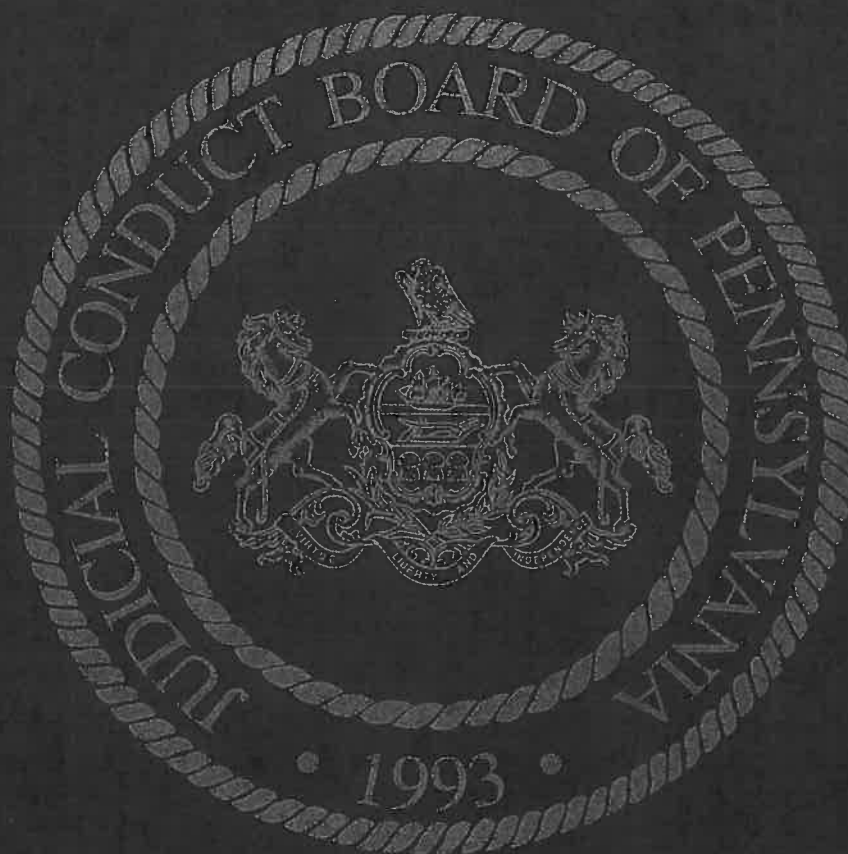


COMMONWEALTH OF PENNSYLVANIA
JUDICIAL CONDUCT BOARD



ANNUAL REPORT

1994

COMMONWEALTH OF PENNSYLVANIA
JUDICIAL CONDUCT BOARD

1994

BOARD MEMBERS

JUDGE JOSEPH A. DEL SOLE, CHAIR

DIANE M. EDMUNDSON, VICE CHAIR

CHARLES W. RUBENDALL II, ESQ., SECRETARY

ARTHUR J. EDMUNDS
GERARD P. EGAN, ESQ.
JUDGE JOHN W. HERRON
FREDERICK WELLS HILL, ESQ.
SISTER MATTHEW ANITA MACDONALD

GERALD J. O'CONNOR
ANDREW V. PALM
DISTRICT JUSTICE JAMES E. RUSSO
DR. BERNARD C. WATSON
REGINALD WAYMAN WILKES

STAFF MEMBERS

VINCENT J. QUINN, CHIEF COUNSEL

KENNETH W. FINNELL, CHIEF INVESTIGATOR

GREGORY D. ANTHONY
PAULA R. CARUSO
TONI I. CIRILLO

ROBERT J. GARRITY
LESLIE C. GERMER
MERRY C. MCDANIEL

BOARD OFFICES

MAIN OFFICE

225 MARKET STREET
HARRISBURG, PENNSYLVANIA 17101
(717) 234-7911

FIELD OFFICE

2600 BOYCE PLAZA, SUITE 114
PITTSBURGH, PENNSYLVANIA 15241
(412) 220-0260



MEMBERS OF THE JUDICIAL CONDUCT BOARD (LEFT TO RIGHT):
GERARD EGAN, SISTER MATTHEW ANITA MACDONALD, GERALD O'CONNOR, JUDGE JOHN HERRON,
CHARLES W. RUBENDALL II, DISTRICT JUSTICE JAMES RUSSO, DR. BERNARD WATSON,
JUDGE JOSEPH DEL SOLE, ANDREW PALM, ARTHUR EDMUNDS, DIANE EDMUNDSON.
(NOT PICTURED, FREDERICK WELLS HILL AND REGINALD WILKES)



STAFF OF THE JUDICIAL CONDUCT BOARD (LEFT TO RIGHT):
PEGGY SWEIKERT, WILLIAM I. "SKIP" ARBUCKLE III, TONI CIRILLO, PAULA CARUSO,
ROBERT L. KEUCH, KENNETH W. FINNELL, MERRY C. MCDANIEL
(CURRENT STAFF NOT PICTURED: VINCENT J. QUINN, ROBERT J. GARRITY,
LESLIE C. GERMER, AND GREGORY D. ANTHONY)

COMMONWEALTH OF PENNSYLVANIA



JUDICIAL CONDUCT BOARD

225 MARKET STREET
HARRISBURG, PA 17101

JUDGE JOSEPH A. DEL SOLE
CHAIRMAN

(717) 234-7911

To the Citizens of Pennsylvania

I am proud to present this, the First Annual Report of the Judicial Conduct Board. As with any new endeavor, substantial time was initially devoted to organizational efforts. These tasks, which included re-budgeting, hiring, and rule making, were completed while the Board continued to process matters received from both the former Judicial Inquiry & Review Board and the public.

I can report that the Board members have approached each matter, administrative or investigative, with a deep sense of commitment and professionalism. This Report describes those efforts and details the results. The Judicial Conduct Board is committed to its purpose of assuring the citizens of Pennsylvania that its Judiciary is second to none in integrity and dedication to its task.

Sincerely,

Joseph A. Del Sole
Chairman



◀ NOVEMBER 4, 1993.
ACTING GOVERNOR SINGEL
CONVENES THE FIRST MEETING
OF THE JUDICIAL CONDUCT
BOARD IN THE GOVERNOR'S
CONFERENCE ROOM.

NOVEMBER 4, 1993 ▶
SISTER MATTHEW ANITA
MACDONALD IS UNANIMOUSLY
ELECTED AS ACTING CHAIR OF
THE JUDICIAL CONDUCT BOARD.



◀ NOVEMBER 4, 1993
MEMBERS OF THE JUDICIAL
CONDUCT BOARD RE-CONVENE
AT THE BOARD OFFICES TO
CONDUCT INITIAL BUSINESS OF
THE BOARD.

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COMMONWEALTH OF PENNSYLVANIA
JUDICIAL CONDUCT BOARD

1994

ANNUAL REPORT

INTRODUCTION

THE CONSTITUTIONAL AMENDMENT ESTABLISHING THE PENNSYLVANIA JUDICIAL CONDUCT BOARD WAS APPROVED BY THE VOTERS ON MAY 18, 1993. THE JUDICIAL CONDUCT BOARD IS THE SUCCESSOR TO THE JUDICIAL INQUIRY AND REVIEW BOARD AND IS EMPOWERED TO INVESTIGATE AND PROSECUTE CHARGES OF ETHICAL MISCONDUCT BY PENNSYLVANIA JUDICIAL OFFICERS. DURING THE FIRST FULL YEAR OF ITS EXISTENCE, THE BOARD ADDRESSED A NUMBER OF ADMINISTRATIVE CONCERNS, OPENED INVESTIGATIVE FILES IN 328 CASES AND CONTINUED TO PROCESS THOSE MATTERS THAT WERE PENDING BEFORE THE JUDICIAL INQUIRY AND REVIEW BOARD.

