

COMMONWEALTH OF PENNSYLVANIA  
COURT OF JUDICIAL DISCIPLINE

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IN RE:

STEPHANIE DOMITROVICH  
Judge of the Court of Common  
Pleas Sixth Judicial District  
Erie County

No. 1 JD 14

\* \* \*

HEARD: Monday, August 15, 2016

BEFORE: Honorable Jack A. Panella, Conference Judge  
Honorable Robert J. Colville  
Honorable David J. Barton

\* \* \*

TRANSCRIPT OF PROCEEDINGS

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Transcribed by:

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A P P E A R A N C E S

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On Behalf of the Respondent:  
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Also present:  
JOSEPH U. METZ, ESQUIRE

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PROCEEDINGS

(COURT CONVENED: 3:00 P.M.)

THE COURT: Good afternoon, everyone. Thank you all for joining us here. Let the record reflect we're here In Re: Stephanie Domitrovich, Number 1 JD of 2014. For the record may we, please, have whoever is here on behalf of the Judicial Conduct Board, please, rise and state your name.

MR. KLEMAN: James P. Kleman, Jr., Deputy Counsel for the Judicial Conduct Board.

MR. GRACI: Robert A. Graci, Chief Counsel for the Judicial Conduct Board.

THE COURT: Thank you and for the record, I note that Judge Domitrovich is here. Who is here on behalf of Judge Domitrovich?

MR. AMBROSE: Your Honor, Leonard Ambrose on behalf of Judge Domitrovich, along with co-counsel.

MR. JOHNSON: Jerry Alan Johnson.

THE COURT: Thank you, Mr. Ambrose. Thank you, Mr. Johnson. For the benefit of everyone that is here, this is the first time

1 the Court is actually utilizing the Judicial  
2 Diversion Program. And we've not really had  
3 an opportunity to discuss that very much in  
4 public prior to today, so we thought we would  
5 take a few minutes to do that. And if  
6 counsel would, please, give us this  
7 opportunity, I know you're already familiar  
8 with the program, but if you would just bear  
9 with us for a few minutes, we've provided you  
10 with the statement that I'm going to read  
11 about the program. And if anybody from the  
12 news media, if you would like a copy of the  
13 description of the program I'm going to give  
14 right now, Mr. Metz, sitting in the back of  
15 the courtroom, has them for you.

16 There are times, even though our  
17 decisions are published, they're of public  
18 record, they're on our web site, there are  
19 times that the only way, sometimes, we get  
20 information to the general public is through  
21 the news media. And there are also times  
22 that the only way we get input from the  
23 general public is through the news media, so  
24 we thank you for your attendance if you are  
25 here. And we'd like to provide you with

1 information about this new program.

2 The Judicial Diversion Program is an  
3 alternative to traditional disciplinary  
4 procedures, and participation in it is a  
5 matter of privilege, not of right. The  
6 purpose of the program is to, first, protect  
7 the public by ensuring the provision of  
8 competent and ethical judicial services;  
9 second, to improve judicial services by  
10 providing educational, remedial, and  
11 mentoring programs for the members of the  
12 judiciary; and third, to maintain the  
13 integrity of the judiciary.

14 As a general rule, participants in the  
15 program will have had no prior imposition of  
16 discipline by the Court of Judicial  
17 Discipline. Moreover, the program is not an  
18 option in cases involving allegations of  
19 criminal charges or corruption or where the  
20 presumptive sanction, meaning at the end of a  
21 case after an adjudication of the violation,  
22 is suspension or removal.

23 On occasions, judicial officers face  
24 disciplinary charges which are related to  
25 personal issues such as depression, anxiety,

1 and addiction problems. Sometimes they're  
2 related to professional issues, such as  
3 personality disputes with others working in  
4 the judicial system, including other judicial  
5 officers, because we all know judges are  
6 forced to be partners with other judges. You  
7 don't elect to work with these other people,  
8 but when you're elected to a spot, you have  
9 to work with other people who you never  
10 thought you'd be sharing office space or  
11 working with. Or sometimes it related to a  
12 dislike of assigned duties. All of these  
13 things affect their ability to fulfill their  
14 judicial responsibilities.

