

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Andrew T. LeFever, Esq.	:	
Magisterial District Judge	:	
Magisterial District 02-2-04	:	7 JD 2020
2 nd Judicial District	:	
Lancaster County	:	

PETITION FOR RELIEF FOR INTERIM SUSPENSION WITH OR WITHOUT PAY

AND NOW, this 9th day of November, 2020, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (Board), by and through undersigned counsel, and files this Petition For Relief for Interim Suspension With or Without Pay pursuant to Article V, § 18(d)(2) of the Pennsylvania Constitution, Rule 701 of the Court of Judicial Discipline Rules of Procedure, and Rule 13(A) of the Board Rules of Procedure and in support thereof, avers the following:

1. The Pennsylvania Constitution provides this Court with the authority to impose interim suspension as follows:

Prior to a hearing, the court may issue an interim order directing suspension, with or without pay, of any justice, judge or justice of the peace against whom formal charges have been filed with the court by the board or against whom has been filed an indictment or information charging a felony. An interim order under this paragraph shall not be considered a final order from which an appeal may be taken.

Pa. Const, Art. V, § 18(d)(2).

2. From January 2, 2020, to the present, Judge LeFever has served continuously as a Magisterial District Judge in Magisterial District 02-2-04, Lancaster County, Pennsylvania.
3. On November 9, 2020, the Board filed a Board Complaint against Judge LeFever alleging violations of the Rules Governing Standards of Conduct of Magisterial District Judges (RGSCMDJ) and the Pennsylvania Constitution. A copy of the Board Complaint is attached hereto as "Exhibit A," made a part hereof, and incorporated herein by reference as though set forth in full.

4. The allegations contained in the Board Complaint present a scenario where Judge LeFever was not entitled to file his nominating petitions and to be included on the 2019 Democratic and Republican municipal primary ballots.
5. A judicial candidate is not entitled to file nominating petitions to be included on a primary ballot when the judicial candidate has violated the RGSCMDJ's prohibition against holding office in a political organization. In re Nomination Petition for Denick, 729 A.2d 168 (Pa.Comwlth.1999), and see Canon 4, Rule 4.1(A)(1) of the RGSCMDJ (2014).
6. As alleged in the Board Complaint, Judge LeFever was a Committee Person in the Lancaster City Democratic Committee (LCDC) when he publically announced his candidacy for the office of Magisterial District Judge on January 27, 2019.
7. As alleged in the Board Complaint, Judge LeFever was a Committee Person in the LCDC when he publically engaged in various campaign activities from January 27, 2019 through March 11, 2019 when he resigned from the LCDC.
8. On March 12, 2019, then Candidate LeFever filed his nominating petitions seeking to be placed on the Republican and Democratic municipal primary ballots for the office of Magisterial District Judge.
9. On March 19, 2019, one of his opposing candidates for the office of Magisterial District Judge, John W. Kenneff, filed a petition to set aside Candidate LeFever's nominating petitions in the Lancaster Court of Common Pleas pursuant to the Election Code.
10. In his petition, Candidate Kenneff cited the RGSCMDJ and Denick, and alleged Candidate LeFever was not entitled to file nominating petitions to be included on the 2019 municipal primary ballots, in part, because he was a Committee Person in the LCDC at the time he publically announced his candidacy for the office of Magisterial District Judge.
11. On March 21, 2019, Candidate Kenneff and Candidate LeFever appeared before Lancaster County Court of Common Pleas President Judge Dennis Reinaker for a hearing on the petition.
12. At the hearing, Candidate Kenneff and Candidate LeFever stipulated that the only issue before the court was whether Candidate LeFever was an LCDC Committee Person when he became a candidate for the office of Magisterial District Judge.
13. In addition, Candidate Kenneff and Candidate LeFever stipulated to the date Candidate LeFever resigned from the LCDC (March 11, 2019), the date his nominating petitions were filed (March 12, 2019), and that Candidate LeFever had established a campaign committee to solicit contributions prior to his

resignation from the LCDC.