MEMBERSHIP REQUIREMENTS

THE PENNSYLVANIA JUDICIAL CONDUCT BOARD HAS TWELVE MEMBERS: SIX APPOINTED BY THE GOVERNOR AND SIX APPOINTED BY THE SUPREME COURT. NO MORE THAN HALF OF THE MEMBERS APPOINTED BY EITHER AUTHORITY MAY BE REGISTERED IN THE SAME POLITICAL PARTY. THE APPOINTMENTS ARE MADE IN THE FOLLOWING WAY:

GOVERNOR

1 JUDGE, COMMON PLEAS
2 LAWYERS
3 NON-LAWYERS

SUPREME COURT

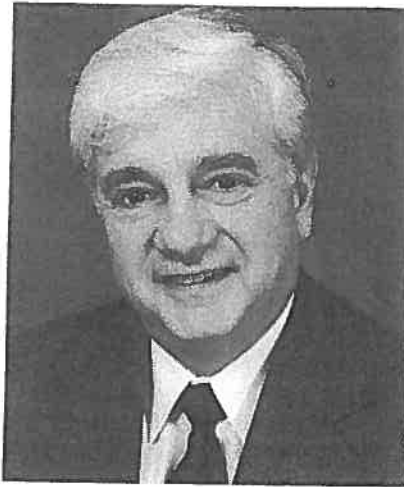
1 JUDGE, SUPERIOR OR COMMONWEALTH COURTS
1 DISTRICT JUSTICE
1 LAWYER
3 NON-LAWYERS

MEMBERS ARE LIMITED TO FOUR CONSECUTIVE YEARS OF SERVICE; HOWEVER, HE OR SHE MAY BE REAPPOINTED AFTER A LAPSE OF ONE YEAR.

THE BOARD ANNUALLY ELECTS A CHAIRPERSON, VICE-CHAIRPERSON AND SECRETARY. DURING 1994, JUDGE JOSEPH A. DEL SOLE SERVED AS CHAIRPERSON, DIANE M. EDMUNDSON SERVED AS VICE-CHAIRPERSON AND CHARLES W. RUBENDALL II, ESQUIRE, SERVED AS SECRETARY.

BIOGRAPHICAL SKETCHES

HONORABLE JOSEPH A. DEL SOLE, CHAIR



JUDGE DEL SOLE, A SUPERIOR COURT JUDGE OF PENNSYLVANIA WITH CHAMBERS IN ALLEGHENY COUNTY, WAS ELECTED IN 1983 AND RETAINED FOR A SECOND TERM IN 1993. HE WAS FIRST APPOINTED TO THE ALLEGHENY COUNTY COURT OF COMMON PLEAS IN 1978 AND WAS ELECTED TO A FULL TERM IN 1979.

JUDGE DEL SOLE IS A MEMBER OF THE SUPREME COURT STATEWIDE STEERING COMMITTEE ON COMPUTER AUTOMATION AND IS CHAIRMAN OF THE COMMON PLEAS COURT IMPLEMENTATION PROJECT DESIGNING AN AUTOMATION SYSTEM FOR THE TRIAL COURTS OF PENNSYLVANIA. HE WAS INSTRUMENTAL IN SPEARHEADING THE SUPERIOR COURT'S COMPUTERIZATION AND STATISTICAL DEVELOPMENT PROGRAMS.

HE AUTHORED APPELLATE REVIEW IN A SENTENCING GUIDELINES JURISDICTION: THE PENNSYLVANIA EXPERIENCE FOR THE DUQUESNE UNIVERSITY LAW REVIEW IN 1993 AND CO-AUTHORED THE DEMISE OF FAIR TRADE IN PENNSYLVANIA ALSO FOR THE DUQUESNE UNIVERSITY LAW REVIEW.

JUDGE DEL SOLE WAS A MEMBER OF THE FORMER JUDICIAL INQUIRY AND REVIEW BOARD. HE WAS ELECTED THE FIRST CHAIRMAN OF THE JUDICIAL CONDUCT BOARD.

JUDGE DEL SOLE, A NATIVE OF PITTSBURGH, EARNED A BACHELOR OF SCIENCE DEGREE FROM CARNEGIE INSTITUTE OF TECHNOLOGY (NOW CARNEGIE-MELLON UNIVERSITY) IN MECHANICAL ENGINEERING. HE RECEIVED AN LL.B. FROM DUQUESNE UNIVERSITY SCHOOL OF LAW AND AN LL.M. FROM THE UNIVERSITY OF VIRGINIA SCHOOL OF LAW. HE IS A MEMBER OF THE CENTURY CLUB OF DISTINGUISHED ALUMNI OF DUQUESNE UNIVERSITY AND RECEIVED THE PRESIDENT'S AWARD FROM THE PENNSYLVANIA TRIAL LAWYERS ASSOCIATION IN 1988.

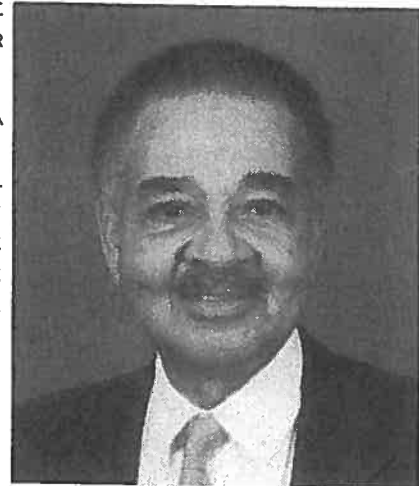
APPOINTED BY THE SUPREME COURT; DEMOCRAT; TERM EXPIRES IN 1997.

ARTHUR J. EDMUNDS

ARTHUR J. EDMUNDS SERVED IN THE NATIONAL URBAN LEAGUE MOVEMENT ALMOST FOUR DECADES. HE WAS THE EXECUTIVE DIRECTOR IN PITTSBURGH FOR 25 YEARS.

HE CURRENTLY SERVES AS A DIRECTOR OF THE WESTERN PENNSYLVANIA HEALTHCARE SYSTEM, BLUE CROSS OF WESTERN PENNSYLVANIA; PITTSBURGH HISTORY AND LANDMARKS FOUNDATION; REGIONAL INDUSTRIAL DEVELOPMENT CORPORATION OF SOUTHWESTERN PENNSYLVANIA; LEMINGTON HOME FOR THE AGED; EXECUTIVE SERVICE CORPS OF WESTERN PENNSYLVANIA; THE PITTSBURGH FOUNDATION; THE CARING FOUNDATION; THE HEALTH EDUCATION CENTER; AND THE FEDERAL HOME LOAN BANK OF PITTSBURGH. HE ALSO SERVES ON PRESBYTERIAN UNIVERSITY HOSPITAL'S COMMITTEE FOR OVERSIGHT IN ORGAN TRANSPLANTATION.

HIS HONORS INCLUDE "MAN OF THE YEAR IN HUMAN RELATIONS", PITTSBURGH JAYCEES, 1975; THE GEORGE WASHINGTON CARVER COMMUNITY LEADER AWARD, 1979; BROTHERHOOD AWARD OF THE NATIONAL CONFERENCE OF CHRISTIANS AND JEWS, 1984; "SOCIAL WORKER OF THE YEAR" OF THE LOCAL CHAPTER OF THE NATIONAL ASSOCIATION OF SOCIAL WORKERS, 1985; HONORARY MEMBER OF PHI BETA KAPPA, 1986; THE WHITNEY M. YOUNG, JR., MEDALLION OF THE NATIONAL URBAN LEAGUE, 1987; HUMANITARIAN AWARD OF THE POISE FOUNDATION, 1988; ALUMNI HALL OF FAME OF DES MOINES, IOWA, NORTH HIGH SCHOOL, 1990; HONORARY DOCTOR OF HUMAN LETTERS, LAROCHE COLLEGE, 1991; PITTSBURGH YWCA'S RACIAL



JUSTICE AWARD, 1992; AND THE ALUMNI ACHIEVEMENT AWARD FROM FISK UNIVERSITY. HE WAS DESIGNATED A DISTINGUISHED PENNSYLVANIAN BY THE WILLIAM PENN COMMITTEE IN 1979.

ARTHUR EDMUNDS, A NATIVE OF DES MOINES, IOWA, EARNED A DEGREE FROM FISK UNIVERSITY. HE PURSUED GRADUATE STUDIES AT DRAKE UNIVERSITY AND THE UNIVERSITY OF MICHIGAN.

APPOINTED BY THE GOVERNOR; INDEPENDENT; TERM EXPIRES IN 1995.

