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In Re: :  
Angeles Roca :  
Court of Common Pleas :  
First Judicial District :  
(Philadelphia County) :  
Sanctions Hearing :  
----- -x

No. 14 JDC 15

Pages 1 through 69 Fifth Floor Courtroom  
Pennsylvania Judicial Center  
601 Commonwealth Avenue  
Harrisburg, Pennsylvania

Monday, November 21, 2016

Met, pursuant to notice, at 10:00 a.m.

BEFORE:

HONORABLE JACK A. PANELLA, President Judge  
HONORABLE DAVID J. BARTON, Judge  
HONORABLE JOHN J. SOROKO, Judge  
HONORABLE DAVID J. SHRAGER, Judge

APPEARANCES:

ELIZABETH A. FLAHERTY, Esquire  
Deputy Counsel  
Judicial Conduct Board  
Pennsylvania Judicial Center  
601 Commonwealth Avenue, Suite 3500  
Harrisburg, Pennsylvania 17120  
(For the Petitioner)

SAMUEL C. STRETTON, Esquire  
301 South High Street  
P.O. Box 3231  
West Chester, Pennsylvania 19381  
(For the Respondent)

Commonwealth Reporting Company, Inc.

700 Lisburn Road  
Camp Hill, Pennsylvania 17011

**ALSO PRESENT:**

JOSEPH U. METZ, Esquire  
Chief Counsel  
Court of Judicial Discipline  
601 Commonwealth Avenue, Suite 5500  
Harrisburg, Pennsylvania 17120

CATHY KANE  
Court Administrator  
Court of Judicial Discipline  
601 Commonwealth Avenue, Suite 5500  
Harrisburg, Pennsylvania 17120

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**Commonwealth Reporting Company, Inc.**

700 Lisburn Road  
Camp Hill, Pennsylvania 17011

(717) 761-7150

1-800-334-1063

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FORM 2

EXHIBIT INDEX

NUMBER FOR IDENTIFICATION IN EVIDENCE

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P R O C E E D I N G S

1  
2 JUDGE PANELLA: Good morning. Let the record  
3 reflect we're here for the sanctions hearing in the matter  
4 involving Angeles Roca, which is No. 14 JD of 2015.

5 As I always like to do, let's have everyone in  
6 the courtroom identify themselves. First, here on behalf of  
7 the Judicial Conduct Board?

8 MS. FLAHERTY: Yes, good morning. I'm Elizabeth  
9 Flaherty for the Judicial Conduct Board.

10 MR. STRETTON: Good morning. Sam Stretton on  
11 behalf of Judge Roca, who is sitting to my right.

12 JUDGE PANELLA: And Joseph Metz, Chief Counsel  
13 for the Court of Judicial Discipline, is also present.

14 Like I always like to do, I like to start  
15 hearings with a brief procedural history of the case. In  
16 this matter, a complaint was filed by the Board on December  
17 18 of 2015. A Petition for Interim Suspension was filed by  
18 the Board on the same day, December 18, 2015. A response to  
19 the Petition for Interim Suspension was filed on January 11,  
20 2016.

21 An amended complaint was then filed by the Board  
22 on June 30 of this year, 2016, and the Respondent filed an  
23 omnibus pre-trial motion on January 20 of 2016.

24 Orders that have been entered thus far are as  
25 follows: on January 13, 2016, the Respondent was suspended

1 without pay by way of a per curiam order. On March 2, 2016,  
2 this Court issued an order which denied the omnibus pre-  
3 trial motion.

4 An Opinion and Order was filed on October 20,  
5 2016, which adjudicated the Respondent in violation of the  
6 Canons and the Constitution of Pennsylvania as follows:  
7 pursuant to the Conclusions of Law contained in that Opinion  
8 and Order of October 20, 2016, we found that there was a  
9 violation of former Canon 2A of the Code of Judicial  
10 Conduct; a violation of former Canon 2B of the Code of  
11 Judicial Conduct; a violation of Article V, § 18(d)(1) of  
12 the Constitution of the Commonwealth of Pennsylvania  
13 regarding conduct that brings the judicial office into  
14 disrepute; a violation of Article V, § 18(d)(1) of the  
15 Constitution of the Commonwealth of Pennsylvania in regards  
16 to conduct that prejudices the proper administration of  
17 justice; and an automatic derivative violation of Article V,  
18 § 17(b) of the Constitution of Pennsylvania inasmuch as we  
19 found that the Respondent's conduct constituted a violation  
20 of former Canons 2A and 2B of the Code of Judicial Conduct.

21 On October 20 of this year, we received the  
22 motion of Judge Roca to waive objections and exceptions to  
23 the Opinion, and I'm sorry, that motion of October 20, 2016.

24 We received then a letter from the Judicial  
25 Conduct Board, which was dated October 25 of this year, that

1 it did not intend to present testimony at the sanctions  
2 hearing.

3 On the Respondent's behalf, we received a brief  
4 on the issue of sanctions which was dated November 9 of  
5 2016, and also on November 9, 2016, we received a statement  
6 of witnesses. In that statement four witnesses were listed  
7 to be presented today. The statement also said that the  
8 Respondent requests that we incorporate the character  
9 witnesses from the adjudicatory trial. Also, four letters  
10 were received in support of the Respondent with a comment  
11 that possibly another ten to 20 letters would be moved into  
12 the record today.

13 With that, unless I misspoke or misstated  
14 anything, I guess we'll turn to the Board to hear anything  
15 on behalf of the Board.

16 MS. FLAHERTY: Thank you, Your Honor. Just  
17 briefly, I have one item to add to the procedural history,  
18 and that was within the Board complaint there was also a  
19 count charging a violation of 3A(4), former Canon 3A(4), ex  
20 parte communication, but because that same conduct had been  
21 addressed within other counts, the Court deemed it  
22 unnecessary to address that count separately.

23 JUDGE PANELLA: Yes, I believe we specifically  
24 stated that, that we were not reaching that count.

25 MS. FLAHERTY: Yes. Because those

1 communications were addressed pursuant to other counts  
2 within the complaint, there is no reason for me to argue it.  
3 On behalf of the Board, I am relying on the Court's Opinion.  
4 The Board does not make a specific recommendation as to a  
5 specific sanction at this time but leaves the decision to  
6 the discretion of this Court.

7 JUDGE PANELLA: With that, we'll turn to the  
8 Respondent's side, and Mr. Stretton, we'll defer to you.

9 MR. STRETTON: Thank you. I have marked as R-1  
10 the Statement of Witnesses containing four character  
11 letters; R-2, the Supplemental Statement of Witnesses;  
12 containing two character letters; and R-3 a second  
13 Supplemental Statement of Witnesses containing eight  
14 character letters. I don't know if you received them. You  
15 didn't reference those in your --

16 JUDGE PANELLA: Let's go over those again. R-1  
17 is what?

18 MR. STRETTON: R-1 is a Statement of Witnesses  
19 of the Respondent --

20 JUDGE PANELLA: And that was the one dated  
21 November 9 of 2016?

22 MR. STRETTON: Yes, which is really our pre-  
23 trial --

24 JUDGE PANELLA: And we do have the other two.  
25 R-2, Mr. Stretton, is which?

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MR. STRETTON: Is the first Supplemental Statement, which includes the letters from Attorney Barry Kassel, K-a-s-s-e-l, and Attorney Andres, A-n-d-r-e-s, Jalon, J-a-l-o-n. I have extra copies if the Court needs these.

JUDGE PANELLA: I don't have the first Supplemental Statement. I have the second.

Do other members of the Court have the first Supplemental?

JUDGE BARTON: No.

JUDGE PANELLA: Do you have four copies of it, Mr. Stretton?

MR. STRETTON: I didn't bring four. I thought they already were received, so I only brought one set, but I have a set here. Let me see if I have an extra one for the Supplemental.

JUDGE PANELLA: We all have a copy of the second.

Ms. Kane, would you mind running back to the office and making copies for all of us of the first? We have a Cathy Kane that works for us. Not the Kathy Kane previously in office.

MR. STRETTON: I didn't bring any extra --

JUDGE PANELLA: It's no problem. I think she could run back to the office and get that for us.

FORM 2

1 MR. STRETTON: With your permission, let me hand  
2 these to the Court officer, and then he can hand them to  
3 you, Officer Metz.

4 JUDGE PANELLA: That's fine.

5 MR. STRETTON: I just want to make sure you have  
6 all those. And then while we're waiting, I would also, as  
7 you mentioned during your initial comments, incorporate by  
8 reference the entirety of the witnesses who testified on  
9 September 8 and 9 when we had our hearing on the merits. I  
10 believe you have the notes of testimony in that regard.

11 JUDGE PANELLA: Okay. So R-2 is the  
12 Supplemental Statement, which we all don't have a copy of,  
13 but we do definitely all have a copy of the second. Is that  
14 R-3, the second?

15 MR. STRETTON: Yes. That was filed last week.  
16 We did get time-stamped copies back of R-2, so they're  
17 somewhere.

18 (Whereupon, the documents were  
19 marked as Respondent's Exhibits Nos.  
20 1 through 3 for identification.)

21 MR. STRETTON: So I would incorporate all those  
22 by reference, and I have several witnesses who will testify  
23 briefly, they being my client's sister, her law clerk, and  
24 her judicial secretary.

25 JUDGE PANELLA: That's fine. Just for the

1 record, any objections to R-1, R-2 or R-3?

2 MS. FLAHERTY: No objections.

3 JUDGE PANELLA: They're all admitted.

4 (Whereupon, the documents marked as  
5 Respondent's Exhibits Nos. 1 through  
6 3 were received in evidence.)