14. Based solely upon the stipulated facts, President Judge Reinaker ruled that Candidate LeFever officially became a candidate on March 12, 2019 when he filed his nominating petitions, thereby denying Candidate Kenneff's petition.
15. On March 21, 2019, LNP (Lancaster Newspapers) published an article about the hearing, informing the public of President Judge Reinaker's conclusion that Candidate LeFever became a candidate when he filed his nominating petitions. A copy of the article is attached hereto as "Exhibit B."
16. The LNP article indicates that Candidate LeFever was aware he could not be a Committee Person in the LCDC while he was a candidate for district judge.
17. The LNP article indicates that Candidate LeFever attributed his decision to resign from the LCDC on March 11, 2019 to his awareness of the prohibition against him holding office in a political organization while he was a candidate for district judge.
18. In response to President Judge Reinaker's decision, the LNP article quotes Candidate LeFever as stating, "It's important that we have judges who understand the law and what's at stake for people in the community."
19. Candidate Kenneff did not appeal President Judge Reinaker's decision.
20. When defining the term "judicial candidate", the Terminology section of the RGSCMDJ explicitly states when a person becomes a candidate for judicial office:

Any person, including a sitting magisterial district judge, who is seeking appointment or election to judicial office. A person becomes a candidate for judicial office as soon as he or she makes a public announcement of candidacy, declares or files as a candidate with the appointment or election authority, or where permitted, engages in solicitation or acceptance of contributions or support, or is nominated for appointment or election to office.

Terminology, RGSCMDJ (2014).

21. The definition of "judicial candidate" in the RGSCMDJ is consistent with Pennsylvania Supreme Court precedent in William Mayer v. Alexander Hemphill, 190 A.2d 444, 451 (Pa.1963), where the Court found that "in light of its common ordinary usage" an individual "shall be a candidate for nomination or election" under Section 10-107 of Philadelphia's Home Rule Charter upon the "*filing of nomination papers or publicly announcing one's candidacy for such office.*" (emphasis in original).

22. "Candidate" in the Election Code is defined as including "candidates for nomination and election." 25 P.S. § 2602(a).
23. In evaluating when a candidate's name can be stricken from the ballot because the candidate was not entitled to file a nominating petition under Section 977 of the Election Code, 25 P.S. § 2937, the Denick court applied the common ordinary usage of the term "candidate" as explained in Mayer and its progeny, John McMenamin v. Margaret Tartaglione, 590 A.2d 802 (Pa.Cmwlt.1991).
24. In finding that "Denick became a candidate for the office of District Justice *at the very least* at the time he filed his [nominating petition]" (emphasis added), the Denick court signaled its acknowledgment that a candidacy may arise prior to the filing of nominating petitions, such as when an individual publically announces his or her candidacy for elective office.
25. As asserted in the Board Complaint, Judge LeFever became a judicial candidate on January 27, 2019 when he officially announced his candidacy for Magisterial District Judge on his public campaign Facebook page title "Andrew LeFever for Magisterial District Judge."
26. As asserted in the Board Complaint, Judge LeFever further demonstrated that he was a judicial candidate when he and his campaign surrogates publically engaged in campaign related activities from January 27, 2019 through March 11, 2019, including efforts to solicit support from electors to get his name on the Democratic and Republican municipal primary ballots.
27. When Judge LeFever publically announced his candidacy for Magisterial District Judge and/or engaged in campaign activities while holding an office in the LCDC, he extinguished his right to file nominating petitions under the Election Code, and exposed himself to discipline pursuant to the Pennsylvania Constitution if elected to judicial office. See Article V, Section 18(d)(1) of the Constitution of the Commonwealth of Pennsylvania.
28. Holding an office in a partisan political organization while engaging in a campaign for Magisterial District Judge is inconsistent with the inherent judicial values of independence, integrity, and impartiality, which judicial candidates are obligated to uphold. See Canon 4, Rule 4.2(A)(1) of the RGSCMDJ.
29. In finding that a judicial candidate is not entitled to file nominating petitions to be placed on a primary ballot when the judicial candidate has violated the RGSCMDJ's prohibition against holding office in a political organization, the Denick court established a standard that safeguards the judiciary from the corrupting influences of partisan politics.
30. The Election Code, as applied in Denick, and the RGSCMDJ uniformly denounce judicial candidates' impermissible associations with political organizations to protect the independence, integrity, and impartiality of the judiciary.