DIANE M. EDMUNDSON



DIANE EDMUNDSON SERVES AS PRESIDENT OF THE LEAGUE OF WOMEN VOTERS OF PENNSYLVANIA AND CHAIR OF THE LEAGUE OF WOMEN VOTERS OF PENNSYLVANIA CITIZEN EDUCATION FUND. SHE WAS ELECTED AS THE 22ND PRESIDENT OF THE LWVPA IN 1991 AND RE-ELECTED IN 1993 AT THE LWVPA BIENNIAL STATE CONVENTION. SHE ALSO SERVES AS VICE-CHAIR OF THE JUDICIAL CONDUCT BOARD.

DIANE EDMUNDSON HAS SERVED ON THE LWVPA BOARD OF DIRECTORS FOR EIGHT YEARS, ASSUMING RESPONSIBILITY FOR THE LEAGUE'S FINANCIAL OPERATIONS INCLUDING DEVELOPMENT. SHE FIRST JOINED THE LOWER MERION/NARBERTH LEAGUE IN 1983 AND BECAME MEMBERSHIP DIRECTOR. IN 1987 SHE WAS ELECTED TO THE STATE BOARD AS SECRETARY/TREASURER, GUIDING THE LWVPA THROUGH THE PROCESS OF SETTING UP A 501(C)(3) TRUST TO ADMINISTER THE CITIZEN EDUCATION ACTIVITIES OF THE ORGANIZATION.

FOR TEN YEARS SHE WORKED WITH WARNER LAMBERT/PARK-DAVIS PHARMACEUTICAL COMPANY WHERE SHE BECAME ONE OF THE FIRST WOMEN PROFESSIONALS IN THE COMPANY TO MANAGE A PLANT HUMAN RESOURCES DEPARTMENT.

SHE IS A NATIVE OF MICHIGAN WHO EARNED HER BACHELOR OF ARTS DEGREE *SUMMA CUM LAUDE* FROM ROSEMONT COLLEGE, PENNSYLVANIA. SHE RESIDES IN ALLENTOWN.

APPOINTED BY THE GOVERNOR; REPUBLICAN; TERM EXPIRES IN 1996.

GERARD P. EGAN, ESQUIRE

GERARD EGAN IS A SHAREHOLDER IN ELLIOTT REIHNER SIEDZIKOWSKI NORTH & EGAN, P.C., WITH OFFICES IN BLUE BELL, SCRANTON, HARRISBURG, PENNSYLVANIA AND CHERRY HILL, NEW JERSEY. HE SPECIALIZES IN COMPLEX APPELLATE AND TRIAL LITIGATION IN FEDERAL AND STATE COURTS.

GERARD EGAN IS ADMITTED TO PRACTICE BEFORE THE BARS OF THE SUPREME AND SUPERIOR COURTS OF PENNSYLVANIA; THIRD CIRCUIT UNITED STATES COURT OF APPEALS; UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT COURT OF PENNSYLVANIA; UNITED STATES TAX COURT AND ALL LOCAL COURTS OF PHILADELPHIA. HE HAS ALSO ENGAGED IN APPELLATE AND TRIAL PRACTICE OF CORPORATE, INSURANCE, BANKING, WHITE-COLLAR CRIMINAL DEFENSE, CONSTRUCTION, TAX AND RICO MATTERS BEFORE FEDERAL AND STATE COURTS.

SINCE 1989, GERARD EGAN HAS BEEN A LECTURER IN THE CRIMINAL LAW PRACTICE SEMINAR AT VILLANOVA UNIVERSITY SCHOOL OF LAW AND RUTGERS SCHOOL OF LAW.

HE EARNED BOTH HIS BACHELOR OF ARTS DEGREE AND HIS JURIS DOCTOR AT VILLANOVA UNIVERSITY. HE PURSUED AN ADVANCED COURSE IN TAX AND ACCOUNTING WITH THE INTERNAL REVENUE SERVICE AND COMPLETED THE TRIAL ADVOCACY PROGRAM WITH THE UNITED STATES DEPARTMENT OF JUSTICE ADVOCACY INSTITUTE.

APPOINTED BY THE GOVERNOR; DEMOCRAT; TERM EXPIRES IN 1997.



HONORABLE JOHN W. HERRON



JUDGE JOHN W. HERRON WAS ELECTED IN 1987 TO THE COMMON PLEAS COURT, PHILADELPHIA COUNTY, HANDLING MAJOR JURY TRIALS IN THE CRIMINAL DIVISION. PRESENTLY HE IS ASSIGNED TO THE CIVIL DIVISION AND IS ONE OF FIVE TEAM LEADERS HEADING A JUDICIAL TEAM PRESIDING OVER CASES IN THE MAJOR CIVIL LITIGATION PROGRAM.

JUDGE HERRON IS CHAIR OF THE CIVIL MANAGEMENT COMMITTEE AND A MEMBER OF THE JOINT BENCH BAR CIVIL SYSTEM PLANNING COMMITTEE AND THE JUDICIAL STUDY COMMITTEE (THE "SHEPPARD COMMITTEE"). HE HAS CHAIRED THE ACCOUNTABILITY COMMITTEE OF THE TRIAL DIVISION, A GROUP OF JUDGES ENGAGED IN A PIONEERING EFFORT TO ASSESS JUDICIAL PRODUCTIVITY.

HE IS A LECTURER AT TEMPLE UNIVERSITY LAW SCHOOL WHERE HE HAS TAUGHT COURSES IN PROFESSIONAL RESPONSIBILITY AND TRIAL ADVOCACY. HE IS ALSO A FREQUENT LECTURER AND PANELIST IN VARIOUS CONTINUING LEGAL EDUCATION PROGRAMS.

PRIOR TO HIS ELECTION TO THE BENCH, JUDGE HERRON PRACTICED LAW AND SERVED AS CHIEF DISCIPLINARY COUNSEL OF THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA AND AS DEPUTY OF INVESTIGATIONS FOR THE DISTRICT ATTORNEY OF PHILADELPHIA.

JUDGE HERRON EARNED HIS UNDERGRADUATE DEGREE AT DUKE UNIVERSITY AND RECEIVED HIS J.D. FROM DICKINSON SCHOOL OF LAW.

APPOINTED BY THE GOVERNOR; DEMOCRAT; TERM EXPIRES IN 1996.

FREDERICK WELLS HILL, ESQUIRE

FREDERICK WELLS HILL, ESQUIRE, HAS SERVED AS VICE PRESIDENT OF CORPORATE RELATIONS FOR THE WESTINGHOUSE CORPORATION SINCE HE WAS ELECTED TO THAT POSITION IN JULY, 1993. HIS RESPONSIBILITIES INCLUDE ALL OF WESTINGHOUSE'S CORPORATE COMMUNICATIONS: PUBLIC RELATIONS, EMPLOYEE COMMUNICATIONS, EXECUTIVE SPEECH WRITING, SHAREHOLDER COMMUNICATIONS, THE ANNUAL REPORT AND SHAREHOLDER MEETING, AND CORPORATE ADVERTISING. HE HAS RESPONSIBILITY FOR COMMUNITY AFFAIRS AND CHAIRS THE WESTINGHOUSE FOUNDATION.

BEFORE JOINING WESTINGHOUSE IN 1980 AS AN ATTORNEY IN CORPORATE SERVICES, FREDERICK WELLS HILL ENGAGED IN PRIVATE LAW PRACTICE AND WAS A PENNSYLVANIA STATE TROOPER. OTHER POSITIONS HE HAS HELD WITH WESTINGHOUSE INCLUDE: COUNSEL TO WESTINGHOUSE PUBLIC SYSTEMS COMPANY, COUNSEL TO THE CORPORATION'S INDUSTRIES AND INTERNATIONAL GROUP, DIRECTOR OF STATE AND LOCAL GOVERNMENT RELATIONS IN PENNSYLVANIA, AND EXECUTIVE DIRECTOR OF GOVERNMENT AFFAIRS FOR WESTINGHOUSE IN WASHINGTON, D.C.



