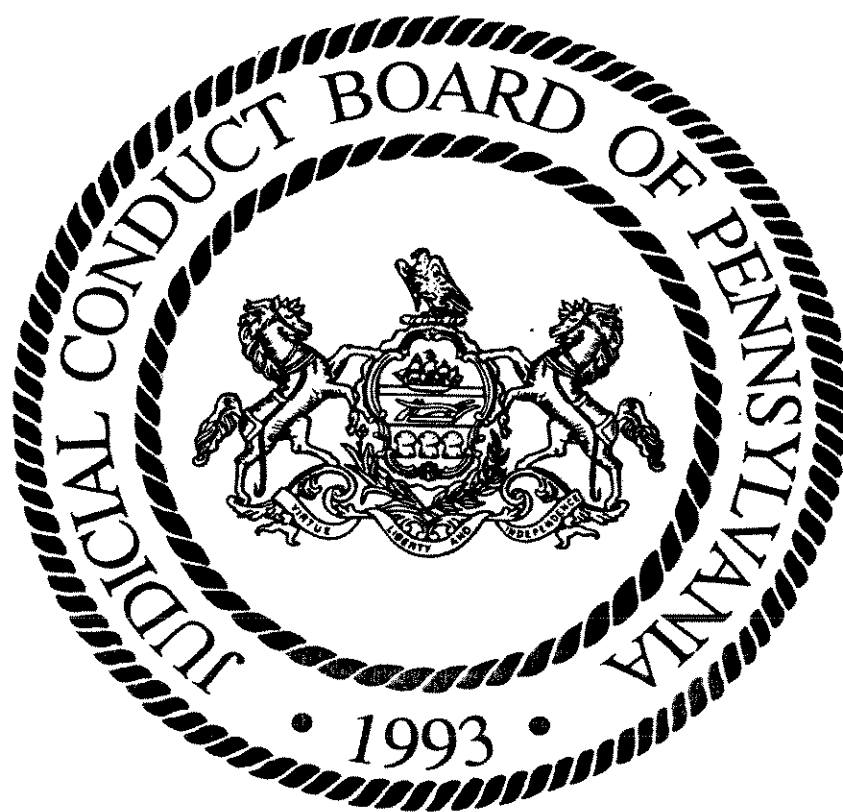


COMMONWEALTH OF PENNSYLVANIA  
JUDICIAL CONDUCT BOARD



**ANNUAL REPORT**

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2001



# JUDICIAL CONDUCT BOARD



225 MARKET STREET  
HARRISBURG, PA 17101

JOHN W. MORRIS, ESQUIRE  
CHAIRMAN

(717) 234-7911

To the Citizens of Pennsylvania:

I am proud to present you with this report summarizing the work of the Judicial Conduct Board. In the year 2001, the Board disposed of 612 complaints. Of these complaints, 472 were dismissed after preliminary investigation, 7 were dismissed after full investigation, and 5 were resolved upon the issuance of letters of counsel. Formal charges and prosecutions were initiated in 4 matters.