15 A request for entry into the Judicial  
16 Diversion Program may come from the Court,  
17 the Judicial Conduct Board, or the  
18 Respondent. The final decision for entry  
19 into the Program is left to the discretion of  
20 the Court of Judicial Discipline following a  
21 consultation and recommendations from the  
22 Judicial Conduct Board. The Court reserves  
23 the right and obligation to ensure that only  
24 appropriate judicial officers are invited to  
25 participate in the Program and to ensure the

1 compliance of judicial officers with the  
2 conditions of the Program. Critical  
3 considerations to be made by the Court  
4 include whether the diversion process will  
5 cure, treat, educate, or otherwise modify the  
6 Respondent's behavior so as to eliminate or  
7 dramatically minimize the risk of repeated  
8 transgressions.

9 The program is designed to  
10 rehabilitate, not to punish. Therefore,  
11 entry into the program is appropriate for  
12 judicial officers who, while charged with  
13 ethical violations, typically fall into one  
14 of the following categories: First, judicial  
15 officers charged with conduct which, if  
16 proven, would constitute a violation of the  
17 Constitution, the Code of Judicial Conduct,  
18 the Rules Governing Standards of Conduct for  
19 Magisterial District Judges, or Orders of the  
20 Supreme Court of Pennsylvania, but would not  
21 likely result in imposition of serious  
22 discipline such as suspension or removal from  
23 office following adjudication; second,  
24 judicial officers with a mental, physical, or  
25 emotional disability. This program is in

1 addition to the authority vested in the Court  
2 of Judicial Discipline under the Court of  
3 Judicial Discipline Rule of Procedure Number  
4 601; third, judicial officers with substance  
5 abuse issues; fourth, judicial officers who  
6 have not previously had formal charges filed  
7 against them.

8 Factors to be considered in making the  
9 decision to accept a judicial officer into  
10 the program include the nature of the  
11 violation, whether any harm has occurred to a  
12 litigant, whether the judicial officer  
13 self-reported the misconduct and/or is  
14 willing to take remedial action, whether the  
15 judicial officer mistreated an attorney  
16 practicing before the Court, and any other  
17 mitigating or aggravating circumstances.

18 Upon the filing of a formal Complaint  
19 or Petition for Relief, but before  
20 adjudication, the Court of Judicial  
21 Discipline may invite a judicial officer to  
22 comply with a Judicial Diversion Program plan  
23 which will take the case out of the mandated  
24 procedural steps of a judicial discipline  
25 prosecution.



1                   The judicial officer will be required  
2                   to execute a formal, written Judicial  
3                   Diversion Program agreement or contract which  
4                   outlines the terms, conditions, and  
5                   obligations of the diversion program. The  
6                   agreement or contract, which we refer to  
7                   hereinafter as the "plan," will be either  
8                   drafted by or with input from the Judicial  
9                   Conduct Board. Formal disciplinary  
10                  proceedings will be deferred pending the  
11                  completion or termination of the Program.

12                  Services which make up the plan include  
13                  but are not limited to: Judicial or other  
14                  legal education, which includes the reading  
15                  of pertinent materials or attendance at  
16                  educational sessions; counselling, mentoring,  
17                  or monitoring services. This means  
18                  communications between the mentor, counselor,  
19                  or monitor and the Respondent, as deemed  
20                  necessary for an effective and productive  
21                  relationship to address the individualized  
22                  issues presented in a respective case, will  
23                  be considered confidential in order to have  
24                  an affective mentoring program; the purpose  
25                  of mentoring is to provide counselling,

1 guidance, an open atmosphere for learning  
2 necessary and sensitive judicial qualities.  
3 Drug and alcohol testing and follow-up  
4 treatment, if necessary; medical treatment  
5 and/or medical monitoring; docket management  
6 training; any combination of dispositions  
7 that will reasonably improve the conduct of  
8 the judicial officer.