FREDERICK WELLS HILL IS A MEMBER OF THE ADMINISTRATIVE CONFERENCE OF THE UNITED STATES; THE BOARD OF TRUSTEES OF THE UNIVERSITY OF SCRANTON; PENN'S SOUTHWEST ASSOCIATION; THE BOARD OF DIRECTORS OF THE PUBLIC AFFAIRS COUNCIL; AND THE WISEMEN, A NETWORKING ORGANIZATION OF CORPORATE EXECUTIVES. HE IS A PAST VICE-CHAIRMAN OF THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA.

FREDERICK WELLS HILL EARNED A BACHELOR'S DEGREE AND A LAW DEGREE FROM THE UNIVERSITY OF PITTSBURGH WHERE HE SERVED AS AN ADJUNCT PROFESSOR FOR 11 YEARS. HE WAS ADMITTED TO THE PRACTICE OF LAW IN PENNSYLVANIA AND THE DISTRICT OF COLUMBIA.

APPOINTED BY THE SUPREME COURT; REPUBLICAN; TERM EXPIRED IN 1994; REAPPOINTED TO A TERM EXPIRING IN 1998.

SISTER MATTHEW ANITA MACDONALD



SISTER MATTHEW ANITA MACDONALD, A SISTER OF ST. JOSEPH OF CHESTNUT HILL, IS HEAD OF SCHOOL AT COUNTRY DAY SCHOOL OF THE SACRED HEART, A PRE-PRIMARY - 12, COLLEGE PREPARATORY SCHOOL FOR GIRLS IN BRYN MAWR.

SISTER SERVES AS A TRUSTEE OF THE UNIVERSITY OF SCRANTON, A MEMBER OF THE BOARD OF ADVISORS FOR ROMAN CATHOLIC HIGH SCHOOL, A MEMBER OF THE PHILADELPHIA HIGHER EDUCATION CONGRESS, AND AS VICE-CHAIR OF THE PENNSYLVANIA COMMISSION FOR WOMEN. SHE IS THE FORMER PRESIDENT OF CHESTNUT HILL COLLEGE, 1980 - 1992, AND SERVED AS THE FIRST EXECUTIVE DIRECTOR OF THE SISTERS OF ST. JOSEPH COLLEGE CONSORTIUM.

AMONG HER HONORS ARE THE MERITORIOUS SERVICE AWARD OF THE CHESTNUT HILL COMMUNITY ASSOCIATION, TRIBUTE FROM THE AMERICAN INSTITUTE OF ITALIAN CULTURE, ELECTION AS A FELLOW IN ACADEMIC ADMINISTRATION BY THE AMERICAN COUNCIL ON EDUCATION

AND A CITATION FROM PHILADELPHIA CITY COUNCIL.

AFTER RECEIVING A B.A. DEGREE FROM CHESTNUT HILL COLLEGE, SISTER EARNED AN M.A. AND A PH.D. FROM THE UNIVERSITY OF PENNSYLVANIA. SHE WAS A MEMBER OF THE FORMER JUDICIAL INQUIRY AND REVIEW BOARD.

APPOINTED BY THE GOVERNOR; DEMOCRAT; TERM EXPIRES IN 1997.

GERALD J. O'CONNOR

GERALD J. O'CONNOR IS PRESIDENT OF GERALD CONTAINER CORPORATION, A CORPORATION HE FOUNDED IN PHILADELPHIA AND LEVITTOWN, PENNSYLVANIA.

HE IS A MEMBER OF THE BOARD OF TRUSTEES OF ST. JOSEPH'S UNIVERSITY AND SERVES AS CHAIRMAN OF THE DEVELOPMENT COMMITTEE. ~

HE HAS PRIOR EXPERIENCE AS A PILOT WITH THE U.S. AIR FORCE.

GERALD O'CONNOR, A NATIVE OF PHILADELPHIA, ATTENDED ST. JOSEPH'S PREPARATORY SCHOOL AND EARNED A BACHELOR'S DEGREE IN POLITICAL SCIENCE FROM ST. JOSEPH'S UNIVERSITY.

APPOINTED BY THE SUPREME COURT; REPUBLICAN; TERM EXPIRES IN 1995.





ANDREW V. PALM

ANDREW "LEFTY" PALM, WITH THE MERGING OF DISTRICTS 10 AND 7 OF THE UNITED STEEL WORKERS OF AMERICA, IS THE DIRECTOR OF APPROXIMATELY 75,000 ACTIVE STEELWORKERS.

LEFTY PALM SERVES AS CHAIRMAN OF THE USWA PENNSYLVANIA LEGISLATIVE COMMITTEE. HE IS ACTIVE ON THE NEGOTIATING TEAM OF BETHLEHEM STEEL COMPANY, SERVES AS SECRETARY OF THE WHEELING PITTSBURGH AND ALLEGHENY LUDLUM NEGOTIATING COMMITTEES AND CHAIRMAN OF THE USX NEGOTIATING COMMITTEE. HE REPRESENTS LABOR ON THE STATE WORKER'S COMPENSATION BOARD. HE IS ALSO A MEMBER OF THE BOARD OF MAGLEV, INC.

HE WAS APPOINTED A USWA STAFF REPRESENTATIVE IN DISTRICT 15, WAS ELECTED DIRECTOR OF THE DISTRICT TEN YEARS LATER, AND HAS BEEN RE-ELECTED DIRECTOR WITHOUT OPPOSITION IN 1985, 1989, AND 1993. HE GAVE OVERSIGHT TO THE MERGING OF DISTRICTS 15 AND 20 INTO DISTRICT 10 AND THE MERGING OF DISTRICTS 10 AND 7.

LEFTY PALM WAS ELECTED A DELEGATE TO THE 1984 DEMOCRATIC CONVENTION IN SAN FRANCISCO AND TO THE 1988 DEMOCRATIC CONVENTION IN ATLANTA, GEORGIA.

HE WAS THE PRESIDENT OF HIS GRADUATING CLASS FROM MCKEESPORT HIGH SCHOOL AND ATTENDED THE PENNSYLVANIA STATE UNIVERSITY.

APPOINTED BY THE SUPREME COURT; DEMOCRAT; TERM EXPIRES IN 1997.

CHARLES W. RUBENDALL II, ESQUIRE

CHARLES W. RUBENDALL II, PRACTICES LAW WITH THE HARRISBURG LAW FIRM OF KEEFER, WOOD, ALLEN & RAHAL. HE SPECIALIZES IN CIVIL TRIALS WITH AN EMPHASIS IN PRODUCT LIABILITY AND COMMERCIAL LITIGATION. HE WAS ELECTED THE FIRST SECRETARY OF THE JUDICIAL CONDUCT BOARD.

CHARLES RUBENDALL II, HAS SERVED AS A MEMBER OF THE BOARD OF DIRECTORS FOR THE DAUPHIN COUNTY BAR ASSOCIATION AND AS CHAIRMAN OF ITS COURT RULES COMMITTEE. HE HAS SERVED AS A MEMBER OF THE LAWYERS ADVISORY COMMITTEE FOR THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA. HE HAS ALSO CHAIRED A HEARING COMMITTEE FOR THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA.

HE FREQUENTLY LECTURES AND WRITES ABOUT CIVIL TRIAL TECHNIQUES AND IS AN ADJUNCT PROFESSOR OF LAW AT THE DICKINSON SCHOOL OF LAW, TEACHING A WEEKLY SEMINAR TO SENIORS ON PRETRIAL ADVOCACY.

AFTER EARNING A BACHELOR'S DEGREE FROM YALE UNIVERSITY, CHARLES RUBENDALL II, EARNED A J.D. CUM LAUDE FROM THE DICKINSON SCHOOL OF LAW. WHILE A SENIOR AT DICKINSON, HE SERVED AS EDITOR-IN-CHIEF OF THE *DICKINSON LAW REVIEW*.

APPOINTED BY THE GOVERNOR; REPUBLICAN; TERM EXPIRES IN 1995.



DISTRICT JUSTICE JAMES E. RUSSO



DISTRICT JUSTICE JAMES E. RUSSO HAS SERVED AS A FULL TIME DISTRICT JUSTICE SINCE HE WAS FIRST ELECTED IN 1975.