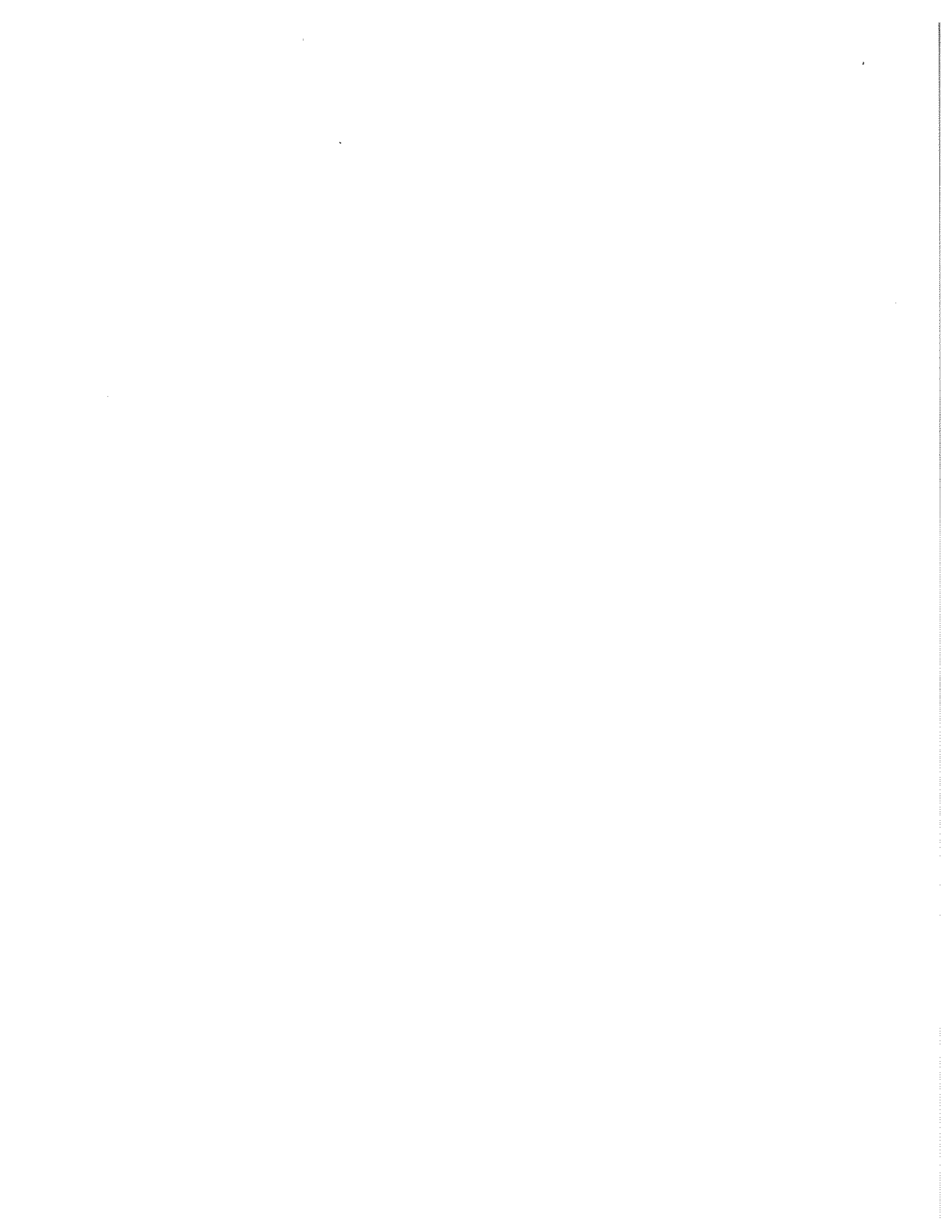
Let me also bring you up-to-date with some non-statistical news. The Board's former Chief Counsel, Vincent Quinn, resigned effective December 31, 2001, to re-enter private practice. Mr. Quinn capably served as Chief Counsel for over 6 years.

Following an exhaustive search, including consideration of over 100 applicants, the Board appointed Joseph A. Massa, Jr., as Chief Counsel. Mr. Massa is an experienced practitioner and former District Attorney of Warren County. We welcome Mr. Massa and look forward to his leadership of the Board's excellent staff

Finally, I would like to mention that the Board recently engaged in discussions of its goals and procedures. Among the more important thoughts arising from these discussions is the desire to expand communications with both the judiciary and the public. Although we are appropriately constrained by confidentiality requirements of the Constitution, we feel that there is room for improving public knowledge of the function and methods of the Board. We would particularly like to hear from you on this subject.

The members of the Judicial Conduct Board come from diverse backgrounds and serve without compensation. We look forward to serving you in the upcoming year.