31. Because discipline of Judge LeFever under the Pennsylvania Constitution for campaign activity in violation of the RGSCMDJ remains available to protect and maintain the legitimacy and integrity of the judiciary, Judge LeFever's continued service as a Magisterial District Judge in Magisterial District 02-2-04 during the pendency of the Board Complaint will further undermine public confidence in the independence, integrity, and impartiality of the judiciary.

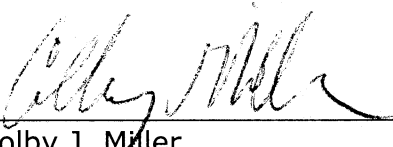
WHEREFORE, it is respectfully requested that this Honorable Court enter an interim order suspending Magisterial District Judge Andrew T. LeFever, either with or without pay, pending disposition of the Board Complaint filed against him and to grant such other relief as may be deemed appropriate.

Respectfully submitted,

RICHARD W. LONG
Chief Counsel

DATE: November 9, 2020

BY:



Colby J. Miller
Deputy Counsel
Pa. Supreme Court ID No. 311599
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106
(717) 234-7911

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Andrew T. LeFever, Esq.	:	
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Magisterial District 02-2-04	:	7 JD 2020
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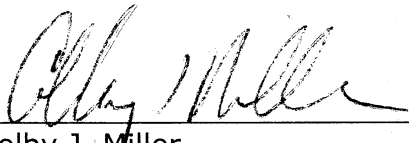
VERIFICATION

I, Colby J. Miller, verify that the statements in this Petition for Interim Suspension With or Without Pay are made subject to the penalties of 18 Pa.C.S.A. § 4904, relating to unsworn falsification to authorities.

Respectfully submitted,

DATE: November 9, 2020

BY:



Colby J. Miller
Deputy Counsel
Pa. Supreme Court ID No. 311599
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
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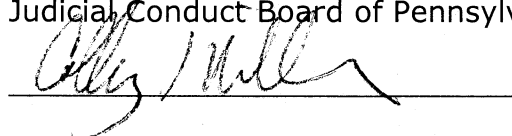
Andrew T. LeFever, Esq. :
Magisterial District Judge :
Magisterial District 02-2-04 : 7 JD 2020
2nd Judicial District :
Lancaster County :

CERTIFICATE OF COMPLIANCE

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

Submitted by: Judicial Conduct Board of Pennsylvania

Signature:



Name:

Colby J. Miller
Deputy Counsel

Attorney No.:

311599

EXHIBIT A

EXHIBIT A

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

**COURT OF JUDICIAL DISCIPLINE
OF PENNSYLVANIA**

NOV 9 2020

RECEIVED AND FILED

IN RE:

Andrew T. LeFever, Esq. :
Magisterial District Judge :
Magisterial District 02-2-04 : 7 JD 2020
2nd Judicial District :
Lancaster County :

TO: ANDREW T. LEFEVER

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

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

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

You are further hereby notified that within thirty (30) days after the service of this Complaint, if no omnibus motion is filed, or within twenty (20) days after the dismissal of all or part of the omnibus motion, you may file an Answer admitting or denying the allegations contained in this Complaint in accordance with C.J.D.R.P. No. 413. Failure to file an Answer shall be deemed a denial of all factual allegations in the Complaint.

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Andrew T. LeFever, Esq.	:	
Magisterial District Judge	:	
Magisterial District 02-2-04	:	7 JD 2020
2 nd Judicial District	:	
Lancaster County	:	

COMPLAINT

AND NOW, this 9th day of November, 2020, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (Board) and files this Board Complaint against the Honorable Andrew T. LeFever, Magisterial District Judge for Magisterial District 02-2-04, Lancaster County, Pennsylvania, alleging that Judge LeFever has violated the Rules Governing Standards of Conduct of Magisterial District Judges and the Constitution of the Commonwealth of Pennsylvania, as more specifically delineated herein.

