



**Judicial Conduct Board**  
Commonwealth of Pennsylvania  
Joseph A. Massa, Jr., Chief Counsel  
717-234-7911

## **Press Release**

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**December 23, 2008**

**TO: Media/Press**

**FROM: Judicial Conduct Board**

**SUBJECT: Board Files Response to Objections of Judge Willie F. Singletary**

**Harrisburg.** On December 22, 2008, the Board filed its Response to the Objections filed by Judge Willie F. Singletary, Philadelphia Traffic Court, on December 15, 2008.

**Counsel: Board: Joseph A. Massa, Jr., Esquire, Chief Counsel**

**Respondent: John S. Summers, Esquire**

**Contact: Joseph A. Massa, Jr., Esquire  
Chief Counsel, Judicial Conduct Board**

*Note: Judicial Conduct Board Response to Objections is attached.*

**END**

**COMMONWEALTH OF PENNSYLVANIA  
COURT OF JUDICIAL DISCIPLINE**

RECEIVED AND FILED  
COURT OF  
JUDICIAL DISCIPLINE  
OF PENNSYLVANIA

2008 DEC 22 A 10:39

**In re:**

|                                    |   |                  |
|------------------------------------|---|------------------|
| <b>Willie F. Singletary,</b>       | : |                  |
| <b>Judge;</b>                      | : |                  |
| <b>Philadelphia Traffic Court;</b> | : |                  |
| <b>Philadelphia County</b>         | : | <b>1 JD 2008</b> |
|                                    | : |                  |

***RESPONSE OF THE JUDICIAL CONDUCT BOARD  
TO OBJECTIONS OF RESPONDENT***

**TO THE HONORABLE JUDGES OF THE SAID COURT:**

AND NOW, this 22<sup>nd</sup> day of December, 2008, comes the Judicial Conduct Board of Pennsylvania (hereinafter "Board"), by and through its attorney, Joseph A. Massa, Jr., Chief Counsel, and submits the following Response of the Judicial Conduct Board to Objections of Respondent.

1. The Board agrees with the factual determinations and well-reasoned legal conclusions of the Court's Opinion filed December 1, 2008.
2. Sufficient evidence exists in the record which is adequate to support the findings of fact by the Court of Judicial Discipline.
3. Sufficient evidence exists in the record which is adequate to support the Court's conclusions of law.
4. The parties submitted, pursuant to Court of Judicial Discipline Rule of Procedure No. 502(D)(1), Stipulations of Fact in Lieu of Trial.

5. The Stipulations of Fact in Lieu of Trial, present clear and convincing evidence that the Respondent's conduct, delineated in paragraphs five (5) through eleven (11), violated Rule 15D(3) of the Rules Governing Standards of Conduct of Magisterial District Judges.

6. Article V, § 18(b)(5) of the Pennsylvania Constitution provides that, upon the filing of formal charges by the Board, the Court of Judicial Discipline, a court of record, shall promptly schedule a hearing to determine whether a sanction should be imposed upon the judicial officer.

7. In fulfilling its fact-finding role, the Court undertakes an independent evaluation of the record, herein the pleadings and the Stipulations, to determine whether clear and convincing evidence supports the Board's charges.

8. The Pennsylvania Supreme Court has defined clear and convincing evidence as follows:

“The witnesses must be found to be credible, that the facts to which they testify are distinctly remembered and the details thereof narrated exactly and in due order, and that their testimony is so clear, direct, weighty, and convincing as to enable the [trier of fact] to come to a clear conviction, without hesitancy, of the truth of the precise facts in issue...It is not necessary that the evidence be uncontradicted...provided it ‘carries conviction to the mind’ or carries ‘a clear conviction of its truth.’”

In re Adoption of J.J., 511 Pa. 590, 595, 515 A.2d 883, 886 (1986). *See, also*, La Rocca Trust, 411 Pa. 633, 640, 192 A.2d 409, 413 (1963).