7 MR. STRETTON: Thank you. I will call the  
8 secretary first. Come forward.

9 Whereupon,

10 ELSIE ECHEVARRIA,  
11 having been duly sworn, testified as follows:

12 MR. STRETTON: This is Elsie Echevarria.

13 DIRECT EXAMINATION

14 BY MR. STRETTON:

15 Q. Would you state your full name for the record and  
16 spell it for the Court?

17 A. Elsie Echevarria, E-l-s-i-e, last name  
18 E-c-h-e-v-a-r-r-i-a.

19 Q. Ms. Echevarria, what is your current occupation?

20 A. I am judicial secretary for Angeles Roca.

21 Q. What did you do before you were a judicial secretary?

22 A. I worked in the Prothonotary's Office in Family Court  
23 as a Clerk.

24 Q. In Philadelphia County?

25 A. In Philadelphia County, yes.

1 Q. For the Domestic Relations Office of the Court of  
2 Common Pleas?

3 A. Correct.

4 Q. Now, how long have you known Judge Roca?

5 A. Nineteen years.

6 Q. And how did you get to know the judge?

7 A. I met Judge Roca when I was -- I apologize; I'm a  
8 little nervous today.

9 Q. That's okay.

10 A. I met Judge Roca when I was 22. The way I met Judge  
11 Roca, it was -- I myself was a single parent of a disabled  
12 child, and my car was hit in the middle of the night by a  
13 drunk driver. He hit my vehicle and two other vehicles, and  
14 it was a hit-and-run. He left his license plate behind. My  
15 neighbor retrieved the license plate, went to Judge Roca.  
16 She was able to track down the owner of the vehicle.

17 Q. She was an attorney at that point in time?

18 A. She was an attorney at that time. I apologize. And  
19 my neighbor knocked on my door, gave me the information.

20 I went in to her office and she told me it was very  
21 simple, told me what to do, all about getting the  
22 information and contacting the insurance company, but I  
23 really didn't have the time. I was 22, very young, I was  
24 caring for my mentally disabled daughter, so I just didn't  
25 have the time.

1 I asked her, "Could you please just handle it for me?  
2 Any money that we get, I'll be sure to pay you." She said,  
3 "It's really no big deal, you can handle this yourself."  
4 She said, "All right, fine, I'll do it for you."

5 Maybe two weeks later she called me back into her  
6 office with a check, handled everything and refused to  
7 accept payment. I wrote out a check, handed it to her. She  
8 never cashed that check, refused to cash it. I never saw  
9 her again.

10 Then we bumped into each other maybe a year later  
11 when I was working at the courthouse, and that's how we met.

12 Q. And for how many years did you serve as her judicial  
13 secretary?

14 A. Seven.

15 Q. Could you describe to the Court your observations of  
16 her preparedness and diligence as a Common Pleas judge with  
17 the Family Court Division?

18 A. She is a hard worker. She is in every day on time.  
19 She cares about the children, cares about her work. She  
20 goes above and beyond. She's just -- she really is, she's a  
21 hard worker.

22 Q. And how did she treat yourself and the staff during  
23 her years before her interim suspension?

24 A. Very good, very tough. She's a tough judge.

25 Q. How does she treat members of the Bar?

1 A. With respect, always respectful.

2 Q. Now, has the judge ever discussed her misconduct that  
3 brings us here today with you?

4 A. Yes, she has.

5 Q. What has she told you?

6 A. She has always taken responsibility for what she has  
7 done. She has apologized almost every day for what she has  
8 done, how it not only affects her but her staff and her  
9 reputation. She has always taken full responsibility for  
10 what she has done, and she just -- she's very remorseful.

11 Q. Have you gotten to know people in the community,  
12 particularly the Philadelphia community and legal community,  
13 who know Judge Roca?

14 A. Yes.

15 Q. Among those people you know who know Judge Roca and  
16 who you've spoken to, what is her current reputation as a  
17 truthful and honest person? Is it good or is it bad?

18 A. Oh, it's good.

19 Q. Among those same people, what is her current  
20 reputation as a peaceful and law-abiding person? Is it good  
21 or is it bad?

22 A. It's good.

23 Q. During your time, seven years, with her, obviously,  
24 we know she did wrong, that's why we're here, but have you  
25 ever seen her act in any way illegally or unethically in any

1 case, or cutting any corners during your working with her  
2 during these seven years when she's been on the bench?

3 A. No, no, she hasn't. She has even made it very clear  
4 that she is not to read any ex parte letters that come in.  
5 That's something that I handled. I made sure that she never  
6 saw any of the letters; that was filed away. She is very  
7 big on that.

8 MR. STRETTON: Thank you.

9 Your witness, Ms. Flaherty.

10 MS. FLAHERTY: I have no questions.

11 MR. STRETTON: Does the Court have any  
12 questions?

13 JUDGE PANELLA: Anyone on the Court?

14 (No response.)

15 JUDGE PANELLA: No. Thank you very much.

16 THE WITNESS: Thank you.

17 (Witness excused.)

18 MR. STRETTON: Next I'm going to call her  
19 judicial law clerk and friend, Virginia Gutierrez.

20 Whereupon,

21 VIRGINIA GUTIERREZ,  
22 having been duly sworn, testified as follows:

23 DIRECT EXAMINATION

24 BY MR. STRETTON:

25 Q. Would you give us your full name for the record, and

FORM 2

1 spell your last name?

2 A. My first name is Virginia, V-i-r-g-i-n-i-a, last name  
3 is Gutierrez, G-u-t-i-e-r-r-e-z.

4 Q. Do you have the privilege of being a member of the  
5 Bar?

6 A. Yes, I am a member of the Pennsylvania Bar. Supreme  
7 Court I.D. number is 69909.

8 Q. And for how many years have you had this privilege?

9 A. Since 1994.

10 Q. Now, tell me, have you clerked for Judge Roca as a  
11 law clerk?

12 A. Yes. I began clerking with her in November of 2008.

13 Q. And did you continue as her judicial law clerk until  
14 her interim suspension?

15 A. Correct.

16 Q. Before that, what kind of law did you practice from  
17 '94 until 2008?

18 A. Well, coming into law school I had been a probation  
19 officer in Dallas, Texas, so I guess normally when I left  
20 law school I did criminal defense. I did that for quite a  
21 few years. Then I did zoning law. I did some zoning for  
22 Dominican Bodegas and other mom-and-pop grocery stores,  
23 getting variances for their zoning, so I did that. Then I  
24 do protection from abuse cases, and that's how I met Judge  
25 Roca.

1 Q. I was going to ask you. You met her as opposing  
2 lawyers, or tell us how you met her?

3 A. Yeah, we were, we were opposing counsel in one of the  
4 protection from abuse matters, so that's how I met her.

5 Q. And when she was a practicing lawyer, could you  
6 describe her abilities in the areas of domestic law where  
7 she primarily concentrated her practice?

8 A. I only knew her in the context of the protection from  
9 abuse, but I always knew she was a -- I used to enjoy it  
10 because we would spar pretty well, and I like that, so it  
11 was interesting.

12 Q. After she hired you as her law clerk, did you have  
13 occasion to observe her on the bench, as Judge Roca on the  
14 bench, during the seven or eight years you were clerking for  
15 her until her interim suspension?

16 A. Yes. Of course, every day I would prepare cases for  
17 her, and then I would spend time in the courtroom with her  
18 when she was hearing cases, so yeah, I spent a lot of time  
19 with her.

20 Q. Can you describe how she ran her courtroom in terms  
21 of preparedness, demeanor, length of time on the bench on a  
22 regular basis?

23 A. Yeah. Well, she was very structured, very demanding,  
24 which I can understand that. She was very efficient, so we  
25 had to have everything ready, Elsie and I, and if we weren't

1 ready, we'd hear about it; she'd call us and say, you know,  
2 "I'm missing this" or "I'm missing that. Where is it?" So  
3 no, she was always ready, she was on time, she was prepared.  
4 She'd work through lunch, sometimes into the -- because  
5 they'd have a morning list and an afternoon list, so she  
6 would work through the morning list and sometimes not take  
7 lunch and then work till she finished the afternoon list.  
8 So she was just -- she was described as a workhorse in  
9 Family Court because she was; her caseloads were outrageous  
10 and there was a lot of cases, but she would get through them  
11 all.

12 Q. And how did she treat litigants and lawyers in terms  
13 of demeanor and back-and-forth and opportunities to be heard  
14 and things of that nature?

15 A. Well, she had an uncanny ability, which I envied,  
16 that she would find the middle ground between the two  
17 litigants, and I think that's the reason why, with the heavy  
18 caseload that we have in Family Court -- and you guys know  
19 -- I mean, Your Honors know this. Caseloads are really  
20 horrific, but in the eight years that we've been in court,  
21 she's only been appealed -- and I checked and I looked  
22 through our files; she's been appealed, her decisions, 15  
23 times, and out of those 15, of course, a few were quashed  
24 because of procedural reasons, they didn't file something or  
25 -- so they were quashed. The remaining ones, all of her

1 decisions were affirmed and she never got reversed on any  
2 decision.

3           So then I started thinking, well, why is that, when I  
4 hear that all of these other law clerks are busy doing  
5 appeal opinions all the time, and there's hundreds of  
6 appeals. So in my mind I said, well, you know what? I  
7 think it's the way she handles the hearings. She has, as I  
8 said, this uncanny ability to find the middle ground between  
9 the two litigants, and when they walked out of there it  
10 seemed to me like they didn't get everything they wanted but  
11 they got something of what they wanted, and so they left  
12 pretty much satisfied when they left, and that's why I think  
13 they didn't appeal.

14           But, I mean, to be honest, we're not here because of  
15 all the great decisions that she made.

16 Q.       Now, you know why we're here. I want you to tell the  
17 Court what the judge has told you in terms of her admitted-  
18 to misconduct.