John W. Morris



COMMONWEALTH OF PENNSYLVANIA  
JUDICIAL CONDUCT BOARD

2001

Members of the Board  
(As of December 31, 2001)

John W. Morris, Esq. - Chairman

Wendell G. Freeland, Esq. - Vice-Chair

Michael M. Robinson - Secretary

Leo P. Bigley  
John R. Cellucci  
Matthew J. DiDomenico, Sr.  
Stanley R. Gumberg  
Judge Marilyn J. Horan

Gary F. Lamont  
Christopher A. Lewis, Esq.  
Samuel J. Magaro  
Judge John L. Musmanno

The following members concluded their service in 2001:

Judge James Gardner Colins\*  
Edward J. Keller  
District Justice Bob Yanich

Former Members of the Board

G. David Ament  
Francis E. Bianconi  
Robert E. J. Curran, Esq.\*  
Judge Joseph A. Del Sole\*  
Arthur J. Edmunds  
Diane M. Edmundson  
Gerard P. Egan, Esq.  
Robert J. Ewanco  
Gloria V. Goldy  
Judge John W. Herron  
Frederick Wells Hill, Esq.

Professor Sandra D. Jordan  
William P. Lincke, Esq.  
Sister Matthew Anita MacDonald  
Judge James P. MacElree II  
Gerald J. O'Connor  
Andrew Palm  
Charles W. Rubendall II, Esq.  
District Justice James E. Russo  
Bernard C. Watson, Ph.D.  
Reginald W. Wilkes  
Harry J. Williamson

\*indicates former chairperson

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Additional copies of this report may be requested by calling (717) 234-7911 or sending  
e-mail to: [aspruill@external.court.state.pa.us](mailto:aspruill@external.court.state.pa.us).



COMMONWEALTH OF PENNSYLVANIA  
JUDICIAL CONDUCT BOARD

2001

Annual Report

INTRODUCTION

This is the eighth Annual Report prepared and disseminated by the Judicial Conduct Board pursuant to the directive of Article V, §18(a)(6) of the Constitution of the Commonwealth of Pennsylvania. The Judicial Conduct Board is the first tier in Pennsylvania's two-tiered judicial disciplinary system and as such, the Board is required to investigate and, where appropriate, prosecute allegations of judicial misconduct. The Court of Judicial Discipline is responsible for determining whether or not misconduct has occurred and, when necessary, imposing the appropriate sanction.

The Board and the Court of Judicial Discipline are the successors to the Judicial Inquiry and Review Board. From 1968 until 1993, the Judicial Inquiry and Review Board served as the Commonwealth's primary judicial disciplinary organ.

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:

<u>Governor</u>	<u>Supreme Court</u>
1 Judge, Common Pleas	1 Judge, Superior or Commonwealth Courts
2 Lawyers	1 District Justice
3 Non-Lawyers	1 Lawyer
	3 Non-Lawyers

Members are limited to four consecutive years of service; however, a former member may be reappointed after a lapse of one year. The terms of Judge James Gardner Colins, Edward J. Keller, and District Justice Bob Yanich expired in 2001. Leo P. Bigley, Samuel J. Magaro and John Musmano were appointed to serve on the Board by Supreme Court.

The Board annually elects three officers. During 2001, District Justice Bob Yanich served as Chairman until August, John W. Morris, Esq. served as Vice-Chair, and Wendell G. Freeland, Esq. served as Secretary. With the completion of Chairman Yanich's service in August, John Morris served as Chairman for the remainder of the year.

## BIOGRAPHICAL SKETCHES



Leo P. Bigley

Leo P. Bigley is a member of the Plumbers Local Union #27 for 47 years, 32 of which he has been a Business Representative and Business Manager. He is a Vice President of the Pittsburgh Building Trades Council, and Vice President of the Pennsylvania Pipe Trades Association. Mr. Bigley is a native of Pittsburgh, Pennsylvania and resides in Corapolis, Pennsylvania, Allegheny County. He is a father of five children.