DISTRICT JUSTICE RUSSO IS A JUDICIAL ASSOCIATE OF BOTH THE ALLEGHENY COUNTY BAR ASSOCIATION AND THE AMERICAN BAR ASSOCIATION. CHIEF JUSTICE NIX APPOINTED HIM CHAIRMAN OF THE MINOR COURT RULES COMMITTEE. HE ALSO CHAIRED THE COMMITTEE FOR STATEWIDE AUTOMATION OF 538 DISTRICT JUSTICE OFFICES.

HE HELPED INSTITUTE THE PROGRAM FOR KILLICK, A PROGRAM SET UP BY THE COURT FOR YOUNG JUVENILES UNDER THE AGE OF 18 TO KEEP THEIR CRIMINAL RECORDS CLEAN. HE ALSO SERVED AS PRESIDENT OF THE SPECIAL COURT JUDGES' ASSOCIATION OF PENNSYLVANIA FOR TWO YEARS. PRESENTLY, HE IS VICE-PRESIDENT OF THE ALCOHOL RECOVERY CENTER (A.R.C. HOUSE) IN THE NORTH SIDE, PITTSBURGH.

IN 1985 PRESIDENT REAGAN APPOINTED DISTRICT JUSTICE RUSSO TO THE PRESIDENT'S TASK FORCE ON "VICTIMS OF CRIME" AT THE NATIONAL JUDICIAL COLLEGE IN RENO, NEVADA. HE ALSO SERVED ON THE MENTAL HEALTH ACT TASK FORCE OF ALLEGHENY COUNTY WHICH RECOMMENDED PROCEDURES IN THE COURTROOM PERTAINING TO MENTAL HEALTH, MENTAL RETARDATION, AND DRUG AND ALCOHOL PROCEDURES.

DISTRICT JUSTICE RUSSO ATTENDED QUAKER VALLEY HIGH SCHOOL AND SHIPPENSBURG STATE COLLEGE WHERE HE ACQUIRED HIS DISTRICT JUSTICE CERTIFICATION.

APPOINTED BY THE SUPREME COURT; REPUBLICAN; TERM EXPIRES IN 1995.

DR. BERNARD C. WATSON

BERNARD C. WATSON IS CHAIRMAN OF THE BOARD OF THE HEALTHCARE MANAGEMENT ALTERNATIVES (HMA) FOUNDATION IN PHILADELPHIA. HE RETIRED AT THE END OF 1993 AS PRESIDENT AND CHIEF EXECUTIVE OFFICER OF THE WILLIAM PENN FOUNDATION IN PHILADELPHIA. HE ASSUMED THAT POSITION IN 1981 AFTER A DISTINGUISHED CAREER AS AN EDUCATOR, A CAREER IN WHICH HE SERVED AS A TEACHER AND ADMINISTRATOR IN THE PUBLIC SCHOOLS OF INDIANA, DEPUTY SUPERINTENDENT OF THE PHILADELPHIA PUBLIC SCHOOLS, PROFESSOR OF URBAN STUDIES AND URBAN EDUCATION, AND ACADEMIC VICE PRESIDENT OF TEMPLE UNIVERSITY.



IN 1967 HE WAS APPOINTED BY PRESIDENT LYNDON BAINES JOHNSON TO THE NATIONAL COUNCIL ON EDUCATION PROFESSIONS DEVELOPMENT AND HE SUBSEQUENTLY SERVED AS VICE CHAIRMAN OF THE COUNCIL. IN 1980 HE WAS APPOINTED BY PRESIDENT JIMMY CARTER TO THE NATIONAL COUNCIL ON EDUCATIONAL RESEARCH. IN 1994 HE WAS APPOINTED BY PRESIDENT CLINTON TO THE PRESIDENT'S BOARD OF ADVISORS ON HISTORICALLY BLACK COLLEGES AND UNIVERSITIES. IN ADDITION, HE HAS SERVED ON NUMEROUS BOARDS AND COMMISSIONS, INCLUDING THE PHILADELPHIA CITY PLANNING COMMISSION, WORLD AFFAIRS COUNCIL, COUNCIL ON FOREIGN RELATIONS, PUBLIC INTEREST LAW CENTER, ST. CHRISTOPHER'S HOSPITAL FOR CHILDREN, AND THE NATIONAL URBAN COALITION. HE CURRENTLY SERVES AS CHAIRMAN OF THE BOARD OF THE AVENUE OF THE ARTS, INC.; SENIOR VICE CHAIRMAN OF THE BOARD OF THE NATIONAL URBAN LEAGUE; AND VICE CHAIRMAN OF THE PENNSYLVANIA CONVENTION CENTER AUTHORITY. HIS CORPORATE BOARDS INCLUDE FIRST FIDELITY BANCORPORATION AND FIRST FIDELITY BANK; COMCAST CORPORATION AND COMCAST CABLEVISION; THE PHILADELPHIA CONTRIBUTIONSHIP; AND AAA MID-ATLANTIC AND KEYSTONE INSURANCE COMPANY.

DR. WATSON EARNED HIS PH.D. AT THE UNIVERSITY OF CHICAGO AND HAS DONE POSTDOCTORAL WORK AT HARVARD UNIVERSITY. HE IS MARRIED AND THE FATHER OF TWO CHILDREN.

APPOINTED BY THE SUPREME COURT TO A TERM EXPIRING IN 1996; DEMOCRAT; RESIGNED IN JUNE, 1994.

REGINALD WAYMAN WILKES



REGINALD WAYMAN WILKES IS ASSISTANT VICE-PRESIDENT AND SENIOR FINANCIAL CONSULTANT WITH MERRILL LYNCH, PIERCE, FENNER & SMITH. HE IS A MEMBER OF MERRILL LYNCH'S CHAIRMAN'S CLUB, PRESIDENT'S CLUB, AND EXECUTIVE CLUB.

PRIOR TO HIS PRESENT POSITION, REGINALD WILKES WAS A LINEBACKER FOR BOTH THE PHILADELPHIA EAGLES AND THE ATLANTA FALCONS PROFESSIONAL FOOTBALL TEAMS. HE WAS ALSO PART OWNER AND VICE-PRESIDENT OF LEASEWAY AUTO LEASING.

SOME OF HIS COMMUNITY INVOLVEMENT IS WITH THE EAGLES FLY FOR LEUKEMIA, CRISIS INTERVENTION NETWORK, SPECIAL OLYMPICS, MUSCULAR DYSTROPHY, AND CEREBRAL PALSY. HE AIDS THE VETERANS ADMINISTRATION HOSPITAL AND THE CHILDREN'S HOSPITAL OF THE UNIVERSITY OF PENNSYLVANIA. HE ASSISTS WITH THE PHILADELPHIA BOARD OF EDUCATION'S READ TO YOUR CHILDREN PROJECT, SAY NO TO DRUGS CAMPAIGN, AND A BETTER CHANCE PROGRAM HOST PARENT.

AMONG HIS HONORS, REGINALD WILKES INCLUDES THE PHILADELPHIA LIBERTY BELL AWARD, THE CRISIS INTERVENTION NETWORK CITIZENSHIP AWARD, VETERANS ADMINISTRATION HOSPITAL AWARD, AND THE POP WARNER FOOTBALL LEAGUE CITATION.

REGINALD WILKES EARNED A BACHELOR OF SCIENCE DEGREE FROM THE GEORGIA INSTITUTE OF TECHNOLOGY AND ATTENDED TEMPLE UNIVERSITY MEDICAL SCHOOL AND THE UNIVERSITY OF PENNSYLVANIA.

APPOINTED JUNE 15, 1994 BY THE SUPREME COURT TO FILL THE UNEXPIRED TERM OF DR. WATSON; DEMOCRAT; TERM EXPIRES IN 1996.

