

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

COURT OF JUDICIAL DISCIPLINE
OF PENNSYLVANIA

JAN 25 2024

RECEIVED AND FILED

IN RE:

Judge Anthony Saveikis :
Magisterial District Court : 1 JD 2024
District 05-3-17 :
Allegheny County :

TO: ANTHONY SAVEIKIS

You are hereby notified that the Pennsylvania Judicial Conduct Board has determined that there is probable cause to file formal charges against you for conduct proscribed by Article V, § 17(b) and § 18(d)(1) of the Constitution of the Commonwealth of Pennsylvania, and the Rules Governing Standards of Conduct of Magisterial District Judges. The Board's counsel will present the case in support of the charges before the Pennsylvania Court of Judicial Discipline.

You have an absolute right to be represented by a lawyer in all proceedings before the Court of Judicial Discipline. Your attorney should file an entry of appearance with the Court of Judicial Discipline within fifteen (15) days of service of this Board Complaint in accordance with C.J.D.R.P. No. 110.

You are hereby notified, pursuant to C.J.D.R.P. No. 302(B), that should you elect to file an omnibus motion, that motion should be filed no later than thirty (30) days after the service of this Complaint in accordance with C.J.D.R.P. No. 411.

You are further hereby notified that within thirty (30) days after the service of this Complaint, if no omnibus motion is filed, or within twenty (20)

days after the dismissal of all or part of the omnibus motion, you may file an Answer admitting or denying the allegations contained in this Complaint in accordance with C.J.D.R.P. No. 413. Failure to file an Answer shall be deemed a denial of all factual allegations in the Complaint.

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IN RE:

Judge Anthony Saveikis	:	
Magisterial District Court	:	1 JD 2024
District 05-3-17	:	
Allegheny County	:	

COMPLAINT

AND NOW, this 25th day of January 2024, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (Board) and files this Board Complaint against the Honorable Anthony Saveikis, Magisterial District Judge of District 05-3-17, Allegheny County, Pennsylvania, alleging that Judge Saveikis has violated the Constitution of the Commonwealth of Pennsylvania and the Rules Governing Standards of Conduct of Magisterial District Judges, as more specifically delineated herein.

FACTUAL ALLEGATIONS

1. Article V, § 18 of the Constitution of the Commonwealth of Pennsylvania grants to the Board the authority to determine whether there is probable cause to file formal charges against a judicial officer in this Court, and thereafter, to prosecute the case in support of such charges in this Court.
2. From January 7, 2002, to the present, Judge Saveikis has served continuously as a Magisterial District Judge, District 05-3-17, Allegheny County.
3. Pursuant to Article V, § 18(a)(7) of the Constitution of the Commonwealth of Pennsylvania, the Board determined that there is probable cause to file formal charges against Judge Saveikis in this Court.

Conduct with W.B.

4. On November 24, 2018, W.B., age 17 at the time, was approached by Judge Saveikis while working at Janoski's Country Restaurant (now Our Diner).
5. On the above date, Judge Saveikis approached W.B., took his hand, and began asking him personal questions regarding, for example, the date of his eighteenth birthday and where he lived, despite never having met W.B. previously.
6. Judge Saveikis then followed W.B. into a closed freezer in the restaurant, where the two were alone, and proceeded to touch him on the shoulders, arms, and back, causing him to feel trapped and "very vulnerable."
7. While alone in the freezer, W.B. reports that Judge Saveikis instructed him on how to ice the pastries that he had ordered, taking his hand to do so, in a manner that W.B. felt was sexually suggestive.
8. This incident was reported to the Findlay Township Police Department on November 24, 2018, at which time the incident was referred to the Allegheny County Police Department (ACPD) for further investigation.
9. At the conclusion of their investigation the ACPD forwarded the results to the Allegheny County District Attorney's Office, which declined to file charges in this incident.
10. The above incident was also reported to Allegheny County President Judge Kim Berkeley Clark, who met with Judge Saveikis and strongly cautioned him regarding continued conduct of this type.

Conduct with D.M.