Appointed by the Supreme Court; Democrat.



John R. Cellucci

Mr. Cellucci is the President and Owner of John R. Cellucci, Inc., a building, contracting, engineering, and land-development company. His experience as a builder, civil engineer, and general contractor has included constructing new homes, community housing developments, shopping malls, and producing prestressed concrete bridges. In the late 1960's, Mr. Cellucci was the Executive Director of the Chester Housing Development Corporation.

Mr. Cellucci received a Bachelor of Science in Civil Engineering from Pennsylvania Military College (now Widener University) and also earned a Professional Engineering degree.

A former assistant professor of Civil Engineering at Pennsylvania Military College, Mr. Cellucci is very concerned with education and has been a Trustee of the Widener University Board and a member of the Board of Overseers of the Widener University School of Law.

He has received the Outstanding Service Award (1999) and the Outstanding Alumnus Award (1989) from Widener University. He was also been awarded the Outstanding Service Award (1987) and the Liberty Bell Award (1980) from the Widener University School of Law.

His experience as an officer and company commander in the Army Corp of Engineers in Korea during the Korean Conflict earned him a Battle Star for service.

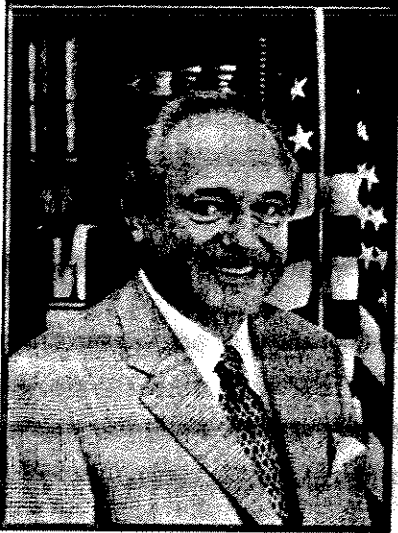
Mr. Cellucci is an active member of the Widener Alumni Association and has been a past Vice-President on the Alumni Board of Widener University. He is also an active supporter of numerous non-profit organizations, most recently the Philadelphia Zoobilee, and The



Friends of the Ocean City Pops, Inc. He is also a member of the Vesper Club of Philadelphia and the Avalon (N.J.) Yacht Club.

Mr. Cellucci resides in Berwyn with his wife, Dr. Edna H. Cellucci, and has two children, who are both attorneys: Kathleen C. Cellucci-Clemmensen, Esquire, and John H. Cellucci, Esquire.

Appointed by the Governor; Republican.



Matthew J. DiDomenico, Sr.

Matthew J. DiDomenico, Sr., is a licensed real estate broker and mortgage broker. He is President of John Matthew, Inc., Realtors and Devon Financial Services. John Matthew Realtors is currently celebrating their 30<sup>th</sup> anniversary. Devon Financial Services is a full service mortgage brokerage and an approved lender for GMAC Mortgage. He recently accepted an invitation to affiliate with GMAC Real Estate, a division of GMAC Home Services, a leading provider of real estate, relocation and mortgage services. Mr. DiDomenico's corporate clients include Kimco Realty Trust, Melmark, Mercy Health Systems, Affordable Care, First Financial Bank, and Anchor Health Properties. In addition to his business responsibilities, Mr. DiDomenico serves on the Board of various organizations including

