



ADMINISTRATIVE OFFICE of PENNSYLVANIA COURTS

# NEWS RELEASE

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## **Chief Justice Pledges Careful Review of Report of Independent Judicial Disciplinary System**

**HARRISBURG, June, 23, 2011** –Chief Justice of Pennsylvania Ronald D. Castille today issued the following statement regarding the [report](#) of the independent Judicial Conduct Board by the American Bar Association’s Standing Committee on Professional Discipline. The report was sent late yesterday to the Judicial Conduct Board and the Supreme Court received a copy.

“When the juvenile justice tragedy that occurred in the Luzerne County court system came to light in 2009, the Supreme Court initiated a comprehensive review of court policies and procedures to make sure that what happened in Luzerne County would never happen again anywhere in Pennsylvania.

“As a result of public hearings, the Judicial Conduct Board set into motion steps to have the American Bar Association perform an analysis of Pennsylvania’s professional discipline system for judges, but the Board ran into an obstacle due to a reduction in state funding. As the circumstances of the Luzerne County situation began to become known through hearings and legal proceedings, the Supreme Court decided to provide seed funding for the study from Supreme Court appropriations, understanding that a thorough, independent review of the judicial discipline system was critical to the board re-establishing its credibility.

“The American Bar Association’s Standing Committee on Professional Discipline, which has undertaken similar reviews in six other states, began its work in November 2010.

“While this review was underway, the judiciary has not been idle waiting for the report. It has been addressing many problems highlighted by the scandal, not just those related to judicial discipline. This March, I provided a preliminary

report on those changes, most of which stemmed from recommendations of the Interbranch Commission on Juvenile Justice. The Commission was created in August 2009 jointly by the judicial, legislative and executive branches, and was funded and staffed by the courts, to investigate the scandal and develop recommendations for reform.

“And since that March report, more progress has been made.

“But first and foremost, every juvenile who appeared before since-convicted Judge Mark Ciavarella on criminal charges had his or her record wiped clean (expunged).

“Rules changes addressing the rights of victims in juvenile cases; the authority, duties and training of juvenile probation officers; the placement of juvenile offenders; and the use of restraints on juveniles during court proceedings have now been adopted by the Supreme Court.

“Four other proposed rules changes are pending – dealing with waiver of counsel, requirements for admission of guilt to charges and expedited appeals – and are now before either the Rules Committee or the Supreme Court for consideration.

“The fourth proposed rule change, which relates to the area of study by the ABA, is a new requirement that any judge who is the target of any investigation by law enforcement must notify the Supreme Court of that investigation within five days.

“On first review, the ABA report seems to largely validate the present judicial discipline framework in Pennsylvania, even as it makes clear that improvements to the current system can be made.

“As an independent body, it is the responsibility of the Judicial Conduct Board to study this report and, where possible, implement appropriate recommendations that will enhance its effectiveness.

“My colleagues and I will also carefully review this report as we know that others will wish to do the same. I am today sending the report to the Governor and to legislative leaders.

“The Supreme Court thanks the American Bar Association’s Standing Committee on Professional Discipline for its work.”

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**Editor’s Note:** The Judicial Conduct Board was established by the Pennsylvania Constitution as an independent board and does not report to the Supreme Court or to any other entity. This

board investigates complaints of misconduct against the state's nearly 1,200 judges. It has 12 appointed members- six by the governor and six by the Supreme Court. Three are lawyers, three are judges and six are non-lawyers. They serve four-year terms, without pay. The Board investigates allegations of judicial misconduct and, where appropriate, files charges with the Court of Judicial Discipline.

The Court of Judicial Discipline was also established by the Pennsylvania Constitution as an independent body administering disciplinary actions against judges.