9 If the judicial officer refuses to  
10 agree to the diversion plan, formal  
11 proceedings will be reinstated. The  
12 Respondent's decision not to participate in  
13 the Program or not to sign the agreement  
14 shall not be considered as an aggravating  
15 factor in the Respondent's judicial  
16 disciplinary proceeding. If the counselor,  
17 mentor, or other professional appointed to  
18 supervise the diversion program reports to  
19 the Court or if the Court otherwise  
20 determines that the judicial officer has been  
21 noncompliant with the terms, conditions, and  
22 obligations of the plan, again, formal  
23 proceedings will be reinstated.

24 Qualified counselors, mentors, or other  
25 professionals will be appointed by the Court

1 to supervise the Judicial Diversion Program  
2 plan and will be permitted to submit to the  
3 Court reimbursement vouchers for expenses  
4 accrued during their service. The Court  
5 shall determine what, if any, additional  
6 compensation shall be paid.

7 The program will be monitored by the  
8 Conference Judge appointed by the Court of  
9 Judicial Discipline. The Conference Judge  
10 will require periodic reports from the  
11 mentor, counselor, or monitor to ensure  
12 compliance with the diversion plan. If  
13 necessary, the Respondent's President Judge,  
14 Administrative Judge or other judicial  
15 officers will be consulted regarding the  
16 progress of the Respondent.

17 Successful completion of the diversion  
18 program will be reported to the Court at a  
19 hearing open to the public. The mentor,  
20 counselor, or monitor may be required to  
21 attend the hearing. However, communications  
22 between the mentor, counselor, or monitor and  
23 the Respondent, as deemed necessary for an  
24 effective and productive relationship to  
25 address the individualized issues presented

1 in a respective case, will be considered  
2 confidential.

3 Information necessary for the Court's  
4 determination to either dismiss the charge at  
5 the conclusion of the Program or to terminate  
6 the Program without dismissal, must be  
7 presented to this Court at this open hearing  
8 open to the public. If the Respondent fails  
9 to complete the terms and conditions in a  
10 timely manner, the Respondent will be  
11 terminated from the Program and the formal  
12 disciplinary proceedings will be  
13 reinstated.

14 However, now this differs from if the  
15 Respondent decides not to enter into the  
16 program or not to sign the contract because  
17 if the Respondent does decide to enter into  
18 the program, if the Respondent is later  
19 adjudicated to have violated either the  
20 Canons or the Constitution, the Respondent's  
21 termination from the Judicial Diversion  
22 Program may be utilized by the Court in its  
23 determination of appropriate sanctions.

24 Prior to adopting the interim program  
25 plan for this Judicial Diversion Program, the

1 Court had discussions with the Judicial  
2 Conduct Board about this and based this plan,  
3 actual program, on similar programs in other  
4 states. Basically, I believe everybody was  
5 looking for a program plan for which the  
6 public would find out about it, would be  
7 notified, rather than having things end at  
8 the Board level, prior to the filing of the  
9 Complaint, which under the terms  
10 Constitution, has to remain confidential.

11 This way, in the event a case is filed  
12 that's not going to lead to any of the  
13 drastic remedies or sanctions that this Court  
14 can impose, the public does find out about  
15 it. And I think that was a goal that both  
16 the Board and the Court wanted to reach in  
17 considering a program like this.

18 Now let's take a look, specifically, at  
19 the case involving Stephanie Domitrovich  
20 which is before us today. A Complaint was  
21 filed by the Board on July 7, 2014, which  
22 raised six counts with many subparts. A  
23 Petition for Interim Suspension was filed by  
24 the Board on the same day. Argument was held  
25 on the Petition for Interim Suspension on

1           September 29, 2014. It was heard *en banc*,  
2           and it was denied by way of *per curium* Order  
3           of this Court. A formal Order denying the  
4           petition for suspension was, I believe, filed  
5           by this Court on October 8, 2014.

6           Following that, there were some  
7           informal discussions between the Court of  
8           Judicial Discipline and the Board discussing  
9           the adoption of a program which we ended up  
10          calling the Judicial Diversion Program.