19 A.       Well, she told me that she had made a mistake  
20 regarding her son and that she accepted all responsibility  
21 for that, and I understood that. She's been very remorseful  
22 for that, and so I understand. I just wish that you would  
23 judge her not only on the error or the mistakes that she's  
24 made but I want you to consider the tremendous track record  
25 that she's had as a jurist. I'm honored to be her law

1 clerk. I'm honored that she is such a good jurist.

2 Q. I'm going to call you on the carpet a little. You  
3 said she said she made a mistake. Mistake means  
4 inadvertence. Did she accept full responsibility for  
5 intentional misconduct here?

6 A. Yeah, well, I may have misspoken, but --

7 Q. Well, you're her law clerk. I want to know if she's  
8 accepted full responsibility. I don't accept the word  
9 "mistake" --

10 A. No, no. She's admitted she was wrong. I admire her  
11 for that.

12 Q. I didn't mean to chastise you for that.

13 A. That's all right.

14 Q. Now, you got to know people, lawyers and other people  
15 in the legal community and the Philadelphia community; am I  
16 correct?

17 A. Yes.

18 Q. Among those people you know who know Judge Roca and  
19 who you have spoken to, what is her current reputation as a  
20 peaceful and law-abiding person? Is it good or is it bad?

21 A. No, she has a good reputation. I think she has a  
22 good reputation with the Bar as being a no-nonsense judge.  
23 When you came into her courtroom, you were prepared, and if  
24 not, she let you know that you weren't prepared.

25 Q. What is her current reputation among the same people

1 as a truthful and honest person? Is it good or is it bad?

2 A. I'd say it's good.

3 Q. In terms of the Family Court climate -- you obviously  
4 know the other judges and other clerks and people -- if she  
5 was reinstated at some point, would she be welcomed back  
6 into Family Court?

7 A. Well, as I said, I mean, she was known as a  
8 workhorse. She would volunteer to work on holiday weekends.  
9 Much to my amazement, she would volunteer for Thanksgiving,  
10 you know, New Years, Easter. She was always volunteering to  
11 be the judge on call, the emergency judge, and her caseloads  
12 were heavy, and it's just a remarkable thing that she did.  
13 So yeah, I think they would be welcoming her with open arms.

14 MR. STRETTON: Thank you.

15 Ms. Flaherty, your witness.

16 MS. FLAHERTY: I have no questions.

17 MR. STRETTON: Does the Court have any questions  
18 of her?

19 JUDGE PANELLA: No, but thank you for being here  
20 today. The only thing that gives me concern is you're not  
21 intending to speak on behalf of the judges of the Family  
22 Court Division of the Philadelphia Court of Common Pleas,  
23 are you?

24 THE WITNESS: Oh, no. I'm here as an  
25 individual.

1 JUDGE PANELLA: Right. Because that last line  
2 of questions, it almost seemed like you were speaking on  
3 behalf of the Court. You're not doing that, are you?

4 THE WITNESS: No, I'm not. I'm just speaking  
5 that her reputation as a workhorse is something that --

6 JUDGE PANELLA: That part of your answer was  
7 totally acceptable. The second part give me a little bit of  
8 concern.

9 MR. STRETTON: Perhaps that's my fault with the  
10 question. I was trying to show that she was involved in --

11 JUDGE PANELLA: You're correct, it was; I didn't  
12 think it was a proper question, but --

13 THE WITNESS: No, I am in no way speaking for  
14 the Family Court.

15 JUDGE PANELLA: Thanks for clearing that up.

16 THE WITNESS: Thank you.

17 (Witness excused.)

18 MR. STRETTON: And finally, her sister, Milagros  
19 Roca.

20 Whereupon,

21 MILAGROS ROCA,  
22 having been duly sworn, testified as follows:

23 DIRECT EXAMINATION

24 BY MR. STRETTON:

25 Q. I'm going to ask you to give your full name for the

1 record, and spell your first and last name, and speak into  
2 the microphone so the court reporter can hear you.

3 A. My name is Milagros Roca, M-i-l-a-g-r-o-s, last name  
4 R-o-c-a.

5 Q. What is your relationship to Judge Roca?

6 A. I'm her little sister.

7 Q. Obviously, you've known her all of your life; am I  
8 correct?

9 A. Yes.

10 Q. Before we get into the events that bring us here  
11 today, can you describe your sister as you knew her, not as  
12 a judge but as a human being, over the many years you two  
13 have known each other and grown up together?

14 A. Growing up, Angie always did the right thing. She  
15 was the moral compass of our family; if you did something  
16 wrong, she'd call you out on it. Then as years went on, she  
17 became the center of our family when my mother couldn't be  
18 the center anymore because of her illness, so she pulled the  
19 family together, always has taken care of everybody and  
20 everybody's needs.

21 Q. Your mother is disabled now. Does Judge Roca spend  
22 time with her on a regular basis to help her?

23 A. Yes. Angie decided that we should help to take care  
24 of her, so between her and I, we split the week and we're  
25 there with her several hours a day.

1 Q. Was Judge Roca involved, before she became a judge,  
2 with the community?

3 A. Yes.

4 Q. Could you describe just a little bit of that?

5 A. She's well known in the community. She goes to a lot  
6 of events --

7 Q. What community is that?

8 A. The Hispanic community in North Philly. People  
9 really love her, respect her. She was a family lawyer and  
10 people just, you know, went to her. She had a lot of  
11 clients.

12 Q. Now, as you had said, she was like the person who set  
13 the rules for the family and tried to set the example. Did  
14 she discuss her misconduct with you which brings us here  
15 today?

16 A. Yes.

17 Q. What did she tell you that she did?

18 A. That she did something wrong that she shouldn't have  
19 done.

20 Q. Did she go into any more detail or did she leave it  
21 as that?

22 A. She never really told me the details of what  
23 happened. I learned that from reading the papers. I thing  
24 she was too embarrassed.

25 Q. Has she expressed remorse for this?

1 A. Yes.

2 Q. How?

3 A. She said she wished she hadn't done that; she's  
4 sickened by it. She's actually been physically sick because  
5 of it, doesn't eat, has a hard time sleeping, so she's very  
6 remorseful.

7 Q. And you, of course, know a lot of people in the  
8 community that know Judge Roca; am I correct?

9 A. Yes.

10 Q. Among those people you know who know Judge Roca, what  
11 is her current reputation as a peaceful and law-abiding  
12 person? Is it good or is it bad?

13 A. It's good.

14 Q. Among those same people, what is her current  
15 reputation as a truthful and honest person? Is it good or  
16 is it bad?

17 A. It's good.

18 Q. Has Judge Roca expressed a desire, if allowed, to  
19 return to her judicial duties?

20 A. Yes, she loves her job.

21 Q. Has she learned from this? As the baby sister,  
22 younger sister -- how many children were in the family?

23 A. Six. There are six of us.

24 Q. And she's the oldest?

25 A. No. She's a year older than me.

1 Q. And then you are the baby?

2 A. Yes.

3 Q. Has she expressed that she's learned anything from  
4 this experience if she is given the privilege of returning  
5 to the bench?

6 A. Yeah, I think so. It surprised all of us just  
7 because Angie's been always so moralistic, and she's never  
8 really done anything wrong; to the contrary, she's always  
9 done the right thing. Got educated, was the first one to  
10 get a car. She just always took the lead in my family, and  
11 so this was unusual, shocking, and I think she feels really  
12 badly about it.

13 MR. STRETTON: Thank you.

14 Ms. Flaherty, do you have questions?

15 MS. FLAHERTY: No questions.

16 MR. STRETTON: Does this Honorable Court have  
17 any questions?

18 JUDGE PANELLA: Questions?

19 (No response.)

20 JUDGE PANELLA: None. Thank you very much.

21 THE WITNESS: Thank you.

22 (Witness excused.)

23 MR. STRETTON: With that, I'm going to, with the  
24 Court's permission, ask Judge Roca to either step into the  
25 witness box or stand at the podium, whatever you wish.

1 JUDGE PANELLA: Whatever the judge is more  
2 comfortable with; if she wants to remain there, if she wants  
3 to stand, either one is fine.

4 MR. STRETTON: I would prefer she stands, with  
5 due respect to the Court.

6 JUDGE PANELLA: Certainly.

7 Whereupon,

8 ANGELES ROCA,

9 having been duly sworn, testified as follows:

10 THE WITNESS: Good morning.

11 DIRECT EXAMINATION

12 BY MR. STRETTON:

13 Q. Good morning, Judge Roca. Would you state your full  
14 name for the record? I don't think you have to spell it  
15 because I think she has the caption.

16 A. My name is Angeles Roca.

17 Q. Judge, how old are you as you sit here today?

18 A. Sixty-one years old.

19 Q. Now, you adopt your testimony given during the prior  
20 proceeding on September 8 or September 9 of this year; am I  
21 correct?

22 A. Yes.

23 Q. Let me just highlight a couple things. How many  
24 children were in your family when you were growing up?

25 A. There were six of us.

1 Q. Where did your family reside?

2 A. We resided, well, many places in Philadelphia, but I  
3 was born and raised in the Art Museum neighborhood, and then  
4 from there I lived just about every neighborhood in  
5 Philadelphia.

6 Q. What did your parents do to support the family?

7 A. My mother was a single mother and she did whatever it  
8 took to feed six kids.

9 Q. So your mom was a heroic lady?

10 A. Yes, she was. Yes, she is.

11 Q. Of your brothers and sisters, were you the first one  
12 to go to college?

13 A. Myself and Milly may have gone at the same time, but  
14 we were the only two to go.

15 Q. Milly is your baby sister who testified a few minutes  
16 ago?

17 A. Yes.

18 Q. You did not go to college initially after you reached  
19 adulthood; am I correct?

20 A. I went to one year of college when I graduated from  
21 high school, and then I dropped out and began work.

22 Q. And where did you work -- I know we covered a little  
23 of this, but I would like the whole Court to hear it again.  
24 Where did you work for many years before you went back to  
25 college?

