

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

RECEIVED AND FILED

IN RE:

JUL 18 2025

Judge Scott DiClaudio :
Court of Common Pleas :
First Judicial District : 1 JD 2025
Philadelphia County :

COURT OF JUDICIAL DISCIPLINE
OF PENNSYLVANIA

**JUDICIAL CONDUCT BOARD REPLY TO JUDGE DICLAUDIO'S ADDENDUM TO
OMNIBUS MOTION**

AND NOW, this 18th day of July, 2025, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (Board) by and through undersigned counsel, and files this Reply to Judge DiClaudio's Addendum to Respondent's Omnibus Motion. Said Addendum puts forth numerous legal conclusions to which no response is required. However, to the extent that a response is necessary, the Board requests that this Court deny Respondent's Addendum, which is an extension of arguments made in his Omnibus Motion.

Moreover, although Respondent focuses heavily on Judicial Conduct Board Operating Procedure (hereinafter OP) 3.01 – Opening a Complaint, his argument overlooks the introductory section to these OPs, which states, in pertinent part:

Failure to adhere to a particular policy, practice or procedure will not alter the rights afforded to any person involved in JCB investigations or proceedings and shall not affect the validity of any investigation or other activity carried out by the JCB or its staff.

Furthermore, OP 3.01 goes on to state:

[T]hese OPs do not constitute legal advice, do not have the force of law and do not confer any substantive or procedural due process rights upon any person or entity including the JCB or its staff, complainants,

respondent judges or anyone else dealing directly or indirectly, formally or informally, with the JCB.

These clauses aside, taking Respondent's argument contained in his addendum to its ultimate end, a judge could commit flagrant misconduct and remain immune from prosecution so long as the misconduct was committed in front of Chief Counsel or Board counsel, a conclusion which defies common sense. As with any matter of statutory or rule interpretation, this Court cannot interpret the Board's OPs in such a manner as to result in a patent absurdity, as Respondent apparently would have it. ***See Commonwealth v. Sloan***, 907 A.2d 460, 467 (Pa. 2006).


In addition to the above, Respondent's argument also omits discussion of Judicial Conduct Board Rule of Procedure 25 – Complaint Preparation, which states that, should the Board receive information other than from a named individual, "*if Chief Counsel concludes that the matter should be investigated, Chief Counsel shall prepare a written complaint and notify the Board at its next periodic meeting.*" 207 Pa. Code Rule 25 (emphasis added). As such, Chief Counsel's actions in this matter were entirely proper.

WHEREFORE, based on the foregoing and the Board's Response to Respondent's Omnibus Motion filed on July 18, 2025, incorporated herein by reference as though set forth in full, the Board respectfully requests that this Honorable Court deny Judge DiClaudio's Omnibus Addendum.

Respectfully submitted,
MELISSA L. NORTON
Chief Counsel

Date: July 18, 2025

By:


Elizabeth A. Hoffheins
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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

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PROOF OF SERVICE


In compliance with Rule 122 of the Court of Judicial Discipline Rules of Procedure, a copy of the foregoing JUDICIAL CONDUCT BOARD REPLY TO JUDGE DICLAUDIO'S ADDENDUM TO OMNIBUS MOTION was served on Respondent via first-class mail and electronic mail at the following address(es) on the date below:

The Honorable Scott DiClaudio
Court of Common Pleas
Criminal Justice Center
1301 Filbert St., Ste. 1415
Philadelphia, PA 19107
and Email:
scott.diclaudio@courts.phila.gov

The Honorable Scott DiClaudio
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Respectfully submitted,

DATE: July 18, 2025

By: 
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