11          Input from other judges and others involved  
12          in judicial ethics and discipline, including  
13          the Board, of course, were exchanged; and a  
14          review of similar programs for judges and  
15          attorneys in other states was reviewed.

16          I was appointed the Conference Judge on  
17          July 21, 2015. I did my best to, as soon as  
18          possible, hold a conference with counsel.  
19          And I do believe, correct me if I'm wrong,  
20          that our first conference call was held on  
21          August 14, 2015, when the discussions of the  
22          Judicial Diversion Program was brought out.

23          A second conference call was held on  
24          August 21, 2015, not long after the first  
25          one, in which more details -- after the Board

1 had a chance to take a closer look at this,  
2 more details of the counselling and mentoring  
3 program was discussed. An Order of Court was  
4 eventually issued on September 16, 2015,  
5 under my signature, in which we adopted the  
6 Interim Policy Statement. And please, again,  
7 Judge Graci or Mr. Kleman, correct me if I'm  
8 wrong on this, but it was adopted with input  
9 from the Board, and to make it public  
10 information, we both attached it to the Order  
11 in this case. And actually, that was done  
12 the next day.

13 On September 16th we formally adopted  
14 the interim policy by way of the Order  
15 entered into the Court minutes. Then the  
16 next day, September 17, 2015, pursuant to the  
17 Interim Policy Statement, we appointed former  
18 Judge Maureen Lally-Green as counselor and  
19 mentor for a six-month program. And we  
20 attached to that, a copy of the Interim  
21 Policy Statement so it actually became part  
22 of the formal document part of public  
23 information in two separate Orders: One, by  
24 way of September 16th, and one on the  
25 September 17th Order.

1                    Judge Lally-Green, following the Order  
2                    of September 17th -- of course, prior to the  
3                    issuance of that Order, we did ask her if she  
4                    would be willing to do this. Judge Maureen  
5                    Lally-Green had an impeccable record as a  
6                    former judge on the Superior Court of  
7                    Pennsylvania, I believe was a professor of  
8                    law at Duquesne University, now an interim  
9                    dean of Duquesne University School of Law,  
10                   readily agreed. And I don't mind stating for  
11                   the record she, although given the  
12                   opportunity, has elected not to submit any  
13                   vouchers for reimbursement of any expenses.  
14                   She did this as a courtesy for the judiciary  
15                   and to our Court.

16                   In March of 2016, we received a report  
17                   from Judge Maureen Lally-Green in which she  
18                   gave as part of her monthly report to Joe  
19                   Metz -- by the way, we asked Joe Metz, who is  
20                   Chief Counsel for the Court of Judicial  
21                   Discipline, to monitor this on behalf of the  
22                   Court. Unlike other trial courts in the  
23                   state, we do not have a probation department.  
24                   We do not have a sheriff's office. I don't  
25                   want to minimize your role, Joe. We had



1 nobody else to look to, except Mr. Metz, to  
2 do this on behalf of the Court. So Mr. Metz,  
3 of course, agreed to do it. And in March of  
4 2016, March of this year, Judge Maureen  
5 Lally-Green reported to Mr. Metz that she  
6 considered that the Respondent, Judge  
7 Domitrovich, had conscientiously followed up  
8 on the diversion program plan and had  
9 successfully completed the Program.

10 I will concede to everybody in this  
11 room, I made the decision not to terminate  
12 the Program at that date. In light of the  
13 provision of judicial services to the public,  
14 I decided to extend the program for another  
15 period of time, even though I heard nothing  
16 from Mr. Metz except glowing reports from  
17 Judge Lally-Green. In order to ensure the  
18 provision of competent and ethical services  
19 to the public by the judiciary, I decided to  
20 extend the program for a few more months.

21 We did finally get a second request  
22 from Judge Maureen Lally-Green that she did  
23 wish to send us a final report. At that  
24 point Mr. Metz told her she was free to do  
25 that, and in June of 2016, she did forward to

1 the Court her final report. I held a  
2 conference call for counsel for the parties  
3 on July 12, 2016, in which we shared Judge  
4 Lally-Green's report with counsel.