1 A. I worked at Wills Eye Hospital first on Spring  
2 Garden, then on Walnut Street in Philadelphia for 17 years.

3 Q. Wills Eye Hospital moved during that time period,  
4 from Spring Garden --

5 A. Yes.

6 Q. -- to, what is it, Walnut Street?

7 A. Yes.

8 Q. By the Walnut Street Theatre?

9 A. Yes.

10 Q. What did you do at Wills Eye Hospital during those  
11 years?

12 A. I was a secretary.

13 Q. During those years, did you become married?

14 A. I did. I got married in 1978.

15 Q. And you are still married and your husband, in fact,  
16 is in the courtroom today; am I correct?

17 A. Yes.

18 Q. How many children of that marriage?

19 A. Two.

20 Q. The Court met your son at the last hearing, and then  
21 you have a daughter?

22 A. I have a daughter. They may have got stuck in  
23 traffic, because they were supposed to be here.

24 Q. We know what your son does for a living, he's a  
25 barber and worked as your judicial aide the last time. What

1 does your daughter do?

2 A. My daughter teaches preschool for one of the charter  
3 school's in Philadelphia.

4 Q. Now, what motivated you to go back to college  
5 sometime in the 1990s, or maybe it was 1980s?

6 A. Well, it was a story. I had purchased a vehicle and  
7 the vehicle was a lemon, and the company didn't wanted to  
8 fix it, so I thought -- I took them to the Better Business  
9 Bureau, the Consumer Protection, and I thought there's a lot  
10 of people out there in my position and I wanted to help, so  
11 I decided then that law school would be where I would want  
12 to go.

13 Q. So you started in what college?

14 A. I went to Temple at night. It took me eight years to  
15 finish my Bachelor's Degree.

16 Q. And when did you get that? What year, Judge, was  
17 that?

18 A. I graduated in 1992. Nineteen ninety-two.

19 Q. And what was your major or majors in?

20 A. Criminal justice.

21 Q. After you graduated -- by the way, were you still  
22 working at Wills Eye at that point in time?

23 A. Yes.

24 Q. Did you go directly to law school after your  
25 graduation in '92?

- 1 A. Yes.
- 2 Q. What institution did you attend?
- 3 A. I went to Villanova.
- 4 Q. Were you a day student or a night student?
- 5 A. At that point, I was a day student. I quit work. I  
6 couldn't go to law school, raise my family and work, so at  
7 that point I quit my job and went to law school full time.
- 8 Q. And you graduated in what year, Judge?
- 9 A. Ninety-five.
- 10 Q. And then you passed the Bar examination the first  
11 time?
- 12 A. I passed in New Jersey the first time, Pennsylvania  
13 the second.
- 14 Q. So you were admitted in New Jersey when?
- 15 A. Let's see, I graduated in '95. Maybe '96, or maybe  
16 '95. It's been a long time.
- 17 Q. And then when were you admitted in Pennsylvania?
- 18 A. Ninety-six.
- 19 Q. And until your elevation to the bench, did you  
20 practice continuously as a lawyer?
- 21 A. I did.
- 22 Q. Did you practice as a sole practitioner or as a  
23 partner?
- 24 A. As a sole practitioner.
- 25 Q. And what was the nature of your legal practice after

1 you had that privilege?

2 A. Domestic relations.

3 Q. And did you have a regular, heavy-duty law practice?

4 A. I did.

5 Q. And where was your office located, Center City or in  
6 the community?

7 A. It was in the community. It was located then at  
8 Fifth and Girard, which at that point was not one of the  
9 (inaudible). If anybody's familiar with Philadelphia, the  
10 area has substantially declined.

11 Q. During this time period, both before you went to law  
12 school and after you were a practicing lawyer, were you  
13 active in the community?

14 A. Yes, I was active in the legal community.

15 Q. Could you just briefly, as we will get to the reason  
16 why we're here, list for the Court some of your activities?

17 A. Whenever there were children -- I mean, I would do  
18 visits to schools whenever asked by any of the community  
19 members, meetings. Sometimes give legal advice at different  
20 community meetings, that sort of thing.

21 Q. As a lawyer, did you ever receive any professional  
22 discipline?

23 A. No.

24 Q. Now, very briefly, because we did describe this a  
25 little last time, if I recall. You were not active

1 politically, so how did you end up suddenly going to the big  
2 time, running for a judicial office, as opposed to  
3 (inaudible) or political, for that matter?

4 A. Again, I think it was by chance. I was working in  
5 Family Court, and the employees and some of the staff  
6 members in Family Court started saying, "You really should  
7 think about a judgeship," and at that time I really did  
8 think, naively, that all you had to do was do your petitions  
9 and really like let people know that you were out there. I  
10 quickly learned that there were 69 wards in Philadelphia --  
11 I think that's what there are -- and how the financial  
12 distribution and et cetera, et cetera, et cetera --

13 Q. In other words, the contributions you have to make  
14 for ward meetings?

15 A. Correct, to the ward meetings and to the party.  
16 Someone directed me to the party; I didn't even know where  
17 it was. I went in and I met the manager at the time,  
18 Mr. Charlie Bernard. He took a liking to me. At the time,  
19 I had really thought I'm going to run this one time and  
20 that's it.

21 Surprisingly enough, I don't know why, I was a  
22 candidate and I was endorsed by the party the first time. I  
23 lost the first time and I thought I'm not going to do this  
24 again, I just wasn't cut out for it, politics.

25 Q. So what happened? What caused you to get back and

1 become a judge?

2 A. That summer, during summer -- I guess that was  
3 January. That summer, Mr. Bob Brady got in touch with me  
4 and said, "We're going to nominate you."

5 Q. Now, Bob Brady is Chairman and was Chairman of the  
6 Democratic Party in Philadelphia and also a United States  
7 Congressman?

8 A. Yes.

9 Q. So Mr. Brady approached you?

10 A. Yes.

11 Q. When was that, is it 2008 or 2009?

12 A. In 2008.

13 Q. And were you appointed then?

14 A. I was appointed in 2008.

15 Q. Then did you run the following year as a candidate in  
16 2009?

17 A. Correct. I had to run '09 for the 2010.

18 Q. And were you then the Democratic-endorsed candidate  
19 when you ran the second time in 2009?

20 A. Yes.

21 Q. And you were successful, obviously?

22 A. Yes.

23 Q. And then you were sworn in as an elected judge in  
24 January of 2010?

25 A. Yes.

1 Q. And you served as a judicial officer from your  
2 appointment in 2008 until your interim suspension in January  
3 of 2016?

4 A. Yes.

5 Q. And was your service always in the Family Court  
6 Division?

7 A. Yes.

8 Q. I just want to ask you a couple questions, and then  
9 we're going to get to the nitty-gritty here. What was your  
10 judicial philosophy in Family Court and how you ran your  
11 courtroom, briefly? We don't want to spend hours on this.

12 A. Family Court is about families, and I would let  
13 everybody have their day in court. If a case needed to come  
14 back, I didn't push it to another judge, I would schedule it  
15 before me. I don't know if anybody's familiar with the  
16 scheduling problems in the Philadelphia Family Court,  
17 Domestic Relations. If I were to schedule another case, it  
18 would be six months before it came to court. I don't do  
19 that. If my cases aren't finished, I call my staff, they  
20 put it in somewhere within the next week or two, but it  
21 doesn't go further than a month.

22 Q. Many of the letters that the judges have read by  
23 practicing lawyers talk about how you interact with your  
24 litigants. Could you describe your philosophy to the Court  
25 in that regard?

1 A. At times, I act more as a mediator in Family Court.  
2 I believe that's a good thing. I took some of my experience  
3 from being a Family Court litigator. I think if you make  
4 the litigants be part of the process, it works better. A  
5 lot of times, I have -- I'm sure the judges before me on the  
6 Court knows that at least, I'm going to say, at a minimum,  
7 80 percent of the litigants in Philadelphia are pro se  
8 litigants. We have one court interpreter for the entire  
9 building at 1501 Arch Street, our new building, and when we  
10 have a lot of Spanish-speaking litigants, we have to wait  
11 all day for an interpreter.

12 I'm with the advantage that I can call them in and I  
13 can ask them if they would like to speak about the case and  
14 get a resolution. A lot of times, it's not just about  
15 language with the Spanish-speaking community, it's also  
16 about the culture, and once you speak in Spanish, the whole  
17 room kind of settles down. Sometimes I call them in with  
18 lawyers and I ask the lawyer's permission if I could do  
19 that, just to expedite it. If the lawyers say no, fine, if  
20 they say -- most of the time they say yes, and we resolved  
21 lots and lots of cases that way.

22 Of course, I always let people know that they have  
23 the right to a trial and that we will wait for an  
24 interpreter if we can't resolve it and if they want to move  
25 forward with the interpreter. So a lot of cases get

1 resolved in that manner.

2 Q. Judge, what have you been doing since your interim  
3 suspension until now? What have been your daily activities,  
4 if any?

5 A. I started a volunteer group; it's a women's shelter  
6 in my neighborhood. They run a pantry where we distribute  
7 food. We do cooking classes for the women that are housed  
8 in the facility. The children are allowed to come. Of  
9 course, I take care of my mom and just take care of my  
10 family and hope for the best.

11 Q. Let me just go back now. Of course, we sort of  
12 quizzed you quite a bit or questioned you quite a bit the  
13 last time on these issues, but I'd like to do it again.  
14 What did you do wrong?

