

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 59 Session of 2011

INTRODUCED BY GREENLEAF, ARGALL, TARTAGLIONE, FARNESE, ORIE,  
BAKER, RAFFERTY, WAUGH, COSTA AND BOSCOLA, JANUARY 12, 2011

REFERRED TO JUDICIARY, JANUARY 12, 2011

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in Judicial Conduct  
3 Board, providing for review of complaints, for criminal  
4 investigations and for target letters.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Title 42 of the Pennsylvania Consolidated  
8 Statutes is amended by adding sections to read:

9 § 2107. Review of complaints.

10 (a) Review and determination.--The Judicial Conduct Board  
11 shall review every complaint filed against a judicial officer  
12 that addresses potential ethical violations and shall make a  
13 determination whether further action should be taken on the  
14 complaint.

15 (b) Chief counsel.--A complaint shall not be dismissed  
16 solely upon the review of and a decision by the chief counsel of  
17 the board.

18 § 2108. Criminal investigations.

19 (a) Deferral prohibited.--The Judicial Conduct Board shall

1 not defer the active investigation of a complaint against a  
2 judicial officer that addresses potential ethical violations  
3 because of a pending grand jury investigation or other law  
4 enforcement investigation arising from the same conduct.

5 (b) Notification of prosecutor.--If the board is aware that  
6 there is a pending criminal investigation, the board shall  
7 notify the appropriate prosecuting attorney that the board is  
8 investigating the conduct as well.

9 § 2109. Target letters.

10 (a) Duty of judicial officer.--A judicial officer who  
11 receives a letter from a prosecuting attorney indicating that  
12 the judicial officer is the subject of a grand jury  
13 investigation or other law enforcement investigation shall  
14 within ten days notify the Judicial Conduct Board in writing  
15 that the letter was received and shall attach a copy of the  
16 letter to the notification.

17 (b) Duty of board.--Upon receipt of notification under  
18 subsection (a), the board shall initiate an investigation of  
19 potential ethical violations arising from the same conduct as  
20 the criminal investigation.

21 Section 2. This act shall take effect in 60 days.