11. On March 23, 2022, juvenile defendant D.M., age 17 at the time, was cited with purchase of alcoholic beverages by a minor, a summary offense, docketed at MJ-05317-NT-92-2022 in Judge Saveikis's district.
12. On July 19, 2022, D.M. appeared before Judge Saveikis to address his citation, at which time Judge Saveikis ordered that he attend four Alcoholics Anonymous meetings and complete 25 hours of community service at "McSummerfest," a community fair.
13. D.M. completed his community service hours at the local fairgrounds, where Judge Saveikis would often come to speak with him.
14. During the pendency of D.M.'s court case, the charges for which were dismissed on October 25, 2022, Judge Saveikis would frequently visit Coen Markets, where D.M. was employed, offering to take him out socially after D.M. was finished with his shifts; D.M. did not accept these offers.
15. Also during the pendency of D.M.'s court case, Judge Saveikis texted D.M. on his personal cell phone, inquiring about his whereabouts if he did not find him at Coen Markets.
16. While engaging in the aforesaid conduct, Judge Saveikis continued to be responsible for presiding over D.M.'s court case and eventually dismissed the charges after the aforesaid conditions were completed.

Conduct with Z.H.

17. On April 5, 2022, juvenile defendant Z.H., age 14 at the time, was cited with harassment – subject other to physical contact, a summary offense, docketed at MJ-05317-NT-111-2022 in Judge Saveikis's district.

18. On August 16, 2022, Z.H. appeared before Judge Saveikis for a summary hearing, at which time a diversionary disposition was suggested.
19. Z.H. was therefore ordered to complete 2 shifts at the Findlay Fair (also referred to as the Clinton Fall Festival), complete a Teen Accountability Class, and bring proof of completion to his next hearing, scheduled for September 27, 2022; if said conditions were successfully completed, the citation would be dismissed.
20. On August 20, 2022, Z.H. was present at the Findlay Fair for his community service assignment.
21. Shortly before noon, while Z.H. was working, Judge Saveikis appeared at the festival and sought Z.H. out.
22. Judge Saveikis then showed Z.H. around the festival, introducing him to various persons who were in attendance and touching him on the arms and shoulders, which made Z.H. feel uncomfortable.
23. At approximately 11:30 a.m. Judge Saveikis told Z.H. to go wait in his car to get out of the heat and suggested that the two travel to Our Diner (formerly Janoski's Country Restaurant) for lunch.
24. Judge Saveikis did not ask permission of Z.H.'s parents to remove him from the festival.
25. Judge Saveikis and Z.H. proceeded to the restaurant and stayed there for approximately 45 minutes, during which time Judge Saveikis paid for Z.H.'s lunch.
26. After leaving Our Diner, Judge Saveikis drove Z.H. to a nearby convenience store, where he again paid for Z.H.'s selections, and then returned to the festival grounds.

27. Upon their return to the festival, Judge Saveikis walked around with Z.H. arm in arm, causing him to feel uncomfortable.
28. During this interaction, Judge Saveikis referred to Z.H. as a "red-bone," a derogatory term for a person of mixed-race heritage.
29. Z.H.'s mother reported this incident to Z.H.'s School Resource Officer, who related the incident to the Findlay Township Police Department. Findlay Township Police Department in turn referred the incident to ACPD for any further investigation.
30. Following the conclusion of ACPD's investigation into this matter, the results of said investigation were forwarded to the Allegheny County District Attorney's Office, which again declined to file charges against Judge Saveikis.
31. The District Attorney's Office reported this incident to President Judge Kim Berkeley Clark, who again strongly cautioned Judge Saveikis about his behavior.
32. During the pendency of the Board's investigation, Judge Saveikis has been prohibited from hearing cases involving minors.
33. Following the incident described, on September 27, 2022, Judge Saveikis presided over the dismissal of Z.H.'s citation.

CHARGES

Count 1(A – C) – Violation of Canon 1, Rule 1.2

34. By virtue of some or all of the conduct alleged in paragraphs 4 through 33, Judge Saveikis violated Canon 1, Rule 1.2 of the Rules Governing Standards of Conduct of Magisterial District Judges.
35. Canon 1, Rule 1.2 states the following:

Canon 1, Rule 1.2. Promoting confidence in the Judiciary.