15 A. I --

16 Q. Look at the Court, not me.

17 A. I think -- well, I have three panel members before  
18 me. What I did wrong was something that I shouldn't have  
19 done. I put my family before my judicial ethics, and I  
20 really am sorry about that. I can't apologize enough, I  
21 can't take it back, but I'm really, really sorry that it  
22 happened. It's a lesson learned, not only for my reputation  
23 but for me. It's not who I am. It's not who I want to be.  
24 It's not what I want to do.

25 Q. Let me ask you this, and I think you explained a

1 little last time but I'd like you to do it again,  
2 particularly for Judge Shrager's benefit. What was your  
3 relationship with then-Judge Joe Waters? How did you get to  
4 know him? The conversations that you and he had, which we  
5 heard from the tapes, seemed like you were fairly friendly.  
6 Could you explain that relationship to the Court and how it  
7 came about?

8 A. He and I met when we were initially running for judge  
9 and we became campaign buddies. We became very good  
10 friends, he met my family, I met his family, and through the  
11 whole course of our judgeship and our campaign we were very,  
12 very good friends.

13 Q. So you would run into him at the 69 ward meetings --

14 A. Oh, yeah, yeah. Actually, the first time we ran, we  
15 went everywhere together. The second time, not so much  
16 because by then I was a sitting judge. I'm sure Judge  
17 Panella has campaigned, and some of the judges here have  
18 campaigned, and you become buddies with the people that are  
19 endorsed and not so much with the people that aren't. So  
20 the second time I was a sitting judge, I knew I was  
21 endorsed, so it kind of shied away.

22 Q. What have you learned about a close friendship and --  
23 if you are given the privilege of getting back on the bench  
24 in Family Court in Philadelphia County, what have you  
25 learned about a close friend calling you, or a buddy from

1 the campaign or a neighbor? What have you learned?

2 A. Well, I think you don't mix friendship with your  
3 work, first of all. You just can't -- I can't stress it  
4 enough; you can't ask anybody for a favor. That ruins your  
5 reputation, that interferes with the justice system. And  
6 again, I'm really, really sorry.

7 Q. Is it your desire to return to the bench and continue  
8 in the same division where you served for seven or eight  
9 years before this misconduct?

10 A. I would welcome the opportunity, if given the  
11 opportunity. It's something that I know I do well, and I do  
12 it for our people, for the Commonwealth, and for the  
13 community.

14 Q. Now, Judge, you understand that what you did really  
15 hurt the integrity of your Court and the entire bench  
16 statewide? You understand that, don't you?

17 A. I do.

18 Q. In fact, you accepted the finding of disrepute, which  
19 is a very serious finding of misconduct for a judicial  
20 officer. Do you understand that?

21 A. Yes.

22 Q. In your words, why should they give you another  
23 chance and allow you to come back on the bench when you were  
24 -- even though you were a good judge, apparently -- everyone  
25 says you were -- but you made a terrible, terrible, I won't

1 use the word "mistake" but terrible lapse of judgment and  
2 went along with Joe Waters after your initial call, and then  
3 say, "Okay" and then calling two to three days later to see  
4 about Judge Segal, why wasn't she acting on the Rule to Show  
5 Cause that your son had filed. Why should you be given  
6 another chance when you have really injured the Court's  
7 reputation statewide?

8 A. Well, again, that would be up to the Court, but I am  
9 truly sorry, and I can guarantee you that it will never  
10 happen again, if given the opportunity to get back to what I  
11 love doing, to what I was good at doing. I made a huge  
12 mistake. I should not have gone there and I'm sorry.

13 MR. STRETTON: Thank you.

14 Ms. Flaherty, do you have any questions of Judge  
15 Roca?

16 MS. FLAHERTY: I have no questions. Thank you,  
17 Judge Roca.

18 THE WITNESS: Thank you.

19 MR. STRETTON: Does the Court have any questions  
20 of Judge Roca?

21 JUDGE PANELLA: Questions?

22 (No response.)

23 JUDGE PANELLA: No.

24 THE WITNESS: Thank you.

25 (Witness excused.)

1 MR. STRETTON: With that, we would rest our case  
2 on the sanctions. I would simply move, although you've  
3 already admitted R-1, 2 and 3, the numerous character  
4 letters. I assume you're incorporating by reference the  
5 character testimony --

6 JUDGE PANELLA: Yes, and you should know,  
7 Mr. Stretton, for the record, I asked and our great staff  
8 did another transcript for us of just the character  
9 witnesses from the adjudicatory hearing, so we also have  
10 that available to us.

11 MR. STRETTON: So we rest our case, and unless  
12 there's any rebuttal, when you're ready I would like to make  
13 argument on these issues.

14 JUDGE PANELLA: Attorney Flaherty, do you want  
15 to --

16 MS. FLAHERTY: No rebuttal. Thank you.

17 JUDGE PANELLA: In that case, we're ready for  
18 your closing statement.

19 MR. STRETTON: My words of wisdom. I always  
20 feel very privileged to represent judicial officers. The  
21 first judges I ever represented were the Roofers judges, and  
22 then Judge Fink out of Potter County nine years ago in the  
23 mid '80s, so it's always a high privilege but a great burden  
24 to argue. I know many of the judges I represent. I've  
25 gotten to know Judge Roca very well. I do know her very

1 well as a lawyer, because I had stopped my family law  
2 practice after 33 years back in the, I guess, early 2000s; I  
3 just couldn't take it any longer. But I knew her somewhat  
4 and have gotten to know her very well as my client. Of  
5 course, one gets to like their clients and see the very good  
6 in them.

7 On the other hand, this is very serious  
8 misconduct. It goes against everything that we've all been  
9 trained not to do, the taking of a phone call or asking for  
10 a favor. Even in the context of a family situation, even in  
11 the context of just getting the case back so he could get a  
12 fair hearing ultimately, it's still not acceptable at all.

13 She's done everything she can to accept  
14 responsibility for it. She's done everything she can to  
15 make amends for it, as best one can. She has not filed any  
16 objections and accepts the full finding of violations made  
17 by this Court.

18 So the question is, what do we do with this very  
19 serious misconduct where disrepute is found, which I  
20 consider sort of like the death penalty, having tried maybe  
21 a hundred death penalty cases in my life, the death penalty  
22 for judicial discipline. What can we do? What should you  
23 do and consider?

24 The way I look at this case, and I'm not in any  
25 way trying to minimize her misconduct, but I would say the

1 following. First, I would look at the ten steps that are  
2 set forth in the case I always mispronounce. I would  
3 suggest you go through those steps and take a look at why I  
4 believe she shouldn't have to be removed, whether suspension  
5 should be considered by this Court in this particular  
6 matter.

7 If you turn to my brief, the ten or 11-step  
8 process begins on page 6, I believe. The first prong is  
9 whether the misconduct is an isolated instance or evidence  
10 of a pattern of conduct. I would suggest to you that this  
11 is an isolated instance. You might say to me, "Well,  
12 Mr. Stretton, didn't we hear about Judge Beloff in 2011,"  
13 which we've obviously heard that little tape. Certainly  
14 that's nothing to write home, but nothing happened. That  
15 was more idle chatter between two people. Again, my client  
16 felt sorry for someone, a security guard's son in her court,  
17 but nothing happened. It would have been better if that  
18 conversation didn't occur, but I don't think you should give  
19 it any great weight because it's more in the context of idle  
20 chatter.

21 Second, just keep in mind, Joe Waters was under  
22 wiretaps for many, many years in these matters, and other  
23 than the comment about Judge Beloff, there's nothing else  
24 other than the 2012 June comments, June 26 and June 29 back-  
25 and-forth on her son's case. So you have a long history of

1 wiretaps and no other misconduct.

2 Second paragraph, the nature and frequency of  
3 the acts. Well, again, I suggest there isn't any. Now, we  
4 do get -- it gets a little more complicated because we have  
5 the fact that when she met with the FBI in 2013, they asked  
6 her about "Do Judges do that here?" and they also asked her  
7 "Would you have helped a family member?" That's a year  
8 after these particular matters occurred with Judge Waters at  
9 the time. She indicated no, you remember she testified, and  
10 I think to some extent there was some confirmation by the  
11 FBI agent that they thought more in the context of traffic  
12 court than Philadelphia court. In that context, I don't  
13 think there was an intentional omission.

14 The third point in terms of any other misconduct  
15 is when she filed an answer three years later, when she was  
16 represented by John Morris, to the Judicial Conduct Board  
17 where she mentioned the conversation but didn't mention she  
18 asked for any favors, didn't reference the second call back  
19 on June 29.

20 JUDGE PANELLA: And forgive me if my  
21 recollection is incorrect, but that letter goes out before  
22 she knows she was the subject of a wiretap.

23 MR. STRETTON: That's correct. She has no  
24 knowledge of that.

25 JUDGE PANELLA: Right.

1 MR. STRETTON: In the interim between her  
2 filing, through Mr. Morris, the letter to the Conduct Board  
3 -- they call it the (inaudible) letter or something like  
4 that; I always call it just a letter of allegations -- she  
5 was invited down with her lawyer, Mr. Morris, to meet with  
6 Mr. Barrick, the Assistant U.S. Attorney who was conducting  
7 the investigation. They made the tapes available there,  
8 played them, and then she and Mr. Morris immediately  
9 amended, within a matter of days, I believe, her response.

10 She testified last time before you on that issue  
11 and said she honestly did not recall that. She and I have  
12 had many discussions on that issue, why she should have  
13 recalled, and she told you that she didn't, she was sorry,  
14 and she corrected it. She also, in her defense, consented  
15 immediately to the Judicial Conduct Board getting those  
16 tapes; in other words, she didn't make it where they had to  
17 do heavy lifting to get those tapes so they had those.