9. As to the remark, ‘**You’re going to need my hook-up**’, all agree Respondent made the quoted statement. The Board concurs with the Court’s conclusion:

“No one hearing this [Respondent’s statements quoted above] could fail to understand that Respondent was promising that anyone who gave him money would get favorable consideration from him if he was

elected judge; ...and no one stating this could fail to understand the same.”

10. In his Answer to Formal Complaint, Respondent characterized the words... **“you’re all going to need my hook-up right?”**... as ‘my use of “urban” language’. *See Answer*, paragraph eleven (11). The phrase to “hook-up with” has been defined:

(v.): to come together with; unite.

The Dictionary of Informal, Colloquial, Slang and Idiomatic Phrases;  
[www.geocities.com/informalenglish](http://www.geocities.com/informalenglish).

11. The Respondent’s conduct, while campaigning for the position of judge of the Philadelphia Traffic Court, telling a public gathering of motorcyclists, **“you’re going to need my hook-up”**, as he passed a bucket for campaign donations, clearly was a campaign pitch by which Respondent pandered to his supporters and created expectations in their minds that he would rule in their favor in future litigation.

Indeed, it would be hard to invent a remark which could have been more intentionally designed to assure his supporters that he would be their *‘friend in court’*. Such campaign conduct is so crass, extreme and injudicious as to bring dishonor and disrepute to the office Respondent sought.


12. While admitting making the statement(s), Respondent ‘denies he in anyway intended to communicate that he would give anyone favorable consideration for giving money to his campaign.’ *See Answer*, paragraph five (5). However, there is no subjective intent requirement for judicial misconduct: A lack of conscious intent can still support the imposition of judicial discipline. In re Judge Elloie, 921 So.2d 882, 902 (2006, La.)

13. An act does not have to be intentional to support judicial discipline. In re Hunter, 823 So.2d 325, 336, (“[A] judge may also, through negligence or ignorance not amounting to bad faith, behave in a manner prejudicial to the administration of justice so as to bring the judicial office into disrepute.”)

WHEREFORE, the Board respectfully requests that this Honorable Court dismiss the Objections raised by Respondent and confirm that he is subject to disciplinary action pursuant to the Constitution of the Commonwealth of Pennsylvania, Article V, § 17(b) and § 18(d)(1).

Respectfully submitted,

Date: December 22, 2008

  
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Joseph A. Massa, Jr., Chief Counsel  
Pa Supreme Court No. 6467

Judicial Conduct Board  
301 Chestnut Street, Suite 403  
Harrisburg, PA 17101  
(717) 234-7911 – (717) 234-9307 (Fax)

**COMMONWEALTH OF PENNSYLVANIA**

**COURT OF JUDICIAL DISCIPLINE**

**In re:**

**Willie F. Singletary** :  
**Judge** :  
**Philadelphia Traffic Court** :  
**Philadelphia County** : **1 JD 2008**  
:

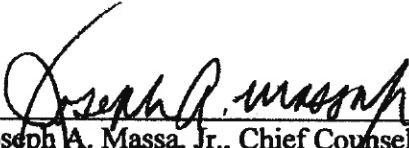
**PROOF OF SERVICE**

In compliance with Rule 122(D) of the Court of Judicial Discipline Rules of Procedure, on December 22, 2008, a copy of this *Response of the Judicial Conduct Board to Objections of Respondent* was sent by Certified Mail to counsel for the Respondent:

John S. Summers, Esquire  
Hangley Aronchick Segal & Pudlin  
One Logan Square  
18<sup>th</sup> & Cherry Streets, 27<sup>th</sup> Floor  
Philadelphia, PA 19103-6933  
Certified Mail No. 7161 7145 5373 0040 7821  
Return Receipt Requested

Respectfully submitted,

Date: December 22, 2008

  
\_\_\_\_\_  
Joseph A. Massa, Jr., Chief Counsel  
Pa. Supreme Court No. 6467

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