Chairman of the Board of Governors at Mercy Health System, Executive Vice President of the National Italian American Foundation (NIAF), and the Advisory Board at First Financial Bank. He previously served on the Board of Directors of Cabrini College, Chapel of The Four Chaplains, Constitution Bank, Berwyn-Devon Business Association and Columbus Quincentennial. He is also active in many local community organizations and has received many awards for his community service, including Citizen of the Year from the Berwyn-Devon Business Association, an exemplary citizenship citation from the Commonwealth of Pennsylvania, and the Pia R. Raffaele Premio d'Eccellenza 2000 from Immacolata College. He has received community service awards from the Easttown and Radnor Township Neighborhood Watch Programs, was awarded a membership in the Circle of Leaders for his efforts on behalf of Catholic Charities, and recipient of the benefactor award for his contribution to The Chapel of Four Chaplains. In March 1999, Mr. DiDomenico was elected National Executive Vice President of the NIAF. He is responsible for coordinating the work of all regional Vice President across the United States, as well as council membership across the country. Mr. DiDomenico is a member of the NIAF's executive committee and is a national spokesman for NIAF. Mr. DiDomenico is a member of the Delaware Valley Realtors Association, the National Association of Realtors, the Pennsylvania Association of Realtors and the American Fraternity of Real Estate Appraisers. He is a graduate of the Realtors Institute and also attended the Real Estate National Marketing Institute, receiving a Certified Residential Broker designation and a Certified Residential Specialist designation. Mr. DiDomenico also attended Penn State University. A Wayne, Pennsylvania resident, Mr. DiDomenico is married to his wife Dory and has four sons and four granddaughters.

Appointed by the Supreme Court; Republican.



### Wendell G. Freeland, Esquire

Attorney Wendell G. Freeland is a sole practitioner in Allegheny County and appears before the federal and state courts at the trial and appellate levels. He was first president of the Neighborhood Legal Services Association and serves as a member of the Executive Board of Trial Lawyers in Criminal Court Association. He was a member of the board of the Urban League of Pittsburgh and served as its president from 1962 to 1966. From 1967 through 1976, he was a member and senior vice president of the National Urban League Board of Trustees. Mr. Freeland has served as the president of the Homer S. Brown Law Association. He is a former member of the Appellate Rules Committee of the Supreme Court of Pennsylvania. He has chaired the Federal Court Section of the Allegheny County Bar Association,

and has served as a member of the House of Delegates of the Pennsylvania Bar Association. He has also served as a member of the Civil Justice Advisory Group of the U.S. District Court for the Western District of Pennsylvania. He currently serves on the Board of Governors of the Joint Center for Political and Economic Studies; from 1978 through 1990, he was the chairman of that Board.

Mr. Freeland was born in Baltimore, Maryland. He attended the Colored Schools of Baltimore, and received his bachelor of arts, *cum laude*, from Howard University. He earned an LL.B., with honors, from the University of Maryland School of Law and was elected to the Order of the Coif. He currently serves as a member of the Board of Trustees of Westminster College and has served on the Board of Trustees of the University of Pittsburgh, where he also served on and chaired the Board of Visitors of the School of Social Work.

Appointed by the Supreme Court; Republican.



### Stanley R. Gumberg

Stanley R. Gumberg is Chairman of the Board for J.J. Gumberg Co., which is ranked as one of the nation's top developers and managers of shopping centers. In addition to its wholly-owned properties, J.J. Gumberg Co. operates and manages commercial real estate for various financial institutions.

Born in Pittsburgh in 1927, he received his Bachelor of Science degree from Duquesne University in 1950 and was awarded an Honorary Doctorate of Business degree from Duquesne's A. J. Palumbo School of Business in 1994.

He currently serves as an Emeritus Trustee and Executive Committee member of Carnegie-Mellon University, an Emeritus Trustee of Seton Hill College, and a Trustee and Executive Committee member of Duquesne University and Westminster College. He is

also currently serving as Trustee of the Extra Mile Education Foundation (founded by Bishop Wuerl to financially aid inner-city elementary schools) and the Urban League of Pittsburgh.

He is a former Director of the Integra Financial Corp., the Grant Street National Bank, the Presbyterian Hospital, the University of Pittsburgh Medical Center, and Chairman of Montefiore Hospital.