VINCENT J. QUINN, CHIEF COUNSEL

A NATIVE OF PHILADELPHIA, VINCENT J. QUINN IS A GRADUATE OF ST. JOSEPH'S COLLEGE AND THE UNIVERSITY OF PENNSYLVANIA LAW SCHOOL. AFTER SERVING AS A LAW CLERK TO THE HONORABLE FREDERICK EDENHARTER OF THE COURT OF COMMON PLEAS OF BERKS COUNTY, HE PRACTICED LAW CONTINUOUSLY IN LANCASTER COUNTY FROM 1978 UNTIL 1994. HE WAS THE COORDINATOR OF THE LANCASTER BAR ASSOCIATION'S PRO BONO PROGRAM AND FROM 1989 UNTIL 1994 WAS THE CHIEF PUBLIC DEFENDER FOR LANCASTER COUNTY. IN MAY OF 1994, HE WAS APPOINTED THE FIRST CHIEF COUNSEL FOR THE PENNSYLVANIA JUDICIAL CONDUCT BOARD.



MR. QUINN HAS SERVED ON THE BOARD OF DIRECTORS OF THE PENNSYLVANIA ASSOCIATION OF CRIMINAL DEFENSE LAWYERS AND THE PUBLIC DEFENDER ASSOCIATION OF PENNSYLVANIA. HE IS ON THE ADJUNCT FACULTY OF THE HARRISBURG AREA COMMUNITY COLLEGE AND HAS LECTURED ON JUDICIAL ETHICS AT PROGRAMS SPONSORED BY THE GOVERNOR'S OFFICE OF GENERAL COUNSEL, LANCASTER BAR ASSOCIATION AND THE PENNSYLVANIA STATE CONFERENCE OF TRIAL JUDGES. PRESENTLY HE IS A MEMBER OF THE LANCASTER AND PENNSYLVANIA BAR ASSOCIATIONS AND THE ASSOCIATION OF JUDICIAL DISCIPLINARY COUNSEL.

JURISDICTION

THE JUDICIAL CONDUCT BOARD IS REQUIRED TO INVESTIGATE COMPLAINTS AGAINST PENNSYLVANIA JUDICIAL OFFICERS INCLUDING SUPREME COURT JUSTICES, JUDGES OF THE SUPERIOR AND COMMONWEALTH COURTS, COMMON PLEAS COURT JUDGES, DISTRICT JUSTICES, PHILADELPHIA MUNICIPAL COURT JUDGES, PHILADELPHIA TRAFFIC COURT JUDGES AND PITTSBURGH CITY MAGISTRATES. THE BOARD CANNOT CONSIDER COMPLAINTS AGAINST FEDERAL JUDGES, COURT MASTERS, ADMINISTRATIVE LAW JUDGES OR ATTORNEYS.

THE BOARD HAS THE CONSTITUTIONAL AUTHORITY TO CONSIDER A COMPLAINT, FROM ANY SOURCE, THAT A JUDICIAL OFFICER HAS ENGAGED IN ETHICAL MISCONDUCT OR HAS A MENTAL OR PHYSICAL DISABILITY WHICH SUBSTANTIALLY IMPAIRS THE PERFORMANCE OF JUDICIAL DUTIES.

THE BOARD HAS NO AUTHORITY TO ACT AS AN APPELLATE COURT. IT CANNOT REVIEW, REVERSE OR VACATE A DECISION OF A JUDICIAL OFFICER, NOR INTERFERE IN ONGOING LITIGATION. NEITHER CAN THE BOARD ORDER A JUDGE TO REFRAIN FROM CONSIDERING A PARTICULAR CASE.

MEETINGS

THE JUDICIAL CONDUCT BOARD HAD NINE REGULARLY SCHEDULED MEETINGS DURING 1994. IN ADDITION, THERE WERE SEVEN SPECIAL MEETINGS HELD VIA TELECONFERENCE.

BUDGET AND STAFF

AS AN INDEPENDENT AGENCY, THE BOARD ADMINISTERS ITS OWN BUDGET AND STAFF. FOR THE FISCAL YEAR 1994-95 THE BOARD'S BUDGET IS \$825,000. THE BUDGET ALLOCATIONS MAY BE SUMMARIZED AS FOLLOWS:

Personnel	\$547,000
Operating Expenses	\$272,000
Fixed Assets	\$6,000
TOTAL	\$825,000

THE BOARD'S STAFF CONSISTS OF CHIEF COUNSEL, CHIEF INVESTIGATOR, PARALEGAL, INVESTIGATOR, EXECUTIVE SECRETARY, DEPUTY COUNSEL, ADMINISTRATIVE ASSISTANT AND LEGAL SECRETARY. ALL STAFF MEMBERS ARE FULL-TIME STATE EMPLOYEES. ALL COUNSEL ARE PROHIBITED FROM THE PRIVATE PRACTICE OF LAW.

PROCEDURES

THE BOARD MAY BEGIN AN INVESTIGATION BASED ON INFORMATION RECEIVED FROM ANY RELIABLE SOURCE INCLUDING ANONYMOUS CONTACTS, MEDIA REPORTS AND REFERRALS FROM OTHER AGENCIES. MOST INVESTIGATIONS ARE BASED ON COMPLAINTS RECEIVED FROM NAMED INDIVIDUALS. A COMPLAINT FROM A NAMED INDIVIDUAL MUST BE VERIFIED AND STATE THE ALLEGATIONS UPON WHICH IT IS BASED, TOGETHER WITH THE NAME OF THE JUDICIAL OFFICER AGAINST WHOM IT IS MADE. IN ALL OTHER CASES WHERE THE BOARD RECEIVES INFORMATION RAISING AN ISSUE OF JUDICIAL MISCONDUCT, AFTER RECEIVING BOARD APPROVAL, A WRITTEN COMPLAINT IS FILED BY CHIEF COUNSEL.

ALL COMPLAINTS ARE REFERRED TO CHIEF COUNSEL WHO REVIEWS THE ALLEGATIONS OF THE COMPLAINT. IN THE RARE CIRCUMSTANCE WHERE IT IS CLEAR THAT THE COMPLAINT REFERS TO CONDUCT BY SOMEONE WHO IS NOT WITHIN THE JURISDICTION OF THE BOARD, CHIEF COUNSEL WILL ADVISE THE COMPLAINANT OF THIS FACT AND REFER THE PARTY TO THE APPROPRIATE AGENCY. ALL

OTHER COMPLAINTS ARE DOCKETED AND THE COMPLAINANT IS ADVISED OF A FILE NUMBER WHICH SHOULD BE USED IN FUTURE CORRESPONDENCE.

AFTER A COMPLAINT IS DOCKETED, THE BOARD, THROUGH ITS STAFF, CONDUCTS A PRELIMINARY INQUIRY. IF NECESSARY, STAFF WILL OBTAIN ADDITIONAL INFORMATION FROM THE COMPLAINANT, ATTORNEYS INVOLVED IN THE UNDERLYING LITIGATION AND OTHER INDIVIDUALS WHO MAY HAVE RELEVANT INFORMATION. FREQUENTLY, STAFF WILL OBTAIN DOCUMENTS SUCH AS TRIAL TRANSCRIPTS, DOCKET ENTRIES AND OTHER COURT RECORDS.

UPON COMPLETION OF THE PRELIMINARY INQUIRY, COUNSEL SUBMITS THE COMPLAINT AND A REPORT, WHICH MAY INCLUDE A RECOMMENDATION, FOR THE BOARD'S REVIEW. AT THIS STAGE, THE BOARD MAY DISMISS THE COMPLAINT BECAUSE IT IS WITHOUT MERIT, DIRECT FURTHER PRELIMINARY INQUIRY OR AUTHORIZE A FULL INVESTIGATION.

A CLEAR MAJORITY OF THE COMPLAINTS DOCKETED BY THE BOARD ARE DISMISSED FOLLOWING THE PRELIMINARY INQUIRY. MANY DISMISSALS OCCUR AT THIS STAGE BECAUSE THE COMPLAINT:

1. IS OBVIOUSLY FRIVOLOUS OR PROVED SO AFTER A PRELIMINARY INQUIRY;
2. REPRESENTS AN EFFORT BY A DISAPPOINTED LITIGANT TO OBTAIN REVIEW OF THE MERITS OF A JUDICIAL OFFICER'S DECISION;
3. IS BASED ON A MISUNDERSTANDING OF THE JUDICIAL PROCESS OR THE PROPER ROLE OF THE JUDICIAL OFFICER.