18 Now, having said that, let's go back to our  
19 pattern. Second, the nature and frequency of acts of  
20 misconduct. I focus on June 26 and June 29 as the acts of  
21 misconduct. I am not convinced -- well, let me say it this  
22 way. What I feel is totally irrelevant in terms of opinion,  
23 but I do not think the evidence suggests that it was truly  
24 an intentional misstatement to the Board, and her acts to  
25 correct that quickly through Mr. Morris -- Mr. Morris

1 testified a little about that last time -- and her  
2 cooperation seems to suggest that. But I can't change the  
3 facts; it is what it is. It would have been nice if she had  
4 remembered that before fully disclosing, if she did. It is  
5 what it is.

6 But the true focus of your inquiry here, and  
7 what we really want to take a broad picture in terms of  
8 sanctions, is the admitted-to misconduct on June 26 and June  
9 29 of 2012, and a picture of her as a judge, and as a  
10 lawyer, and a community activist before.

11 Let's go to number three, whether the misconduct  
12 occurred in the courtroom. Well, it wasn't in the  
13 courtroom, but I tend to -- I don't make a distinction in  
14 this case because she was calling for a court action, so  
15 that, of course, cuts against us a little.

16 The fourth test is whether it was in her  
17 official capacity or her private life. It was in her  
18 private life, but because she was friends with Joe Waters,  
19 called him as a Judge, I think that it can cut -- it's not  
20 quite -- I can't tell you this was just a private life  
21 situation.

22 The fifth test is whether the judge acknowledges  
23 and recognizes that the acts occurred. I would suggest to  
24 you that she has accepted full responsibility. She's done  
25 it before you every time. I don't know how else we can do

1 it other than to have her whip herself in front of you. I'm  
2 not suggesting that, but she has accepted full  
3 responsibility. I suggest the evidence shows she is truly  
4 remorseful.

5 The sixth test is whether she evidenced any  
6 effort to change or modify her conduct. That I think is  
7 very important, the remorse, the change. She's been active  
8 in the community. She's active with her mother. She has, I  
9 suggest, shown you insight that this will never occur again  
10 and she dropped her guard in this matter.

11 The seventh test is the length of service on the  
12 bench. Well, that's seven years, so she's still a  
13 relatively young judge.

14 The eighth test is whether there were prior  
15 complaints. There were none, and none as a lawyer.

16 The ninth test is what is the effect of the  
17 misconduct upon the integrity and the respect to the  
18 judiciary. Well, obviously, that wasn't good, particularly  
19 for Philadelphia judges. That came at a bad time after the  
20 traffic court fiasco. That wasn't a good sign.

21 The tenth test was the extent to which the judge  
22 exploited her position to satisfy her personal desires. It  
23 is what it is. I don't know if it exploited her position,  
24 but she had a friendship as a judge and asked him to  
25 consider it.

1                   So it's a balancing test, all in all. But where  
2 do you come out on this? Let's look at the context. And  
3 I'm not excusing her conduct at all, but this is a mother;  
4 this is her son. You saw the stipulation in terms of how  
5 municipal court works. If you don't show up -- and her son,  
6 apparently, as you saw from the stipulation, had a habit of  
7 not paying his business taxes. He ran a barber shop. Then  
8 he'd periodically get called in. He gets called in, doesn't  
9 show up. Oversleeps or just ignores it.

10                   He gets a judgment for \$5,000. Philadelphia  
11 County, you owe maybe one or two hundred dollars, but in  
12 Philadelphia County, if you don't show, \$5,000. They  
13 justify it by the stipulation: well, we can fine him  
14 \$300.00 a day.

15                   He files on his own a petition to reopen, which  
16 every litigant can do. Doesn't put in anything on the  
17 merits, just put "I overslept" or something stupid like  
18 that. It's denied by Judge Segal.

19                   He then comes to mom, Judge Roca. She then  
20 calls Joe Waters. She's not on the municipal court bench,  
21 as you know, she does family law; she doesn't understand how  
22 small claims court works in Philadelphia County. That's  
23 where the tax cases are.

24                   Her initial thought was -- and you saw and heard  
25 it -- what do I do? What do we file? In other words, it

1 was just a procedural question, which would have been okay.  
2 Joe Waters, who apparently was at the Palm drinking when all  
3 this occurred, says to her, "Oh, I'll call the judge." She  
4 says, "Huh?" That was a good instinct, but then Joe says,  
5 "I'll call the judge," and then she says, "Oh. Thank you."

6 Joe calls back, Joe Waters calls back. I  
7 represented -- I was his election lawyer when he ran for  
8 Superior Court, and during that time I recognized his  
9 drinking problem. I obviously didn't see it before. Judge  
10 Waters said, "I called her. It's taken care of."

11 Three days later, her son files what they told  
12 him to file, a petition, I guess, for reconsideration,  
13 however, the petition wasn't to decide the case on the  
14 merits. Again, I don't want you to think I'm backing off of  
15 her admissions. The petition was to issue a Rule to Show  
16 Cause so she could have a hearing on the merits. That's how  
17 it works in municipal court.

18 Judge Segal was leaving the civil division, and  
19 she hears it. She calls Joe Waters, Judge Waters, back and  
20 says, "Joe, she hasn't acted on it." He says, "Don't worry,  
21 I'll call her. You should have called me before." He  
22 calls, and then Segal calls him back, Judge Segal, and says,  
23 "I took care of it." That was it. That was the end of her  
24 involvement.

25 Once the Rule to Show Cause was issued, the son

1 gets a date. The son, as you saw, continued it numerous  
2 times until March of 2013. Then he went in, and what always  
3 happens, go in, the city solicitor in the Tax Division is  
4 there, "You can have a hearing if you want." They sit down,  
5 they work it out, judgment agreed for \$477.00, the amount  
6 plus the penalties. It's open and now it's awarded. The  
7 case is done. Judge Roca had no involvement after that June  
8 29 call.

9 So it's the context I just want you to see. And  
10 I'm not minimizing it. It should not have happened. It's a  
11 very bad thing. She accepts full responsibility. But I can  
12 think of a lot of worse activities in terms of: Will you  
13 fix this? Will you enter a judgment in our favor? It's all  
14 a matter of degrees, but it's still very wrong what she did,  
15 and I don't want you to think I'm trying to minimize it.  
16 But this is the context of a mother doing something. It  
17 seems like she wasn't thinking, she dropped her moral  
18 compass that pretty much is guiding her life except for this  
19 act.

20 Anyway, that's the essence of the misconduct.  
21 In her favor we have wonderful character testimony, but we  
22 also have a lot of testimony about what kind of judge she  
23 was. She was a real asset to the bench despite this  
24 misconduct. She helped a lot of people. She moved a lot of  
25 cases. She was apparently very fair, and she heard very few

1 appeals, which is incredible to me. I've litigated so many  
2 cases my first 33 years of practice, the last 12 years, 11  
3 years, I haven't, thank God, but in that particular forum  
4 it's --

5 JUDGE PANELLA: I wish I had her record never  
6 being reversed.

7 MR. STRETTON: So we have a very good person who  
8 made a very terrible mistake --

9 JUDGE PANELLA: Before you go on, Mr. Stretton,  
10 a couple of questions. I thought your summary, what you  
11 just said, of what we found her to have violated was very  
12 good and very accurate, and you didn't minimize her conduct  
13 at all; you said it very well. How do we reconcile what is  
14 present in this case with two matters that keep popping into  
15 my head? First is, of course, the Roofers scandal, and the  
16 Roofers scandal eventually leads, if my memory serves me  
17 correct, to the removal of 15 judges. Two are criminally  
18 charged, of the other 13, many resign, and those that don't  
19 resign are removed.

20 MR. STRETTON: I can tell you (inaudible). I  
21 represented them.

22 JUDGE PANELLA: Apparently you were involved in  
23 some of that. And in those cases, there were no allegations  
24 of even a case being fixed, it was the mere acceptance and  
25 maybe hope that partiality would be showed in the future,

1 and yet 15 judges in the Philadelphia system were taken out  
2 because of that. In this case we have, actually, a step  
3 taken towards -- an action taken in an active case.

4 MR. STRETTON: Two steps.

5 JUDGE PANELLA: And then a case which you cite  
6 in your brief, which I didn't think was -- MDJ Shaner was  
7 criminally charged for doing something in a case in which,  
8 after we heard him -- and I probably would have to say I  
9 find Judge Roca as sincere as he was. Our hearts went out  
10 for him, and yet he was criminally charged. There's not a  
11 question in my mind, had they wanted to, the federal  
12 authorities could have charged Judge Roca. She should kiss  
13 the ground she walks on that she was not criminally charged.

14 MR. STRETTON: I think you're right, which they  
15 exercised their discretion not to, thank goodness.

16 JUDGE PANELLA: He was removed by way of his  
17 criminal sentence, so that option wasn't before us, and the  
18 reason you saw what we did -- I thought we kind of said that  
19 in our decision -- was we cited that he had already been out  
20 of office. I'm not sure if he had either resigned or had  
21 been removed by way of his criminal sentence, but he was no  
22 longer a sitting judge.

23 MR. STRETTON: Well, he was reprimanded and  
24 censured, but because he was senior judge the Court ruled --

25 JUDGE PANELLA: Right. We ordered that he could

1 no longer take assignments as a senior judge.

2 MR. STRETTON: I think he had agreed to that,  
3 but I'm not sure.

4 JUDGE PANELLA: I'm not sure of that either.  
5 The bottom line is serious; again, the loss of the judicial  
6 position was definitely in that case even though we didn't  
7 order it. So how do we reconcile what goes on here with  
8 those two matters?

9 MR. STRETTON: I will, but I -- I'm going to  
10 tell you right now how I distinguish them, but also, don't  
11 forget there are a lot of other cases where there were  
12 suspensions or serious ex parte conduct which I cited.