FACTUAL ALLEGATIONS

1. Article V, § 18 of the Constitution of the Commonwealth of Pennsylvania grants to the Board the authority to determine whether there is probable cause to file formal charges against a judicial officer in this Court, and thereafter, to prosecute the case in support of such charges in this Court.
2. From January 2, 2020, to the present, Judge LeFever has served continuously as a Magisterial District Judge in Magisterial District 02-2-04, Lancaster County, Pennsylvania.

3. On July 12, 2018, Lancaster County Democratic Committee Chairperson, JoAnn Hentz, appointed Andrew T. LeFever, Esq. to fill the vacant position of Committee Person in the Lancaster City Democratic Committee (LCDC) to represent the City of Lancaster's 5th precinct of the 6th ward.

4. According to its website at www.lancastercitydemocrats.com:

Democratic Committee members are your friends, your colleagues, and your neighbors.

These elected officials promote our most sacred civic duties: voting and being involved in our government. They work to inform their neighbors about upcoming elections, provide information about candidates and issues, and represent the Democratic Party at their polling place on election days.

Committee People are elected by registered Democrats from the voting district (precinct) where they live for terms of four years. Vacancies may be filled by appointment by the Chair of the Lancaster County Democratic Committee.

5. According to its website at www.lancastercitydemocrats.com, the LCDC's "mission is to build a strong Democratic community, to recruit and elect strong Democratic candidates, and to advance the principles of the Democratic Party within the City of Lancaster, Pennsylvania."

6. On January 27, 2019, Mr. LeFever formally announced his candidacy for the position of Magisterial District Judge with a post on his public campaign Facebook page titled "Andrew LeFever for Magisterial District Judge" stating:

Hello Facebook community! I'm honored to formally announce my candidacy for Magisterial District Judge. Why am I running? Because the people of Lancaster are owed a fair, impartial justice system. The role of the District Judge is to be an arbiter and protector of the citizens and their rights. Based upon my years of experience in the criminal justice system as a practicing attorney, I believe I am well-suited to serve in that role. Thank you for your support!

7. "Judicial candidates" are subject to the provisions of Canon 4 of the Rules Governing Standards of Conduct of Magisterial District Judges.
8. On January 27, 2019 and until March 11, 2019, Candidate LeFever served as a Committee Person in the LCDC.
9. Candidate LeFever's campaign Facebook page was routinely updated with posts concerning his campaign activities from January 27, 2019 through March 12, 2019.
10. On February 11, 2019, Candidate LeFever participated in a public LCDC meeting to determine which judicial and non-judicial candidates the LCDC would officially endorse for the 2019 municipal election.
11. At the February 11, 2019 LCDC meeting, Candidate LeFever, as a Committee Person, voted for the LCDC to endorse non-judicial candidates for the positions of School Director and Lancaster City Council.
12. At the February 11, 2019 LCDC meeting, Candidate LeFever, as a Committee Person, voted for the LCDC to endorse him for the position of Magisterial District Judge in Magisterial District 02-2-04.
13. On February 11, 2019, after a unanimous vote, Candidate LeFever received the endorsement of the LCDC for the position of Magisterial District Judge in Magisterial District 02-2-04.
14. On February 11, 2019, Candidate LeFever established his campaign committee, LANCASTER FOR LEFEVER.
15. LANCASTER FOR LEFEVER received campaign contributions between February 11, 2019 and March 12, 2019.

16. Candidate LeFever and/or LANCASTER FOR LEFEVER made expenditures for his campaign from January 5, 2019 through March 11, 2019.
17. On February 23, 2019, Candidate LeFever received the endorsement of the Lancaster County Democratic Committee for the position of Magisterial District Judge in Magisterial District 02-2-04.
18. On February 23, 2019, Candidate LeFever and his circulators began soliciting electors in the City of Lancaster's 6th Ward for placement of their signatures on Candidate LeFever's Republican and Democratic nominating petitions for the position of Magisterial District Judge in Magisterial District 02-2-04.
19. Candidate LeFever and his circulators obtained signatures on his nominating petitions from electors located in the City of Lancaster's 6th Ward on each day from February 23, 2019 through March 11, 2019.
20. On March 6, 2019, Candidate LeFever appeared at Molly's Pub and Carry Out for a campaign event with other candidates seeking nomination for non-judicial public office.
21. On March 11, 2019, Candidate LeFever participated in a public LCDC meeting as a Committee Person for the City of Lancaster's 5th Precinct in the 6th Ward.
22. Following the March 11, 2019 LCDC meeting, Candidate LeFever informed LCDC Chair Diane Topakian via letter that he was resigning from the LCDC.
23. On March 12, 2019, Candidate LeFever filed his Republican and Democratic nominating petitions with the Lancaster County Board of Elections.
24. On May 21, 2019, Candidate LeFever won the Democratic primary election for the position of Magisterial District Judge in Magisterial District 02-2-04.