Mr. Gumberg married Marcia M. Gumberg in 1951. They have three sons and six grandchildren.

Appointed by the Governor; Democrat.



Honorable Marilyn J. Horan

Marilyn J. Horan was appointed judge of the Court of Common Pleas of Butler County in June of 1996. She was then elected to a ten-year term on the bench, beginning that term in January of 1998. Judge Horan has been an appointed member of the Juvenile Court Judges' Commission since 1997.

From 1979 until her appointment to the bench, Judge Horan was a partner in the law firm of Murrin, Taylor, Flach & Horan in Butler. She graduated from Pennsylvania State University with a Bachelor of Science degree in 1976, and obtained her *Juris Doctor* degree from the University of Pittsburgh School of Law in 1979.

Judge Horan has been a member of the Butler County Bar Association, the Pennsylvania Bar Association, the Women's Bar Association of Western Pennsylvania, as well as the Pennsylvania Conference of State Trial Judges. During the time that she was a practicing attorney, she served as a faculty member for the Pennsylvania Bar Institute, lecturing and preparing course materials for Family Law Practice and Procedure in Western Pennsylvania. The judge has been active over the years in many community organizations including the American Cancer Society, Community Health Assessment Policy Council, Butler County Headstart Policy Council.

Born and raised in Butler, Judge Horan, her husband and their four children reside in the City of Butler.

Appointed by the Governor; Republican.



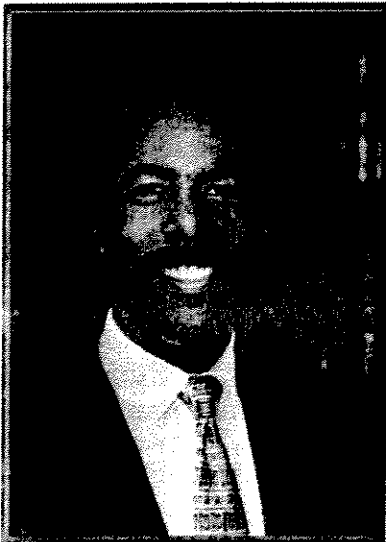
Gary F. Lamont

Gary F. Lamont is the principal of the Conyngham Pass Company, a management consulting firm, and Sleepy Hollow Associates, a real estate developing company. He is president of the CAN DO Foundation, and a member of the First Heritage Bank board of directors. Other organizations in which he is active include board membership with the Hospital Service Association of Northeastern Pennsylvania, FM Kirby Center for Performing Arts, Luzerne County Convention Center Authority, Security Savings Community Foundation, the Pennsylvania State University Advisory Board - Hazleton Campus, CAN DO Inc., Commission on Economic Opportunity and PP&L Sustainable Energy Fund.

Mr. Lamont received a Bachelor of Science degree from the Pennsylvania State University, and is a graduate of the Stonier Graduate School of Banking, University of Delaware.

He resides in Conyngham with his wife Letty and daughter Elizabeth.

Appointed by the Supreme Court; Democrat.



Christopher A. Lewis, Esquire

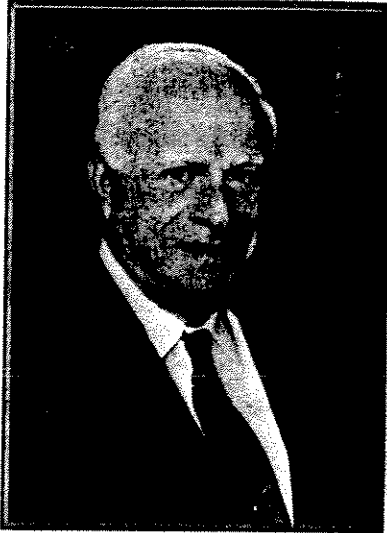
Mr. Lewis is a partner in the law firm of Blank Rome Comisky & McCauley, LLP, and concentrates his practice in the fields of corporate and regulatory law, non profit and health care law.