A JUDICIAL OFFICER IS USUALLY NOT AWARE OF A COMPLAINT DURING A PRELIMINARY INQUIRY. THEREFORE, THE GENERAL RULE IS THAT THE JUDICIAL OFFICER IS NOT NOTIFIED WHEN A COMPLAINT IS DISMISSED AT THIS STAGE. AN EXCEPTION TO THIS PRACTICE OCCURS WHEN THE COMPLAINT IS A MATTER OF COMMON KNOWLEDGE WITHIN THE COMMUNITY OR IF THE JUDICIAL OFFICER IS OTHERWISE AWARE OF THE COMPLAINT. IN THESE LIMITED CIRCUMSTANCES, THE BOARD WILL NOTIFY THE JUDICIAL OFFICER OF THE DISMISSAL.

IF THE BOARD BELIEVES THAT THE COMPLAINT IS OF ARGUABLE MERIT, IT WILL PROCEED WITH A FULL INVESTIGATION. THE PURPOSE OF A FULL INVESTIGATION IS TO DETERMINE IF PROBABLE CAUSE EXISTS TO BELIEVE THERE IS CLEAR AND CONVINCING EVIDENCE OF ETHICAL MISCONDUCT WHICH WARRANTS DISCIPLINE.

FOLLOWING AUTHORIZATION OF A FULL INVESTIGATION, COUNSEL WILL PROMPTLY SEND A LETTER OF INQUIRY TO THE JUDICIAL OFFICER. THE LETTER OF INQUIRY NOTIFIES THE JUDICIAL OFFICER OF THE EXISTENCE AND NATURE OF THE COMPLAINT AND ADVISES THE JURIST OF THE RIGHT TO RESPOND FULLY TO THE ALLEGATIONS.

DURING A FULL INVESTIGATION, THE BOARD MAY ISSUE SUBPOENAS TO COMPEL THE TESTIMONY OF WITNESSES, THE PRODUCTION OF DOCUMENTS OR OTHER ITEMS OF PHYSICAL EVIDENCE RELEVANT TO THE INVESTIGATION, OR THE TESTIMONY OF THE SUBJECT OF THE INVESTIGATION. FOLLOWING COMPLETION OF THE FULL INVESTIGATION, THE BOARD WILL EITHER DISMISS THE COMPLAINT OR DIRECT COUNSEL TO FILE FORMAL CHARGES BEFORE THE COURT OF JUDICIAL DISCIPLINE.

IF THE BOARD ELECTS TO FILE FORMAL CHARGES, A BOARD COMPLAINT IS FILED WITH THE COURT OF JUDICIAL DISCIPLINE. BOARD COUNSEL PRESENTS THE CASE IN COMPLIANCE WITH THE RULES OF PROCEDURE ADOPTED BY THE COURT.

COMPLAINTS FILED WITH THE BOARD AND ANY OTHER STATEMENTS, TESTIMONY, DOCUMENTS, RECORDS OR OTHER INFORMATION OR EVIDENCE ACQUIRED FOR THE BOARD DURING INVESTIGATION ARE NOT MATTERS OF PUBLIC INFORMATION. ALL MEETINGS AND OTHER PROCEEDINGS OF THE BOARD ARE CONFIDENTIAL UNLESS THE BOARD OPENS THE MATTER TO THE PUBLIC FOLLOWING RECEIPT OF A WRITTEN WAIVER FROM THE SUBJECT OF THE INVESTIGATION. THIS CONFIDENTIALITY SERVES THE DUAL PURPOSE OF PRESERVING THE ANONYMITY OF COMPLAINANTS TO INSULATE THEM FROM CONCERNS ABOUT POSSIBLE RETALIATION AND PREVENTING DAMAGE TO THE REPUTATIONS OF INNOCENT JUDICIAL OFFICERS WHO ARE THE TARGETS OF BASELESS COMPLAINTS.

ALL PROCEEDINGS BEFORE THE COURT OF JUDICIAL DISCIPLINE ARE MATTERS OF PUBLIC RECORD AND THE GENERAL PUBLIC IS PERMITTED TO ATTEND ANY HEARINGS.

BOARD ACTIVITY FROM ITS INCEPTION THROUGH 1994

ON NOVEMBER 4, 1993, FOLLOWING THE CONVENING OF THE BOARD IN THE GOVERNOR'S CONFERENCE ROOM, CAPITOL BUILDING, BY ACTING GOVERNOR MARK SINGEL, LIEUTENANT GOVERNOR OF PENNSYLVANIA, BOARD MEMBER SISTER MATTHEW ANITA MACDONALD WAS ELECTED TEMPORARY CHAIRPERSON. THE BOARD RECESSED AND RECONVENED AT THE BOARD'S OFFICES ON MARKET STREET IN THE CITY OF HARRISBURG FOR THE PURPOSES OF ELECTING PERMANENT OFFICERS AND BEGINNING ITS ORGANIZATIONAL RESPONSIBILITIES. AT THIS MEETING, THE FIRST PERMANENT OFFICERS OF THE BOARD WERE ELECTED.

INITIAL BOARD BUSINESS INCLUDED THE APPOINTMENT OF WILLIAM I. ARBUCKLE III, ESQUIRE, THE CHIEF PROSECUTOR OF THE FORMER JUDICIAL INQUIRY AND REVIEW BOARD, AS ACTING CHIEF COUNSEL, AND THE ADOPTION OF INTERIM RULES OF PROCEDURE AS PREPARED UNDER THE DIRECTION OF THE JUDICIAL INQUIRY AND REVIEW BOARD'S SOLICITOR, ROBERT L. KEUCH, ESQUIRE. THESE RULES ENABLED THE BOARD TO PROCESS COMPLAINTS INVOLVING JUDICIAL OFFICERS WHILE BEGINNING ITS ADMINISTRATIVE PROCEDURAL ORGANIZATION.

INITIALLY, THE CHAIR APPOINTED COMMITTEES FOR THE PURPOSES OF EXAMINING AND REPORTING ON BUDGET, PERSONNEL AND FINANCE, RECORDS RETENTION, MEMBERS' CONDUCT RULES, AND RULES OF PROCEDURE. EACH COMMITTEE WAS CHAIRED BY A BOARD MEMBER. THE COMMITTEE MEMBERSHIP FOLLOWS:

PERSONNEL, BUDGET AND FINANCE COMMITTEE

JUDGE JOSEPH A. DEL SOLE, CHAIR
ARTHUR J. EDMUNDS
DIANE M. EDMUNDSON
GERARD P. EGAN
SISTER MATTHEW ANITA MACDONALD
GERALD J. O'CONNOR
ANDREW PALM

MEMBERS' CONDUCT RULES COMMITTEE

DR. BERNARD C. WATSON, CHAIR
ARTHUR J. EDMUNDS
GERALD J. O'CONNOR
CHARLES W. RUBENDALL II
DISTRICT JUSTICE JAMES E. RUSSO

RULES OF PROCEDURE COMMITTEE

JUDGE JOHN W. HERRON, CHAIR
JUDGE JOSEPH A. DEL SOLE
GERARD P. EGAN
~FREDERICK WELLS HILL
SISTER MATTHEW ANITA MACDONALD

RECORDS RETENTION COMMITTEE

CHARLES W. RUBENDALL II, CHAIR
DISTRICT JUSTICE JAMES E. RUSSO

SINCE THE APPROPRIATION FOR FISCAL YEAR 1993-94 ORIGINALLY MADE TO THE JUDICIAL INQUIRY AND REVIEW BOARD WAS DIVIDED BY THE GENERAL ASSEMBLY BETWEEN THE JUDICIAL CONDUCT BOARD AND THE COURT OF JUDICIAL DISCIPLINE, THE BOARD FACED THE ECONOMIC CONCERN THAT THE REDUCED APPROPRIATION MIGHT NOT BE SUFFICIENT FOR THE REMAINING MONTHS OF THE FISCAL YEAR.

THE PERSONNEL, BUDGET AND FINANCE COMMITTEE MET WITH STAFF FROM THE ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS (AOPC) WHO DETAILED THE BUDGETING AND FINANCIAL PROCESSES OF THE COMMONWEALTH, THE CURRENT STATUS OF THE BOARD APPROPRIATION AND PROJECTIONS THROUGH THE END OF THE FISCAL YEAR. IN ADDITION, THE AOPC ASSISTED THE BOARD IN PRESENTING A REQUEST FOR SUPPLEMENTAL APPROPRIATION TO THE GENERAL ASSEMBLY OF PENNSYLVANIA WHICH WAS APPROVED AND PERMITTED THE BOARD TO MEET ITS OBLIGATIONS THROUGH FISCAL YEAR 1993-94.