13 JUDGE PANELLA: No question about it.

14 MR. STRETTON: Let's talk about the Roofers.  
15 Remember, that was pre-Larsen in '92.

16 JUDGE PANELLA: We know.

17 MR. STRETTON: I represented Kenny Harris, of  
18 course, who was criminally convicted of numerous counts and  
19 removed. I also represented for a while Mitchell Lipschutz,  
20 and then also informally represented Judge (inaudible) who  
21 was an advisor of Judge McCabe. All of them are dead now,  
22 but they were all close friends of mine over the years. I  
23 grew up in Philadelphia so I knew all those people from day  
24 one.

25 The Roofers, through Mr. Traitz, had developed

1 this idea that they were trying to buy judges, so they had  
2 Tommy Brown, who was a nice enough fella but had no sense of  
3 morality; he was doing what Mr. Traitz wanted, the head of  
4 the union wanted. He sent them around with envelopes in  
5 November, if I recall, December of 2005, I believe it might  
6 have been -- I mean 1985 or '86, and they went to various  
7 judicial chambers. Sometimes they would drop it off, like  
8 they did with Judge White. Judge White was a multi-  
9 millionaire many times over, saw and just gave the money to  
10 his staff. He fought to the end. He died while fighting  
11 this.

12 Dropped it off to Willy Knauer, Judge Knauer,  
13 who fought to the end, died on the bench of brain cancer,  
14 died the very day, his last day, -- his mother had been  
15 Virginia Knauer -- and others. Some got, like Judge Brague  
16 (ph.) monies for more -- it was more specific. Many of them  
17 had the money, or Judge Lipschutz got an expensive watch,  
18 one of these early computer model watches -- there was such  
19 a thing in the 1980s -- where you could just set the time  
20 and a couple minor things, which seemed important back then  
21 but nothing compared to what's now.

22 The difference on many of these people, as I  
23 understood it, was they had been friends with Mr. Traitz,  
24 many of them had visited the union hall, and the court saw  
25 that as a pattern of misconduct.

1                   Several judges resigned, like Judge Wallace,  
2 Michael Wallace, who had been a very active criminal defense  
3 lawyer. He had been Rizzo's Deputy Mayor. Judge Dempsey,  
4 who was a municipal court judge, a very close friend of  
5 mine. He then worked a year or two with Michael Stack's  
6 office, the father, not the Lieutenant Governor, and then  
7 came back and was a wonderful judge till he died,  
8 unfortunately, of cancer, which is a great loss to all of  
9 us.

10                   But I see that as a pattern of a union that  
11 people were too close to, and this was an example of monies  
12 being handed to them and their not reporting it or pocketing  
13 it and not taking the appropriate steps.

14                   Since that case, there's been a lot of water  
15 over the dam, and keep in mind, we were able to keep the  
16 pension for those judges, because the constitution was  
17 amended later to change some of that.

18                   I don't see this in the same category as a union  
19 trying to buy influence, a mother trying to help her son.  
20 The initial call was for the right purpose, and then she  
21 dropped her moral compass because of her friendship with Joe  
22 Waters. And remember, Joe Waters was a police captain and  
23 we knew him. She knew him real well. He was best friends  
24 with then Supreme Court Justice McCaffery. She dropped her  
25 guard and just let him do it. She was wrong. So I see a

1 distinction.

2 With Judge Shaner, I see that as a -- okay, you  
3 ordered that he couldn't come back as a senior judge, but  
4 your discipline was only a reprimand and censure in that  
5 particular matter. With Judge Shaner, he was charged with  
6 perjury, obstructing justice and with hindering  
7 apprehension. I understand that he was very, very  
8 repentant, but unfortunately, he was criminally convicted  
9 and that makes a major distinction in these matters.

10 For instance, Judge Barrett, four-month  
11 suspension, back in 2008 or '09. I was his lawyer. We  
12 worked hard. I checked with every prosecuting authority,  
13 said no one's prosecuting; right? So then we worked a deal.  
14 Tried it. The court gave a four-month suspension. He then  
15 came back to the bench.

16 Eleven years later, right before the statute,  
17 Kathleen Kane decides to charge him again. He gets  
18 convicted after trial. Of course, he's long retired and  
19 he's off the bench at that point. I don't know if they're  
20 fighting his pension at this point in time, which originally  
21 we had. But in this case there was no criminal conviction.  
22 That's a major distinction.

23 I don't know enough about Judge Shaner and  
24 exactly what he did to make a major distinction, but I do  
25 know this case is a little bit different. Forget the Judge

1 Beloff comments, which I think is just, you know, talk, "Oh,  
2 I feel sorry for someone. Should we call the judge," and  
3 then no one ever does anything. It's just two people  
4 shouldn't be saying things like that. Remember, there's no  
5 other comments like that except June 26 and June 29. Then  
6 we got this thing with her son, and then there's nothing  
7 else involved in this.

8 If you look at some of the other cases that I've  
9 cited, and I'm not going to read my brief to you today, but  
10 it's fairly clear that despite serious misconduct, there  
11 doesn't need to be a removal from the bench. I'm not asking  
12 you to censure her. I'm not asking you to dismiss the  
13 charges. I'm no asking that at all. All I'm asking is for  
14 a suspension of, I suggested six months to a year. If the  
15 court wishes to place her on probation for a period of time.  
16 But I would -- it's not my right to cross-examine you, but I  
17 would go back to the Roofers, and remember, the judge I  
18 represented, Kenny Harris, was convicted of everything, and  
19 it was a terrible situation. He destroyed Romaine Phillips.  
20 After he had cut the deal that I asked Harris to do, he  
21 wouldn't do it. Harris was a tragedy, a great civil rights  
22 lawyer who went bad on the bench. It was a great tragedy.

23 If you look at some of the other cases and you  
24 say how do you reconcile, I would go back and, not in a  
25 disrespectful way, but I would say well, how do you

1 reconcile Larsen, because that was before your time, that  
2 was the old Supreme Court Judicial Inquiry Review Board.

3 JUDGE PANELLA: I handled Larsen the second time  
4 it came around, not that first one.

5 MR. STRETTON: Yes, because you were one of the  
6 original or close to one of the original members on the  
7 Court of Judicial Discipline. I mean, I'm very familiar  
8 with the Larsen case. I had talked to him, knew him well,  
9 and we begged him not to go forward. He was the cause of  
10 the constitutional amendments that happened back in '92 or  
11 '93. But Larsen was a direct call to Judge Ross, who was  
12 then a Common Pleas judge, later a respected judge on the  
13 Commonwealth Court, who I got to know very well, and he  
14 asked her to do a favor for his friend in a zoning case, and  
15 he got a private reprimand. Now, later he went crazy, he  
16 went after the court, had prescription problems.

17 How do we reconcile Judge Daghir? I represented  
18 him. I didn't do it for the Supreme Court, I tried the  
19 case. Judge Daghir, a judge up in one of the small counties  
20 near Penn State. A divorce case. The litigant comes up,  
21 hands him tickets on the 50 yard line. That's when Penn  
22 State -- I guess they're in power now again, but when they  
23 were like number one or two in the nation and those tickets  
24 were important if you're a Penn State fanatic. He got, you  
25 know, a two-day suspension, if I recall, in this matter.

1 Or how about Judge Arnold? Of course, her case  
2 is sad because later they brought criminal changes. In  
3 fact, I'm representing her now, trying to get her out of  
4 jail for medical treatment, but originally the decision was  
5 a one-month suspension, and that was for (inaudible) her  
6 son's case and lying about it.

7 Or how about Judge Ballentine? Now, I'm at  
8 least reluctant to cite Ballentine because later she  
9 violated her probation, and of course, we argued that and  
10 she was removed for these violations, but --

11 JUDGE PANELLA: Perhaps an expression of regret  
12 by the Court as to the initial decision, but go ahead.

13 MR. STRETTON: But I think you're right, and  
14 that's how I interpret it. I told her you get one chance at  
15 this game and you blew that chance and look out. But the  
16 original decision was a two month, two-and-a-half month  
17 suspension. You weren't on that board at that particular  
18 time, it was a different court, but we can't just say:  
19 we've got a new court, therefore, the rules are different.  
20 You've got to give some credence to stare decisis.

21 So Ballentine is two months. Arnold is one  
22 month in these particular matters. Dagher was -- what was  
23 it -- seven days, seven days on Dagher; I couldn't remember.  
24 Yet Singletary gets a censure/reprimand for -- I always  
25 hesitate to cite these cases, because then later they do

1 other stupid things like showing their body parts to  
2 secretaries and things of that nature. But Singletary  
3 originally pretty much was telling people on the campaign  
4 trail, "Come to me, we'll take care of your case" or  
5 whatever. Of course, he was young. He was only 25, and  
6 that was a factor in those matters.

7           You have Judge DeLeon, my client. He gets a  
8 three-month suspension. He's in a bar, meets an  
9 acquaintance. The acquaintance says, "I'm having trouble  
10 with a neighbor. I think he's harassing my daughter," you  
11 know, a teenager or middle school girl. So what does Jimmy  
12 DeLeon do? I'm real good friends with him; I've known him  
13 forever. He then goes back to his chambers and issues an  
14 order, stay-away order, and serves it on the person. The  
15 person's like, "What's this? There's no hearing, nothing."  
16 Ex parte communication. Very bad misconduct. Originally,  
17 he was found in disrepute, and then the court, for reasons,  
18 removed disrepute. I think they were sympathetic to the  
19 pension issue, because at that time it was uncertain  
20 whether, if you were suspended, whether you got to keep your  
21 suspension with a disrepute finding. That was later  
22 clarified by the Pension Board where they remove -- they  
23 take your pension if you're found removed for an additional  
24 period, but they won't take it if you're just suspended, but  
25 you get no credit during the time of your suspension. But

1 back with DeLeon, no one knew what they were going to do, it  
2 was still up in the air, and I had to work with the Pension  
3 Board on that. He got a three-month suspension for very  
4 serious misconduct.