A magisterial district judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and

impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

36. Judge Saveikis failed to promote public confidence in the Judiciary and avoid impropriety and the appearance of impropriety by his conduct with W.B. (Count 1(A)).
37. Judge Saveikis failed to promote public confidence in the Judiciary and avoid impropriety and the appearance of impropriety in the matter of ***Commonwealth v. D.M.***, when, while presiding over his case, Judge Saveikis visited D.M. while he was completing one of the conditions of his sentence, and by repeatedly texting D.M. and visiting him at his employment during the pendency of his case. By his actions Judge Saveikis has shown a pattern of inappropriate and overly familiar behavior with juvenile males despite prior warning to cease engaging in such conduct. (Count 1(B)).
38. Judge Saveikis failed to promote public confidence in the Judiciary and avoid impropriety and the appearance of impropriety in the matter of ***Commonwealth v. Z.H.***, when, during the pendency of a case that he was presiding over, Judge Saveikis visited Z.H., the defendant, while he was completing a condition of his sentence and took Z.H. out to a local restaurant, paying for his lunch. By his actions Judge Saveikis has shown a pattern of inappropriate and overly familiar behavior with juvenile males despite prior warning to cease engaging in such conduct. (Count 1(C)).

Count 2 – Violation of Canon 2, Rule 2.3(B)

39. By virtue of some or all of the conduct alleged in paragraph 28, Judge Saveikis violated Canon 2, Rule 2.3(B) of the Rules Governing Standards of Conduct of Magisterial District Judges.

40. Canon 2, Rule 2.3(B) states the following:

Bias, Prejudice, and Harassment.

(B) A magisterial district judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender identity or expression, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge's direction and control to do so.

41. Through his words or conduct, Judge Saveikis manifested bias or prejudice, or engaged in harassment, in the performance of his judicial duties in the matter of ***Commonwealth v. Z.H.***, when, while addressing the defendant Z.H., Judge Saveikis referred to him as a "red-bone" (Count 2).

Count 3(A & B) – Violation of Canon 2, Rule 2.9(C)

42. By virtue of some or all of the conduct alleged in paragraphs 4 through 32, Judge Saveikis violated Canon 2, Rule 2.9(C) of the Rules Governing Standards of Conduct of Magisterial District Judges.

43. Canon 2, Rule 2.9(C) states the following:

Canon 2, Rule 2.9. Ex Parte Communications.

(C) A magisterial district judge shall not investigate facts in a matter independently, and shall consider only the evidence presented and any facts that may properly be judicially noticed.

44. Judge Saveikis failed to adhere to the strictures of Rule 2.9(C) in the matter of ***Commonwealth v. D.M.***, when, after ordering that D.M. complete community service hours, Judge Saveikis visited D.M. at his community service post. By engaging in the conduct described in paragraphs 10-15, Judge Saveikis conducted an out-of-court, independent investigation into whether a condition of sentence had been or was being fulfilled. By engaging in the conduct described in

paragraphs 10-15, Judge Saveikis violated Canon 2, Rule 2.9(C) of the Code of Judicial Conduct. (Count 3(A)).

45. Judge Saveikis failed to adhere to the strictures of Rule 2.9(C) in the matter of ***Commonwealth v. Z.H.***, when, after ordering that Z.H. complete two community service shifts, Judge Saveikis visited Z.H. at his community service post. By engaging in the conduct described in paragraphs 16-32, Judge Saveikis conducted an out-of-court, independent investigation into whether a condition of sentence had been or was being fulfilled. By engaging in the conduct described in paragraphs 16-32, Judge Saveikis violated Canon 2, Rule 2.9(C) of the Code of Judicial Conduct. (Count 3(B)).

Count 4 – Violation of Canon 2, Rule 2.11

46. By virtue of some or all of the conduct alleged in paragraphs 11 through 33, Judge Saveikis violated Canon 2, Rule 2.11 of the Rules Governing Standards of Conduct of Magisterial District Judges.

47. Canon 2, Rule 2.11 states the following, in pertinent part:

Canon 2, Rule 2.11 – Disqualification

- (A) A magisterial district judge shall disqualify himself or herself in any proceeding in which the magisterial district judge's impartiality might reasonably be questioned...