Mr. Lewis served as Secretary of the Commonwealth of Pennsylvania from 1989 to 1991. Under his direction, the Pennsylvania Department of State administered the work of the Bureau of Commissions, Elections and Legislation; the Corporation Bureau; the Bureau of Charitable Organizations; the Bureau of Professional and Occupational Affairs; and the State Athletic Commission. He also served as an ex-officio member of the Pennsylvania Board of Finance and Revenue; the Pennsylvania Board of Property; and the State Athletic Commission.

He also held the position of Executive Deputy General Counsel to the Governor of Pennsylvania where he provided legal advice to the Governor and his cabinet, while overseeing the work of all the attorneys in the executive agencies of State Government. Mr. Lewis played a key role in structuring and creating the Commonwealth's minority and women's business enterprise programs.

He is a graduate of Harvard College and the University of Michigan Law School. Mr. Lewis is also an alumnus of the Senior Executives in State and Local Government Program, John F. Kennedy School of Government, Harvard University.

Appointed by the Governor; Democrat.



Samuel J. Magaro

Samuel J. Magaro was born November 3, 1932, in Steelton, the son of Giuseppe (deceased) and Agnes Lappano Magaro (deceased). He attended Elizabethtown College, Pennsylvania State University, and Shippensburg State College, 1975. He has served as district justice, Lower Paxton Township, from 1975 - Present; served in the U.S. Air Force, 1951-1954; was a probation and parole officer, chief inheritance tax officer for Dauphin County, and a research analyst at the Pennsylvania House of Representatives. District Justice Magaro also has served as the assistant to the chairman for the Republican State Committee and owner of Magaro's. He is a member of the American Judicature Society, Special Court Judges Association of Pennsylvania; American Legion; Veterans of Foreign Wars; Knights of Columbus; Minor Court

Rules Committee, 1990-1993; first recipient of the John J. Jeffers Memorial Award by the Special Court Judges Association of Pennsylvania, "In recognition of dedicated and unselfish service", 1995; appointed Judge, Court of Judicial Discipline, August 1994 - 1999; President 1999-2000, Special Court Judges Association of Pennsylvania; appointed member Judicial Conduct Board 2001; chaired sub-committee of Intergovernmental Task Force. He is married to Mary Roberto; and has five children: Natalie, Ninette, Anne Marie, Samuel J., Jr., Anthony, and 12 grandchildren.

Appointed by the Supreme Court; Republican.



John W. Morris, Esquire

Attorney John W. Morris is a sole practitioner in Philadelphia, specializing in trial practice and management of corporate litigation.

Mr. Morris has written and lectured throughout the country on trial techniques and ethics, and is a Lecturer at Temple University School of Law. He is also a member of the Disciplinary Board of the Supreme Court of Pennsylvania. He was formerly First Assistant District Attorney of Philadelphia and a Director of the Pennsylvania Association of Criminal Defense Lawyers. Mr. Morris is a Fellow of the American College of Trial Lawyers.

Mr. Morris is a graduate of Yale University (B.A.) and the University of Pennsylvania Law School (J.D.). He was born in Gainesville, Georgia; raised in Wilmington, Delaware; and now resides in Center City Philadelphia with his wife, Virginia.

Appointed by the Governor; Democrat.



John L. Musmanno

John L. Musmanno was born March 31, 1942. Education: Washington & Jefferson College, magna cum laude and Phi Beta Kappa (B.A. 1963); associate editor, Vanderbilt Law Review, Vanderbilt University School of Law (J.D. 1966); member, Allegheny County, Pennsylvania and American Bar Associations; member, ISDA, Sons of Italy; President's Award, Pennsylvania Trial Lawyers Association, 1991; Academy of Trial Lawyers of Allegheny County award, 1993; private practice, 1966-81; elected district justice, 1970-81; elected judge, Allegheny County Court of Common Pleas, 1982-90; administrative judge, civil division, Allegheny Court of Common Pleas, 1990-97; elected judge, Superior Court, November 1997.