5 We asked counsel if they had any  
6 questions regarding the report. Before that  
7 time I had directed, since we knew it was  
8 coming to this after we had received this  
9 report from Judge Maureen Lally-Green, I  
10 asked the Judicial Conduct Board if they  
11 would contact the President Judge of Erie  
12 County for comments regarding  
13 Judge Domitrovich's progress during this  
14 period. The Board made an excellent  
15 decision. They not only spoke, I believe, to  
16 the President Judge, but also to the  
17 Administrative Judge, and I'll let the board  
18 speak for itself later.

19 MR. KLEMAN: Sure.

20 THE COURT: The report we got back --  
21 and, please, I'll let the Board speak for  
22 itself -- is that the Board also saw no  
23 reason for the Program to have to be extended  
24 any longer. At that point, on July 21st, I  
25 issued an Order setting up this hearing, and

1 we attached Judge Maureen Lally-Green's final  
2 report to the Order because I wanted it to be  
3 made part of the public record. It is  
4 attached. We have a copy of it today. I  
5 read the other statement. I'm not going to  
6 read Judge Maureen Lally-Green's report, but  
7 it is part of the record. And anybody who  
8 would like a copy of it, we'll certainly make  
9 a copy of it for you today.

10 Finally and last, in preparation for  
11 today's hearing, we held a conference call on  
12 August 10th. I've asked Mr. Metz, who has  
13 received the monthly reports from former  
14 Judge Maureen Lally-Green to prepare a report  
15 for us regarding the monthly progress reports  
16 he received from Judge Maureen Lally-Green.  
17 So, Mr. Metz, would you mind approaching?

18 (JOSEPH METZ THUS SWORN.)

19 MR. METZ: During the time period from  
20 September 2015 to June 2016, Judge Maureen  
21 Lally-Green gave me monthly updates  
22 concerning the progress in her counselling  
23 sessions with Judge Stephanie Domitrovich.  
24 Judge Lally-Green reported that  
25 Judge Domitrovich had an excellent attitude

1 through the process and put sincere,  
2 unflinching effort towards it.

3 Judge Lally-Green reported that they  
4 worked on various strategies to improve on  
5 Judge Domitrovich's management,  
6 communication, and conflict resolution skills  
7 with great success. Considerable progress  
8 was made throughout the course of the  
9 counselling sessions.

10 The counselling or mentoring sessions  
11 were to be at least once per month, for a  
12 minimum of four hours. Specifically, the  
13 counselling and mentoring sessions addressed:  
14 Number one, adoption of appropriate and  
15 effective case management. Resources to be  
16 used were from the National State Trial  
17 Judges Association, the Pennsylvania State  
18 Trial Judges Association, and others; number  
19 two, appropriate and effective communication  
20 means with other judges, court staff, county  
21 employees, and litigants. Here, the  
22 resources to be used included the Code of  
23 Judicial Conduct, the Code of Civility, the  
24 policy on non-discrimination and equal  
25 employment, and recognized best practices for

1 appropriate communication; number three,  
2 effective conflict resolution strategies for  
3 stressful or tense in court or out of the  
4 court interactions with attorneys and/or  
5 litigants. Here the resources used included  
6 strategies to resolve conflict in different  
7 areas, including trial arbitration,  
8 mediation, workplace and interpersonal,  
9 ethical perspectives, and recognized best  
10 practices for judges.

11 For each category Judge Domitrovich  
12 used her best efforts to read and study the  
13 identified materials. She engaged in a  
14 good-faith discussion about the materials and  
15 their application to her judicial work and  
16 developed for herself, in writing, concrete  
17 ways to incorporate relevant case management,  
18 communications, and conflict resolution  
19 strategies into her judicial approach.