5 So my answer to you is really, to flow back the  
6 question, they're all bad situations. The Roofers judges,  
7 particularly, some were worse than others. Some of them I  
8 think could have stayed on the bench and fought, like Mike  
9 Wallace. I thought Judge Dempsey could have, too. But we  
10 have a whole line of cases over the last couple years,  
11 starting with Larsen, the last 25 years, where this kind of  
12 conduct oftentimes results in suspension, not removal.

13 Now, of course, we have Michael Sullivan. I did  
14 my best for Mr. Sullivan, who I very much like. I've known  
15 him since he -- but there was overwhelming evidence of  
16 special consideration. That's in a different category than  
17 these kind of matters. I'm not going to argue Sullivan.  
18 I've already argued our position and lost in the field of  
19 battle, so I'm not re-arguing that, but based on your  
20 findings, that was a very different situation.

21 So how do I distinguish? I did the best I could  
22 trying to, but I do think that these other cases are closer  
23 on point in isolated instances. Then you look at all the  
24 good things: community; a very good judge; no other  
25 discipline. I look at this as a moral conscience being

1 dropped, and I see it all the time anymore with lawyers and  
2 others. It's one of the hardest things for me, representing  
3 hundreds of lawyers and judges, seeing good people, people I  
4 know, do some sometimes incredibly self-destructive things.  
5 But I think at least our attorney disciplinary system, you  
6 look at the totality, and our court has said even more  
7 serious misconduct will at times result in very minor  
8 discipline.

9 Our Supreme Court, unlike New Jersey, I won that  
10 case, the Lucarini case, in front of our Supreme Court back  
11 in 1982 where he had misused \$700,000 of funds. The  
12 Disciplinary Board wanted to have a New Jersey role where  
13 there would be automatic disbarment, and the court agreed  
14 with me that the purpose of the disciplinary system was not  
15 punitive but did disbar Lucarini only because he continued  
16 to pay advances to clients; he just didn't get it. Lucarini  
17 came back -- you might remember, he was a Temple football  
18 star in the '60s and '70s, years before; he was a young man  
19 back in those days.

20 So I see a difference and I see Pennsylvania is  
21 different, and I would suggest to you, respectfully, if you  
22 removed her, it would cut against all these cases I cited to  
23 you. Her case is all bad misconduct, don't get me wrong,  
24 but in the scheme of things this is of lesser degree because  
25 of the factual circumstances.

1                   Unless there's any more questions, you've given  
2 me ample time. I appreciate -- because this means a lot to  
3 her, and like I said, I've gotten to like her very much and  
4 it means a lot to me to try to see if we can keep her on the  
5 bench. Even though I don't do family law, of course, I  
6 could never go before her again even if I did. I think it  
7 would be -- I would ask -- if you suspend her, obviously,  
8 retroactive to January, I would ask you to consider I said  
9 six months to a year. Whatever the suspension is, we have  
10 no problem with probation.

11                   I also would point out to you, last night when I  
12 was looking through -- I forgot to mention this -- I came  
13 across this Stephanie Domitrovich case, and I was just going  
14 to hand up the order. Now, Domitrovich is a little  
15 different, but -- I had spoken to her originally about some  
16 of her problems, but she used other lawyers. It was a  
17 massive complaint. Jim Kleman handled it. There's all  
18 kinds of -- paragraph 11, I was looking at it last night --  
19 ex parte communications, plus numerous other bad conduct,  
20 and she was put into a Judicial Diversionary Program --  
21 which I didn't even know existed until I read this last  
22 night and I do this work all the time -- and then allowed to  
23 go back to the bench.

24                   I'm just going to hand up --

25                   JUDGE PANELLA: We have it. We've all reviewed

1 the Domitrovich decision many times.

2 MR. STRETTON: I'm sure you have, but it's dated  
3 August of 2016, the actual order that we were able to pull  
4 up.

5 So the answer is, sometimes maybe I can  
6 reconcile or not, but it's really within your discretion.  
7 Case law suggests a suspension here, and the facts from this  
8 case suggest it.

9 I'm a big fan -- when I was young, when I was  
10 Disciplinary Counsel for the Supreme Court in Philadelphia  
11 in the early '70s, we had a different attitude, for  
12 instance, than they have now. We used to try to give people  
13 a second chance. We would send them to ethics courses, we  
14 would work with them. Now it's a much more punitive world,  
15 and sometimes it has to be, but I would suggest to you that  
16 here it would be an injustice to remove her under these  
17 facts. A suspension would certainly make the public aware  
18 that she's been disciplined. I would suggest that under the  
19 totality of looking at this, and under the case law, a  
20 suspension would be appropriate, and I'm asking that you  
21 consider that.

22 JUDGE BARTON: Mr. Stretton, assessing the  
23 weight of the call concerning Judge Beloff, which, frankly,  
24 I think is a very weighty piece of evidence, I'm interested  
25 in how you would fit that into the whole fabric of the

1 disposition that you're suggesting.

2 MR. STRETTON: Sure, I'll be glad to. Judge  
3 Beloff and I were extremely close. I was his lawyer. He  
4 was writing a book on health. To this day, I don't  
5 understand why he killed himself. I talked to him three  
6 days before. I was his election lawyer. I knew him very  
7 well. His wife helped to get him on the bench. Now she's a  
8 Judge in Philadelphia.

9 I know Judge Beloff would take those kind of  
10 calls, because he and I had many conversations about that  
11 when he was running and then when he was a Judge, but in  
12 terms of that, I saw that more as sometimes I'll get on the  
13 phone with someone and I might say, "You know, that Judge,  
14 he's blank, blank, blank," or "That Judge favors this or  
15 that," you know, just two lawyers talking, letting their  
16 hair down, and God help us if we're wiretapped and some of  
17 that ever came out.

18 I saw that conversation as, again, she's got a  
19 good heart; she felt sorry for the security guard, who was  
20 in her court, was crying the blues about her son. So she  
21 calls Joe Waters, because he knew Judge Beloff real well,  
22 had given him advice on his election campaign and all that  
23 stuff. She called and said, "Do you think we can talk to  
24 Adam Beloff?" or words to that effect. There was back-and-  
25 forth about it and that was it, nothing else happened. I

1 think it was just two people having discussions and then had  
2 better thoughts about it and let it go, and it's unfortunate  
3 it was highlighted by the wiretap.

4 Now, remember, there's a couple years of  
5 wiretaps on Joe Waters, Judge Waters, and there isn't  
6 anything else --

7 JUDGE BARTON: My difficulty is that it is  
8 suggestive of a pattern and knowledge that there is special  
9 justice for certain people and that Judge Roca's call to  
10 Judge Waters inquiring as to whether Judge Beloff can be  
11 approached suggests to me the knowledge of a system where  
12 certain litigants may get a better outcome. Maybe deserving  
13 of it, I'm not saying that, but it's supposed to be the same  
14 system for everyone.

15 MR. STRETTON: Well, obviously, no one is  
16 deserving of special favors. If I know you, I see you got a  
17 big case, even if I know you and my heart's in the right  
18 place, I deserve not to have my law license for a  
19 substantial period of time. I wish it wasn't there. They  
20 weren't charged with that. It's in there as an example, but  
21 it's in there as something that never occurred, just two  
22 people talking back and forth.

23 You see this as suggesting a pattern and  
24 suggesting someone who feels that the court system can be  
25 played with, it's a little fast and loose. I see it as

1 someone who has a good heart, who was concerned, called her  
2 friend -- remember, Waters and her were real good friends --  
3 just called just to throw out and crazy idea and then never  
4 acted on it. Obviously, if you see this as a pattern, think  
5 that she's got an evil twist to her, then I'm not going to  
6 do so well in your opinion, but I suggest it doesn't show  
7 that, and the lack of anything else over the next three  
8 years when the wiretaps continue confirms that to some  
9 extent.

10 JUDGE BARTON: Thank you.

11 MR. STRETTON: I think I'm beating the horse  
12 again; I talk too much.

13 JUDGE PANELLA: Any other questions? Judge  
14 Barton, anything further, please?

15 JUDGE BARTON: No.

16 JUDGE PANELLA: Judges?

17 (No response.)

18 MR. STRETTON: Thank you.

19 JUDGE PANELLA: Thank you very much.

20 Anything further from the Board?

21 MS. FLAHERTY: No.

22 JUDGE PANELLA: Before we end up, let me just  
23 make two quick observations. Number one -- Mr. Stretton  
24 mentions this in his brief -- believe it or not, some people  
25 like to think of us as an appellate court, but we're not,

1 we're a trial court, so we don't always publish every  
2 decision just like trial courts do. D&C doesn't publish  
3 every decision, nor do the local reporters. There are some  
4 we feel have statewide significance, and we send those in  
5 for publication, but we don't publish every decision.

6 MR. STRETTON: I'm glad you told me, because I  
7 couldn't find --

8 JUDGE PANELLA: Yes. You'll find, if you look  
9 harder, you'll see others. I don't even know the reason  
10 why.

11 And then just to end on a lighter note after  
12 Judge Barton asked a question about Judge Beloff. I said  
13 this recently at an appellate Superior Court argument that  
14 Mr. Stretton was making. I have yet to hear of anyone in  
15 the Commonwealth that Mr. Stretton does not know.

16 MR. STRETTON: Forty-four years of practice.

17 JUDGE PANELLA: For all the witnesses that  
18 appeared today, we very much appreciate you appearing and  
19 telling us what you did, and we're going to give it very  
20 serious consideration. And Judge Roca, obviously, the same  
21 comment goes to you.

22 Thank you very much. We're in adjournment.

23 (Whereupon, at 11:31 a.m. the hearing was  
24 adjourned.)  
25

C E R T I F I C A T E

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

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By: Judith A. Valencik  
Judith A. Valencik

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