

Judicial Conduct Board
Commonwealth of Pennsylvania
Melissa L. Norton, Chief Counsel
717-234-7911

Press Release

October 15, 2026

FROM: Melissa L. Norton
Chief Counsel

SUBJECT: Judge Michael Fanning
Philadelphia County
Court of Common Pleas

HARRISBURG, PA – Following investigation of complaints that Judge Michael Fanning, Philadelphia County Court of Common Pleas, engaged in misconduct by 1) engaging in repeated conduct that would tend to adversely affect the public's confidence in the judiciary, 2) engaging in at least two instances of antisocial behavior in Cape May, NJ, that resulted in the judge's arrest, and 3) having been criminally charged in Philadelphia County with multiple felony offenses related to domestic violence, despite the later withdrawal of those charges, the Judicial Conduct Board voted to resolve the matter by issuing a Letter of Counsel to the judge. The dismissal was conditioned on the judge's consent to the Board's public release of the letter and the judge's pledge to resign by September 4, 2026, and not seek judicial office at any time in the future. Judge Fanning accepted the Letter of Counsel on October 14, 2026.

The Board issues Letters of Counsel in cases where there is sufficient evidence of judicial misconduct to warrant the filing of charges in the Court of Judicial Discipline, but considering all facts and circumstances and mitigating factors, the Board determines a Letter of Counsel to be an appropriate disposition. A Letter of Counsel may be private or public and is subject to the judge's acceptance of the letter and its terms. The conduct at issue in a matter resolved by a Letter of Counsel can be used as evidence against the judge in future complaints before the Court of Judicial Discipline, if the judge is charged by the Board in the Court for subsequent allegations of misconduct.

The Letter of Counsel issued to Judge Fanning and the judge's acceptance accompany this press release. The document is also available on the Board's website at www.jcbpa.org (select the Resource Tab then select Press Releases in the drop-down menu).

Counsel:

Representing the Judicial Conduct Board: Elizabeth A. Hoffheins, Deputy Counsel

Representing Judge Michael Fanning: John S. Summers, Esquire

Contact: Melissa L. Norton, Chief Counsel



**COMMONWEALTH OF PENNSYLVANIA
JUDICIAL CONDUCT BOARD**

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September 15, 2026

Via Email jss@hangley.com and First-Class Mail

The Honorable Michael Fanning
c/o John Summers, Esquire
Hangley, Aronchick, Segal, Pudlin, & Shiller
1735 Market St.
26th Floor
Philadelphia, PA 19103

Re: Letter of Counsel

Judicial Conduct Board File No. 2025-622, 2026-178

Dear Judge Fanning:

At its most recent meeting, the Judicial Conduct Board (Board) reviewed and considered the above-referenced files and voted to issue you this public Letter of Counsel to express its grave concerns regarding your conduct.

A Letter of Counsel dismissal is offered to a judicial officer when the Board decides that, even if a judicial officer's conduct constituted a breach of ethical rules or constitutional provisions, such violation does not necessarily merit the filing of formal charges or involves other mitigating circumstances. As part of a Letter of Counsel dismissal, the Board requires the judicial officer to consent in writing and stipulate that the Letter of Counsel and any supporting facts derived from the Board's investigation and review of the complaint at issue may, if warranted, be used during any future proceedings involving a new complaint or complaints against the judicial officer before the Board, or in any future public proceedings against the judicial officer before the Court of Judicial Discipline or the Supreme Court of Pennsylvania. The issuance of this Letter of Counsel is conditioned upon Your Honor's resignation from the Philadelphia Court of Common Pleas and pledge never to seek judicial office in the future.

The allegations contained in JCB File No. 2025-622 involve Your Honor's self-report of an arrest in Cape May, NJ, on August 11, 2025. On that date, police were called to Port Cape May, a restaurant and marina, by its manager and made contact

with Your Honor. Your Honor is alleged to have been combative with restaurant staff and trespassing in a private area of the marina. It is further alleged that Your Honor was intoxicated during this encounter. When confronted by police, despite being informed that you were the subject of an official investigation, Your Honor refused to provide the necessary information to law enforcement and become loud and belligerent toward individual officers before attempting to leave the area against police orders. This incident resulted in the issuance of a citation for Obstructing the Administration of Law or Other Governmental Function, with a grading of Disorderly Persons.

During the investigation of this complaint, it came to the Board's attention that police had been summoned to Your Honor's Cape May home on several occasions dating back to 2021 as the result of family disputes. The Board has serious concerns regarding this history. Although these incidents involved off-the-bench conduct, the Code specifically requires judges to "uphold the dignity of judicial office at all times," including in their personal lives. As your election to the Philadelphia bench involves a great deal of public trust, it is incumbent upon Your Honor to act at all times in a manner consistent with that privilege and responsibility. Your actions in this matter fell far short of that mandate and have degraded the public's confidence in the judiciary.