20 By June 2016, Judge Lally-Green was  
21 completely satisfied that Judge Domitrovich's  
22 requisite skills had been improved and  
23 enhanced to the point that no more  
24 counselling sessions were necessary. I spoke  
25 about this report with Judge Lally-Green, the

1 report I just gave, and she agreed with it.  
2 She was informed, as I said. And she also  
3 asked me to add that Judge Domitrovich  
4 demonstrated great integrity and a genuine  
5 interest in all that she did. And Judge  
6 Lally-Green felt it was a great privilege for  
7 her to work with this fine judge. And that's  
8 the end of my report.

9 THE COURT: Do either of the judges  
10 have any questions for Mr. Metz?

11 JUDGE COLVILLE: I have no questions.

12 THE COURT: Do either counsel or the  
13 Board have any questions for Mr. Metz?

14 MR. KLEMAN: Nothing from the Board.

15 MR. AMBROSE: I have no questions, Your  
16 Honor.

17 THE COURT: You may step down,  
18 Mr. Metz. At this point we'll hear anything  
19 on behalf of the Board.

20 MR. KLEMAN: Before I begin the summary  
21 of what this Court has asked me to provide, I  
22 would like to note for the record the  
23 presence of three of our Board members.  
24 Vice-Chair Gary Sheimer, who is a resident of  
25 this great city; Lisa Steindel and Attorney

1 Robert DeI Greco.

2 THE COURT: Are here?

3 Mr. KLEMAN: Are here.

4 THE COURT: Thank you for attending.

5 MR. KLEMAN: As this Court knows, the  
6 Board and counsel were requested to meet with  
7 the supervisory judges of Erie County to  
8 determine what effect, if any, the mentorship  
9 has had on Judge Domitrovich's performance as  
10 a judicial officer. We, on May 4, 2016, met  
11 with immediate past President Judge of Erie  
12 County, the President Judge of Erie County,  
13 the Administrative Judge of the Criminal and  
14 Civil Trial Divisions, and the Administrative  
15 Judge of the Family Division.

16 Before I give my summary, I just want  
17 to note, as the Court knows and as the Court  
18 stated in its policy statement, there were a  
19 lot of personalty issues in Erie County. And  
20 given that, we felt our responsibility to the  
21 Court was to determine a consensus view of  
22 Judge Domitrovich's current performance, and  
23 in so doing, not give way to any of the  
24 personality issues that might color an  
25 objective assessment.

1           That said, the consensus of what we  
2           were told by the current supervisory judges  
3           about Judge Domitrovich's is as follow:  
4           First, they feel, collectively, that Judge  
5           Domitrovich is presently a, quote, fully  
6           functioning member of the Erie County bench,  
7           end quote; that since the filing of the  
8           Complaint and continuing through the  
9           conclusion of the mentorship, the issues that  
10          they had with Judge Domitrovich have improved  
11          steadily and have definitely not worsened;  
12          that since the mentorship started and through  
13          its conclusion, there have been no complaints  
14          about Judge Domitrovich's conduct that have  
15          raised a genuine concern that she has  
16          regressed into the types of conduct that was  
17          charged by the Court in its Complaint; they  
18          had told us that Judge Domitrovich appears to  
19          act in a more open and collegial fashion with  
20          them and her colleagues on the bench and that  
21          she asks for help when she feels that she  
22          needs it; and lastly, they saw no need for an  
23          extended time period of the mentorship unless  
24          Judge Lally-Green felt it was necessary.  
25          That's the sum of the report of the Judicial



1 Conduct Board.

2 THE COURT: Any questions?

3 JUDGE COLVILLE: I have no questions.

4 Thank you.

5 THE COURT: Thank you, very much. We  
6 turn to the Respondent's side. Anything on  
7 behalf of the Respondent?

8 MR. AMBROSE: Yes, Your Honor. First  
9 of all, it's a pleasure to be before this  
10 Court on behalf of somebody who I consider to  
11 be a hardworking distinguished jurist. Her  
12 commitment to justice is legion, not only in  
13 her writings, but her participation in  
14 programs, both at the state level and the  
15 national level, and it's been consistent over  
16 her career.