THE RECORDS RETENTION COMMITTEE COMPLETED ITS WORK AND MADE A RECOMMENDATION TO THE BOARD WITH REGARD TO A RECORDS RETENTION POLICY WHICH WAS ADOPTED.

BOTH THE MEMBERS' CONDUCT RULES COMMITTEE AND THE BOARD'S RULES OF PROCEDURE COMMITTEE MET PERIODICALLY THROUGHOUT THE YEAR TO DEVELOP RULES. PROPOSED RULES

WERE DEVELOPED, PARTICULARLY WITH THE ASSISTANCE OF CHIEF COUNSEL ANN T. PANFIL AND DEPUTY COUNSEL BETSY MOORE OF THE PENNSYLVANIA CRIMINAL PROCEDURAL RULES COMMITTEE. THESE RULES WERE PUBLISHED IN THE PENNSYLVANIA BULLETIN AND OTHER LEGAL PERIODICALS AND PUBLIC COMMENT WAS INVITED.

A SPECIAL COMMITTEE CHAIRED BY FREDERICK WELLS HILL, ESQUIRE, WAS APPOINTED TO BEGIN THE SEARCH FOR CHIEF COUNSEL. THAT COMMITTEE ADVERTISED THROUGHOUT PENNSYLVANIA FOR THE POSITION, REVIEWED RÉSUMÉS, CONDUCTED INTERVIEWS AND MADE A RECOMMENDATION. FOLLOWING AN INTERVIEW BY THE BOARD, THE COMMITTEE RECOMMENDED VINCENT J. QUINN, ESQUIRE, THE CHIEF PUBLIC DEFENDER OF LANCASTER COUNTY. MR. QUINN WAS SELECTED AS THE BOARD'S CHIEF COUNSEL.

DURING THIS TIME, THE BOARD CONTINUED TO RECEIVE AND PROCESS COMPLAINTS ALLEGING JUDICIAL MISCONDUCT. FURTHER ACTIVITY OF THE BOARD DURING 1994 INCLUDED THE FILING OF VARIOUS MATTERS BEFORE THE COURT OF JUDICIAL DISCIPLINE.

INITIALLY, THE BOARD FILED A MOTION TO SUSPEND A JUDICIAL OFFICER WHO HAD BEEN CHARGED WITH THE COMMISSION OF A FELONY. THE COURT OF JUDICIAL DISCIPLINE DENIED THAT REQUEST, BUT IT MUST BE NOTED THAT THE OFFICER WAS NOT ATTEMPTING TO PERFORM JUDICIAL DUTIES. FOLLOWING A DETERMINATION OF GUILT, THE BOARD SOUGHT THE SUSPENSION OF PAY TO THAT JUDICIAL OFFICER AND THIS REQUEST WAS GRANTED BY THE COURT OF JUDICIAL DISCIPLINE.

IN ADDITION, FOLLOWING THE CONVICTION OF A DISTRICT JUSTICE FOR OBSTRUCTION OF JUSTICE, THE BOARD FILED A PETITION FOR AUTOMATIC FORFEITURE OF OFFICE. THE COURT OF JUDICIAL DISCIPLINE WAS EQUALLY DIVIDED ON THIS PETITION WHICH RESULTED IN ITS DISMISSAL. THE BOARD THEN FILED AN APPEAL TO THE SUPREME COURT OF PENNSYLVANIA AND THIS APPEAL IS PRESENTLY PENDING.

THE BOARD FILED PUBLIC CHARGES AGAINST A FORMER DISTRICT JUSTICE FOR CONDUCT WHICH OCCURRED WHILE A DISTRICT JUSTICE AND PUBLIC CHARGES AGAINST A COMMON PLEAS COURT JUDGE CLAIMING INORDINATE DELAY IN THE HANDLING OF JUDICIAL DUTIES. AS OF THE END OF 1994, THESE CASES WERE NOT CONCLUDED.

WITH THE ADVENT OF A FULL APPROPRIATION FOR FISCAL YEAR 1994-95, THE BOARD WAS ABLE TO COMPLETE ITS COMPLEMENT OF PERSONNEL.

KENNETH W. FINNELL SERVES AS THE BOARD'S CHIEF INVESTIGATOR. MS. PAULA CARUSO IS EXECUTIVE SECRETARY; MS. TONI CIRILLO IS LEGAL ASSISTANT; MS. LESLIE C. GERMER IS LEGAL SECRETARY; GREGORY D. ANTHONY IS DEPUTY COUNSEL; AND MS. MERRY MCDANIEL IS ADMINISTRATIVE ASSISTANT.

THE CENTRAL OFFICE ADDRESS IS: JUDICIAL CONDUCT BOARD
225 MARKET STREET
HARRISBURG, PA 17101

IN RESPONSE TO THE SIGNIFICANT NUMBER OF INVESTIGATIONS PENDING IN WESTERN PENNSYLVANIA AND TO BE A PRESENCE IN THAT PART OF THE STATE, A FIELD OFFICE WAS OPENED IN PITTSBURGH. IT IS STAFFED BY INVESTIGATOR ROBERT J. GARRITY.

THE FIELD OFFICE ADDRESS IS: JUDICIAL CONDUCT BOARD
2600 BOYCE PLAZA, SUITE 114
PITTSBURGH, PA 15241

CASE DISPOSITIONS

DURING 1994, THE BOARD RECEIVED 328 COMPLAINTS AGAINST JUDICIAL OFFICERS. TABLE 1 REFLECTS THE BREAKDOWN OF THOSE COMPLAINTS BY TYPE OF JURIST.

Minor Judiciary	114
Judges of Courts of Record	214
Total	328

TABLE 1

TABLE 2 REFLECTS THE STATUS OF THE COMPLAINANT.

Litigant - criminal matter	104
Litigant - family matter	73
Litigant - civil matter	83
Non-litigant layperson	28
Non-litigant lawyer	18
Judicial officer	4
Board initiated	18
Total	328

TABLE 2

TABLE 3 CLASSIFIES THE COMPLAINT ON THE BASIS OF ITS PRIMARY ALLEGATION.

Abuse of power	4
Administrative	8
Bias	61
Conflict of interest	10
Criminal Misdemeanor	4
Delay	14
Ex parte communication	14
Financial disclosure	1
Gifts	1
Judicial demeanor	15
Legal error	180
Other	11
Political - campaign	3
Political - other	1
Public comment	1
Total	328

TABLE 3

DURING 1994, THE JUDICIAL CONDUCT BOARD DISPOSED OF 389 COMPLAINTS. TABLE 4 REFLECTS THE STAGE AT WHICH ULTIMATE DISPOSITION OCCURRED.

Dismissed after preliminary inquiry	360
Dismissed after full investigation	23
Referred to other agency	2
Filed formal charges	3
Petitioned for Automatic Forfeiture	1
Total	389

TABLE 4

CONCLUSION

DURING ITS FIRST YEAR OF OPERATION, A SUBSTANTIAL AMOUNT OF EFFORT WAS EXPENDED IN SOLIDIFYING THE BOARD'S STAFF, BUDGET AND PROCEDURES.

IT IS A TRIBUTE TO THE STAFF THAT THE IMPORTANT WORK OF EVALUATING CLAIMS OF MISCONDUCT CONTINUED UNINTERRUPTEDLY DURING THIS PERIOD OF ORGANIZATION. THE MEMBERS AND STAFF OF THE JUDICIAL CONDUCT BOARD ARE AWARE OF THE RESPONSIBILITIES OF THEIR POSITIONS AND THE EXPECTATIONS OF THE CITIZENS OF PENNSYLVANIA.

ON THIS INITIAL FOUNDATION, WE LOOK FORWARD TO THE FUTURE.

Judicial Conduct Board
225 Market Street
Harrisburg, Pennsylvania 17101
(717) 234-7911