Appointed by the Supreme Court; Democrat.



Michael M. Robinson

Michael M. Robinson is President and Owner of PAP Security Printing, Inc., Lancaster, Pennsylvania, which provides secure printed items for the gaming/wagering industry, as well as ATM receipts, fulfillment and warehousing services.

He is a member of YPO (Young President's Organization), a Commissioner for the Governor's Advisory Commission on African American Affairs and Chairman of Drug Free Pennsylvania.

Mr. Robinson is a native of Pennsylvania and graduated first in his class in Business Administration from Lycoming College, Williamsport, Pennsylvania, Class of 1972.

Appointed by the Governor; Republican.



Vincent J. Quinn, Chief Counsel

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 has taught at Harrisburg Area Community College and has lectured on judicial ethics at programs sponsored by the Governor's Office of General Counsel, Lancaster Bar Association, the Pennsylvania State Conference of Trial Judges, the Minor Judiciary Education Board, and the Pennsylvania Association of Criminal Defense Lawyers. 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, or administrative law judges.

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. The Board is also unable to order a judge to refrain from considering a particular case.

## INTERNAL ADMINISTRATION

The Judicial Conduct Board held eight regularly scheduled meetings during 2001. In addition, there were four special meetings held via teleconference.

As an independent agency, the Board administers its own budget and staff. For the Fiscal Year 2001-2002, the Board's budget is \$999,999. The budget allocations may be summarized as follows:

Personnel	\$600,000
Operating Expenses	\$369,000
Fixed Assets	\$30,000
TOTAL	<u>\$999,000</u>

Throughout 2001 the Board maintained its full complement of personnel. The staff includes eight full-time employees. Vincent J. Quinn served as Chief Counsel throughout 2001.

## PROCEDURES

The Board initiates investigations 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 clearly 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, the 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:

- Is obviously frivolous or proved so after a preliminary inquiry;
- Represents an effort by a disappointed litigant to obtain review of the merits of a judicial officer's decision;
- 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 Notice of Full Investigation to the judicial officer. The Notice of Full Investigation 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.

During 2001, the Board issued 93 investigative subpoenas for records and testimony:

For records ( <i>duces tecum</i> )	4
For testimony	89

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. The Board may open individual matters 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.

## CASE DISPOSITIONS

During 2001, the Board opened 556 complaints against judicial officers. The following statistics reflect the breakdown of those complaints by type of jurist.

Judges of Courts of Record	395
Minor Judiciary	161
Non-Judicial Officers*	0

\* Opened for administrative purposes.

The following statistics classify the complaint on the basis of its primary allegation.

Abuse of Power	15
Administrative	18
Bias	108

Business/Fiduciary	0
Conflict of Interest	3
Criminal	0
Delay	78
Disability	3
Ex Parte Communication	6
Financial Disclosure	0
Fundraising	0
Gifts	0
Judicial Demeanor	20
Legal Error	282
Other	11
Political - Campaign	6
Political - Other	3
Public Comment	0
Substance Abuse	3

During 2001, the Board disposed of 612 complaints. The following statistics reflect the stage at which ultimate disposition occurred.

Dismissed after Preliminary Inquiry	472
Dismissed after Full Investigation	7
Dismissed after Issuance of Letter of Counsel	5
Filed Formal Charges	4

Your comments, observations, and suggestions regarding the Annual Report are helpful and welcomed.

Please direct them to: Alta Drayton Spruill  
at the Board's Harrisburg office



**Judicial Conduct Board  
225 Market Street  
Harrisburg, Pennsylvania 17101-2126**

Western Office:

Judicial Conduct Board  
2600 Boyce Plaza, Suite 114  
Pittsburgh, Pennsylvania 15241  
(412) 220-0260