17 As the Court knows, no one's perfect  
18 and that's a fact of life. And we also know  
19 that people strive to improve, to increase  
20 their efficiency and their effectiveness.  
21 And I think what this distinguished jurist,  
22 Judge Lally-Green, has indicated in her  
23 letter -- although, it is undated, it says  
24 June of 2006 [sic] -- which is attached to  
25 your July 21, 2016, Order, is that -- and I'm

1 going to read it because I think that it says  
2 so much about Judge Domitrovich's commitment  
3 to the pursuit of justice, not only in our  
4 community but to the citizens of this  
5 Commonwealth. And that's important for this  
6 Court because all of us are affected by the  
7 rulings of one judge or a group of judges in  
8 one way or another.

9 Judge Green states -- Lally-Green,  
10 "Throughout this process, the Judge has had  
11 an excellent focus on the purpose of this  
12 process and has participated with a positive,  
13 forward-thinking and most-sincere attitude."

14 Those are glowing comments on her  
15 participation, her willingness, and her  
16 adaptation to suggestion and change. It  
17 speaks legions about Judge Domitrovich.

18 "In all respects, the Judge willingly,  
19 intelligently, professionally, competently,  
20 and completely addressed these areas."

21 Judge Lally-Green, a distinguished  
22 jurist, has been on the Superior Court, a  
23 highly accomplished lawyer, educator. And  
24 those comments, I think, should be taken  
25 seriously. And I think they go to the

1 essence of the mentoring program.

2 She continues, "In summary, in my view,  
3 the Judge has much more than satisfactorily  
4 complied with the Order of Court."

5 And this is based upon personal, back  
6 and forth, confidential communications,  
7 mentoring, and working with Judge Domitrovich  
8 over an extended period of time.

9 "I believe that, following our work  
10 together, her court management,  
11 communication, and conflict resolution skills  
12 have improved and been enhanced. I,  
13 therefore, recommend the discontinuance of my  
14 appointment in this matter. I add that it  
15 has been a privilege to work with  
16 Judge Domitrovich."

17 Your Honor, this, in my opinion -- and  
18 it's Judge Green's opinion, it's not mine. I  
19 apologize for misspeaking. Judge Green  
20 clearly, clearly compels, and I would ask  
21 that this panel recommend dismissal of the  
22 Complaint to the entire *en banc* Court.  
23 Everything has been successfully completed.  
24 I am proud to represent this terrific jurist,  
25 and it's been my honor and Mr. Johnson's

1 honor to do that. So with that, we do rest.

2 Judge Domitrovich has some brief  
3 comments, she'd like to make. Very brief.

4 THE COURT: Certainly.

5 JUDGE DOMITROVICH: Esteemed and  
6 Honorable Judges, I thank you, the Court's  
7 panel and Presiding Judge Panella, for the  
8 opportunity to participate in this program.  
9 I found this program to be helpful and well  
10 thought out. I would be remiss if I did not  
11 extend a special thank you to the Honorable  
12 Maureen Lally-Green, who personally worked  
13 with me.

14 THE COURT: Thank you, very much.  
15 Anything else for the good of the Order from  
16 the Board?

17 MR. KLEMAN: Nothing.

18 THE COURT: From the Respondent?

19 MR. AMBROSE: Nothing, Your Honor.

20 THE COURT: My interpretation of our  
21 rules is that we do not have the authority, I  
22 think, in the Order regarding an adjudication  
23 in a case. It has to come from the entire  
24 Court. So we will consult, the three of us,  
25 make a recommendation. We'll ask for a

1 transcript, share that with the other members  
2 of the Court, and eventually, an Order will  
3 be issued. With that, I believe we're in  
4 adjournment today. Thank you.

5 (COURT ADJOURNED: 3:31 P.M.)  
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C E R T I F I C A T E

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I hereby certify that the proceedings are contained fully and accurately in the notes taken by me at the hearing of the within cause and that this copy is a true and correct transcript of the same.

Jill A. Josey  
Official Court Reporter

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