48. Judge Saveikis failed to adhere to the strictures of Rule 2.11(A) in the matter of ***Commonwealth v. D.M.*** when, while presiding over D.M.'s case, Judge Saveikis attempted to have an out-of-court, social relationship with D.M. wherein he visited him at his place of employment and contacted him frequently on his personal cellular phone, as well as visiting D.M. at the fairgrounds while he was fulfilling a condition of sentence. (Count 4(A)).

49. Judge Saveikis failed to adhere to the strictures of Rule 2.11(A) in the matter of ***Commonwealth v. Z.H.*** by visiting Z.H. while he was fulfilling a condition of sentence, removing him from his community service post, and taking him on a social outing. (Count 4(B)).

Count 5 (A & B)– Violation of Canon 3, Rule 3.1

50. By virtue of some or all of the conduct alleged in paragraphs 11 through 33, Judge Saveikis violated Canon 3, Rule 3.1 of the Rules Governing Standards of Conduct of Magisterial District Judges.

51. Canon 3, Rule 3.1 states the following, in pertinent part:

Canon 3, Rule 3.1 – Extrajudicial Activities in General

Magisterial district judges shall regulate their extrajudicial activities to minimize the risk of conflict with their judicial duties and to comply with all provisions of this Canon. However, a magisterial district judge shall not:

- (A) Participate in activities that will interfere with the proper performance of the magisterial district judge’s judicial duties;
- (B) Participate in activities that will lead to frequent disqualification of the magisterial district judge;
- (C) Participate in activities that would reasonably appear to undermine the magisterial district judge’s independence, integrity, or impartiality...

52. Judge Saveikis failed to adhere to the strictures of Rule 3.1 in the matter of ***Commonwealth v. D.M.*** when he visited D.M. while fulfilling a condition of sentence and by attempting to foster a social relationship with D.M. while presiding over his case. (Count 5(A)).

53. Judge Saveikis failed to adhere to the strictures of Rule 3.1 in the matter of ***Commonwealth v. Z.H.*** when he visited Z.H. while he was fulfilling a condition of sentence, removed Z.H. from his community service post, and took him on a social outing while continuing to preside over his court case. (Count 5(B)).

Count 6– Violation of Canon 1, Rule 1.1

54. By virtue of some or all of the conduct alleged in paragraphs 4 through 33, Judge Saveikis violated Canon 1, Rule 1.1 of the Rules Governing Standards of Conduct of Magisterial District Judges.
55. Canon 1, Rule 1.1 states the following:
- Canon 1, Rule 1.1. Compliance with the Law.
- A magisterial district judge shall comply with the law, including the Rules Governing Standards of Conduct of Magisterial District Judges.
56. The definition of “Law” in the “Terminology” section of the Rules Governing Standards of Conduct of Magisterial District Judges includes, *inter alia*, the Rules Governing Standards of Conduct of Magisterial District Judges and the Unified Judicial System’s Policy on Non-Discrimination and Equal Employment Opportunity (UJS Policy).
57. Judge Saveikis violated Canon 1, Rule 1.1, Canon 1, Rule 1.2, Canon 2, Rule 2.3(B), Canon 2, Rule 2.9(C), Canon 2, Rule 2.11, and Canon 3, Rule 3.1.
58. As set forth above, Judge Saveikis’s conduct violated some, one, or all of the noted provisions of the Rules Governing Standards of Conduct of Magisterial District Judges, and, therefore, his conduct constitutes a violation of Canon 1, Rule 1.1. (Count 6).

Count 7 – Violation of Article V, § 17(b) of the Constitution of the Commonwealth of Pennsylvania

59. By virtue of some or all of the conduct set forth above, Judge Saveikis violated Article V, § 17(b) of the Constitution of the Commonwealth of Pennsylvania.
60. Article V, § 17(b) of the Constitution of the Commonwealth of Pennsylvania states the following:

Article V, § 17(b) [Derivative Violation]

Justices and judges shall not engage in any activity prohibited by law and shall not violate any canon of legal or judicial ethics prescribed by the Supreme Court.

