clouse to employ accountants to search for the \$2.5 million in contested marital assets that Chadwick was supposed to share with his former wife, Barbara Jean Crowther Chadwick, as part of their contentious divorce.

Sereni said the accountants searched for the money through a maze of financial institutions from Switzerland to Panama without success.

"The investigation performed by Parents Randolph and Intelvisys was as exhaustive as a forensic accountant could perform. The investigation concluded that Mr. Chadwick does not pos-



H. Beatty Chadwick is shown being led into court in this image taken from television.

sess or control any assets which would give him the capability of paying to the court the sum of approximately \$2.5 million which he had been ordered to deposit," the report states.

The decision on whether the 69-year-old Chadwick, who suffers from a recurrence of malignant lymphoma, will gain his freedom rests with Clouse. Through a spokesman, the judge said there will be a hearing.

Attorney Albert Momjian, who has represented Chadwick's former wife in the long-playing court battle, said he will be filing an objection to the report.

"Every court and every judge over the past 10 years has sustained the position of our client that he (Chadwick) had the capacity to return the money and he wasn't doing it," said Momjian. "If every judge and every appeal

court has said he does have the capacity, what could have happened in a couple of months? It's no different."

In 1994, Chadwick was to deposit the \$2.5 million in an account but failed to comply or to show up for a hearing before now-retired Judge Joseph Labrum. Chadwick was subsequently arrested and jailed. The decade-long saga has gone through the hands of a number of county judges and lawyers, and has been bounced through the state and federal appeal court systems, and also gained national attention through several televised news programs.

Momjian said that Sereni's function was to "find where the money was hidden." He said the judge was not requested to offer an opinion regarding Chadwick's release.

"I have a great deal of respect for Judge Sereni, but we will file objections that he exceeded his authority. He was retained for the limited purpose of tracking down the funds."

Momjian also said that Chadwick was less than cooperative in the investigation.

However, Malloy disagreed, saying his client complied fully.

The report is not saying what the court did was wrong. It says at this point there are no assets and Mr. Chadwick doesn't have the ability to purge himself of the contempt," said Malloy.

"These people went through all of Mr. Chadwick's files and gave it to the neutral master. I hope Judge Clouse adopts the report and releases Mr. Chadwick," said Malloy.

Chadwick, who has two grown sons from a previous marriage, was wed to Crowther Chadwick for 15 years before their union ended bitterly in 1992.

Momjian pointed to a decision by county Judge Chad Kenney, who handled the equitable distribution part of the Chadwicks' divorce. Kenney awarded more than \$2.6 million to Crowther Chadwick and referred to testimony from a certified public accountant and financial analyst that the \$2.5 million with added dividends and reinvestments would have risen to \$8.2 million before taxes as of April 30, 2004.

"Judge Kenney agreed with the opinions of other judges that the money was there," said Momjian. "It's a pity that somebody who is a lawyer (such as Chadwick) has done this to a spouse who should have a share of this money."

### Timeline of key decisions...

A timeline of key decisions and events in the case of H. Beatty Chadwick, who has been in prison for more than a decade on contempt charges.

**November 1992** — Barbara "Bobbie" Crowther Chadwick files for divorce from Main Line lawyer H. Beatty Chadwick.

**February 1993** — At a support conference, Chadwick says he has used \$2.5 million of the marital estate to satisfy a debt from a bad business deal.

**July 22, 1994** — Court orders Chadwick to return \$2.5 million to an account under the court's jurisdiction. He fails to comply and Mrs. Chadwick files a petition to have her estranged husband held in civil contempt.

**Aug. 29, Oct. 18, Oct. 31, 1994** — Chadwick fails to appear at three successive contempt hearings.

**April 5, 1995** — Chadwick arrested when he shows up for a dental appointment in Montgomery County. Sheriff's deputies were tipped off by dental office employee who had read about the case.

**April 5, 1995** — At his hearing, Chadwick is put in jail for civil contempt by Judge Joseph Landrum Jr. who sets bail at \$3 million.

**September 1996** — Chadwick loses an appeal for release from the Pennsylvania Superior Court. The court says Chadwick holds the key to his release by obeying the court.

**March 1997** — Chadwick sets dubious national record for being jailed on civil contempt charges, exceeding 29-month term set by Washington, D.C. physician Elizabeth Morgan, who refused to divulge the whereabouts of her daughter in a custody battle.

**April 1997** — State Supreme Court refuses to intervene.

**May 1998** — U.S. District Judge Norma Shapiro rejects Chadwick bid for release.

**September 1999** — Judge Joseph Battista turns down Chadwick's claim that he is suffering mental illness, by his continued imprisonment after more than four years.

**January 2002** — Shapiro rules

Chadwick's imprisonment has "crossed the line from coercive to punitive." The federal judge in her order signed Jan. 3, requires his release from Delaware County Prison within 30 days — unless an appeal is filed.

**February 2002** — Barbara Chadwick files an appeal with the 3rd U.S. Circuit Court of Appeals, which issues an emergency stay, keeping H. Beatty Chadwick in jail.

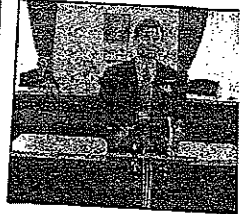
**February 2002** — Chadwick petitions U.S. Supreme Court to free him while his wife fights lower court orders to release him from jail. His petition is denied.

**June 2004** — It is disclosed in court that Chadwick is receiving treatment for a cancerous tumor and is undergoing radiation treatment at the prison.

**February 2005** — Retired President Judge Sereni is appointed as a special master to determine the status of Chadwick's marital assets.

**October 2005** — Sereni report says assets cannot be found and Chadwick should be released from prison.

### DELCO TODAY



County D.A. G. Michael Gree announced Wednesday a counter-terrorism drill to be held in Upper Darby on Nov. 11.

PAK

### COUNTY

■ An Upper Darby woman is charged with scamming a local children's clothing distributor out of \$72,000 in merchandise.

PAG

### REGION

■ The term 'intelligent design' appeared in a published version, according to testimony at a landmark trial.

PAGE 1

### NATION

■ New Chief Justice John Roberts stepped forward as a defender of federal authority to block doctor-assisted suicide.

PAGE 16

### WORLD

■ The Sunnis have dropped their threat to boycott a referendum vote on the new constitution and have promised to reject the charter.

PAGE 19

### BUSINESS

■ A Media native finds the store she passed as a child a perfect spot for her new business, Heaven Scent Bath Shoppe.

PAGE 25

### SPORTS

■ The Flyers' long-awaited return to ice ended in less-than-spectacular fashion as the Rangers blew into town and skated off with a 5-3 win.

BACK PAGE

### 66 QUOTE OF THE DAY

Believe me, they know how to come back.

— OZZIE GUILLEN,

After his Chicago White Sox took a 2-0 series advantage over the world champion Red Sox Wednesday night.