Regarding JCB File No. 2026-178, the advent of this complaint was Your Honor's arrest in Philadelphia on March 10, 2026, after an alleged domestic violence incident involving your wife and adult daughter. In this matter Your Honor was charged with felony aggravated assault, felony strangulation, and two counts each of misdemeanor simple assault and misdemeanor reckless endangerment. The allegations underpinning these charges are that you struck your wife about the head and neck, causing her to fall to the ground, at which point you are alleged to have strangled her. It was further alleged that, when your daughter attempted to intervene, you pulled her to the ground as well and struck her. As a further result of these allegations, a temporary protective order was issued against Your Honor. Finally, the Court of Judicial Discipline took the extraordinary step of suspending Your Honor without pay during the pendency of these charges.

The above charges were withdrawn by the District Attorney's office on July 16, 2026, citing "extensive mitigation" and a lack of cooperation from the complaining witnesses. Although these charges were dismissed without a finding of criminal intent, and although no complaint has been litigated in the Court of Judicial Discipline, the mere existence of such serious allegations of misconduct has left an irreparable stain on your judicial service. The Board is concerned that, should Your Honor remain on the bench, this stain will continue to devalue the integrity of the judiciary in the eyes of the public, which cannot be allowed to stand. Moreover, as cited in the Code, Your Honor's actions, whether on or off the bench, are the subject of heightened public scrutiny, as a judge is expected "to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary." Thus, although the allegations underpinning these charges remain unproven, the

effect on the judiciary has the potential to be far-reaching and injurious to its reputation.

In addition to the above, the Board was concerned that you did not take the necessary step of informing the Chief Justice that you were under investigation as of March 10, 2026. Although undoubtedly less serious than the foregoing allegations, it is incumbent upon Your Honor to keep the Court informed of any such events.

The Board has considered the totality of your alleged conduct, as outlined above, as well as any mitigation that Your Honor has put forth and the potential effect on the complaining witnesses if this matter were to proceed further. Given Your Honor's pledge to resign on or before September 4, 2026, and never to seek judicial office in the future, it is the Board's decision to issue this public Letter of Counsel rather than proceed further, although Your Honor is cautioned that if you should violate the terms of this letter, this matter may be relitigated in the Court of Judicial Discipline.

Viewing this matter in its entirety, the Board concluded that your conduct, as described above, was violative of the following provisions of the Code:

1. Rule 1.1 – *Compliance with the Law*

A judge shall comply with the law, including the Code of Judicial Conduct.

2. Rule 1.2 – *Promoting Confidence in the Judiciary*

A 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.

3. Rule 2.16 – *Cooperation with Disciplinary Authorities*

(A) A judge shall cooperate and be candid and honest with judicial and lawyer disciplinary agencies.

By accepting this resolution, you consent to a dismissal of this case through the procedure outlined above and agree to meet with the undersigned Chief Counsel at the Board's offices located in the Pennsylvania Judicial Center, 601 Commonwealth Avenue, Suite 3500, Harrisburg, Pennsylvania, and to personally sign an original Statement of Consent contained at the end of this letter. The original Statement of Consent will be retained by the Board in its confidential file and Complaints 2025-622 and 2026-178 will be dismissed and closed. You will be provided with a copy for your records.

Therefore, if you agree to this resolution, please contact our office to arrange for a time when you will meet with Chief Counsel at the Judicial Conduct Board Office in Harrisburg. You must contact our office paralegal, Joelle Conshue, within ten (10) days of your receipt of this letter to schedule a time to officially sign and receive your Letter of Counsel. You may reach Ms. Conshue at 717-234-7911, Ext. 7948.

Very truly yours,



Melissa L. Norton
Chief Counsel

MLN/EAH/jec

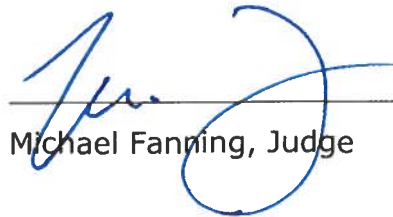
STATEMENT OF CONSENT

I, Michael Fanning, Judge of the Court of Common Pleas of Philadelphia County, consent to the dismissal of the complaint in Judicial Conduct Board File Nos. 2025-622 and 2026-178 by this Letter of Counsel.

I understand and agree that the contents of this Letter of Counsel and any supporting facts for this Letter of Counsel derived from the Board's investigation and documents incorporated by reference may, if warranted, be used during any future proceedings involving new complaint(s) against me before the Board, or in any future public proceedings against me before the Court of Judicial Discipline or the Supreme Court of Pennsylvania.

DATE:

10/14/24



Michael Fanning, Judge