61. A violation of the Rules Governing Standards of Conduct of Magisterial District Judges constitutes an automatic, derivative violation of Article V, § 17(b) of the Constitution of the Commonwealth of Pennsylvania.
62. Judge Saveikis violated Canon 1, Rule 1.1, and Rule 1.2; Canon 2, Rule 2.3(B); Canon 2, Rule 2.9(C); Canon 2, Rule 2.11 and Canon 3, Rule 3.1.
63. By violation of some, one or all of the Rules set forth above, Judge Saveikis violated Article V, § 17(b) of the Constitution of the Commonwealth of Pennsylvania. (Count 7).

Count 8 - Violation of Article V, § 18(d)(1) of the Constitution of the Commonwealth of Pennsylvania

64. By virtue of some or all of the conduct set forth above, Judge Saveikis violated Article V, § 18(d)(1) of the Constitution of the Commonwealth of Pennsylvania.
65. Article V, § 18(d)(1) of the Constitution of the Commonwealth of Pennsylvania states the following:

Article V, § 18(d)(1) [Disrepute]

A justice, judge or justice of the peace may be suspended, removed from office or otherwise disciplined for . . .

conduct which . . . brings the judicial office into disrepute, whether or not the conduct occurred while acting in a judicial capacity[.]

66. By his conduct as described in paragraphs 4 through 33, above, Judge Saveikis engaged in conduct that was so extreme that it brought the judicial office itself into disrepute and thereby constitutes a violation of the Disrepute Clause of Article V, § 18(d)(1) of the Constitution of the Commonwealth of Pennsylvania. (Count 8).


WHEREFORE, Anthony Saveikis, Magisterial District Judge of District 05-3-17 of Allegheny County, Pennsylvania, is subject to disciplinary action pursuant to the Constitution of the Commonwealth of Pennsylvania, Article V, § 18(d)(1).

Respectfully submitted,

MELISSA L. NORTON
Chief Counsel

DATE: January 25, 2024

By:


Elizabeth A. Hoffheins
Deputy Counsel
Pa. Supreme Court ID No. 209623
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
Harrisburg, PA 17106
(717) 234-7911

VERIFICATION

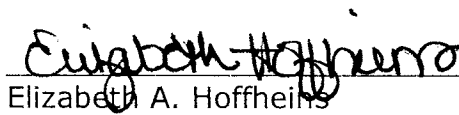
I, Elizabeth A. Hoffheins, Deputy Counsel to the Judicial Conduct Board, verify that the Judicial Conduct Board found probable cause to file the formal charges contained in the *BOARD COMPLAINT*. I understand that the statements herein are made subject to the penalties of 18 Pa. Cons. Stat. Ann. § 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

MELISSA L. NORTON
Chief Counsel

Date: January 25, 2024

By:



Elizabeth A. Hoffheins
Deputy Counsel
Pa. Supreme Court ID No. 209623
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**COMMONWEALTH OF PENNSYLVANIA
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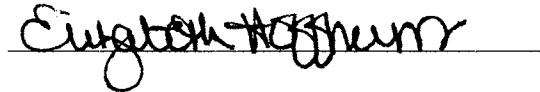
Judge Anthony Saveikis :
Magisterial District Court : 1 JD 2024
District 05-3-17 :
Allegheny County :

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Judicial Conduct Board of Pennsylvania

Signature:



Name:

ELIZABETH A. HOFFHEINS
Deputy Counsel

Attorney No.:

209623

**COMMONWEALTH OF PENNSYLVANIA
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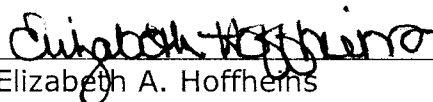
PROOF OF SERVICE

In compliance with Rule 122 of the Court of Judicial Discipline Rules of Procedure, on the date below, a copy of the Board's Complaint was sent by UPS Overnight mail to Judge Saveikis's counsel, Robert Del Greco, Esquire at the following address:

Robert Del Greco, Jr., Esquire
Dickie McCamey
Two PPG Place
Suite 400
Pittsburgh, PA 15222
rdelgreco@dmclaw.com

Respectfully submitted,

DATE: January 25, 2024



Elizabeth A. Hoffhens
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