25. On November 5, 2019, Candidate LeFever defeated Republican candidate John W. Kenneff in the municipal election for the position of Magisterial District Judge in Magisterial District 02-2-04.
26. Judge LeFever began his term as Magisterial District Judge in Magisterial District 02-2-04 on January 2, 2020.

CHARGES

Count 1 – Violation of Canon 4, Rule 4.1(A)(1)

27. By virtue of some or all of the conduct alleged in paragraphs 4 through 26 above, Judge LeFever violated Canon 4, Rule 4.1(A)(1) of the Rules Governing Standards of Conduct of Magisterial District Judges.
28. Canon 4, Rule 4.1(A)(1) states the following:

Canon 4, Rule 4.1. Political and Campaign Activities of Magisterial District Judges and Judicial Candidates in General

(A) Except as permitted by Rules 4.2, 4.3, and 4.4, a judicial candidate shall not:

(1) Act as a leader in, or hold an office in, a political organization.
29. The Rules Governing Standards of Conduct of Magisterial District Judge defines “judicial candidate” as being:

Any person, including a sitting magisterial district judge, who is seeking appointment or election to judicial office. A person becomes a candidate for judicial office as soon as he or she makes a public announcement of candidacy, declares or files as a candidate with the appointment or election authority, or where permitted, engages in solicitation or acceptance of contributions or support, or is nominated for appointment or election to office.
30. Judge LeFever became a judicial candidate on January 27, 2019 when he formally announced his campaign for Magisterial District Judge on his public Facebook campaign page “Andrew LeFever for Magisterial District Judge.”

31. Judge LeFever further demonstrated that he was a judicial candidate when he announced his candidacy, formed the campaign committee LANCASTER FOR LEFEVER, made campaign expenditures, appeared at campaign events, sought and received the endorsements of political organizations, when he and his circulators solicited electors for their signatures on his nominating petitions, and when LANCASTER FOR LEFEVER received contributions and made expenditures for his campaign.
32. Rules 4.2, 4.3, and 4.4 of the Rules Governing Standards of Conduct of Magisterial District Judges do not permit a judicial candidate to hold office in a political organization.
33. The Rules Governing Standards of Conduct of Magisterial District Judge defines “political organization” as being:

A political party or group sponsored by or affiliated with a political party or candidate, the principle purpose of which is to further the election or appointment of candidates for political office, excluding a judicial candidate’s campaign committee created as authorized by these Conduct Rules.
34. By holding the office of Committee Person in the LCDC, a political organization, when he was a judicial candidate from January 27, 2019 through his resignation from the LCDC on March 11, 2019, Judge LeFever violated Canon 4, Rule 4.1(A)(1) of the Rules Governing Standards of Conduct of Magisterial District Judges.

Count 2 – Violation of Canon 4, Rule 4.1(A)(3)

35. By virtue of some or all of the conduct alleged in paragraphs 4 through 26 above, Judge LeFever violated Canon 4, Rule 4.1(A)(3) of the Rules Governing Standards of Conduct of Magisterial District Judges.

36. Canon 4, Rule 4.1(A)(3) states the following:

Canon 4, Rule 4.1. Political and Campaign Activities of Magisterial District Judges and Judicial Candidates in General

(A) Except as permitted by Rules 4.2, 4.3, and 4.4, judicial candidate shall not:

...

(3) publicly endorse or publicly oppose a candidate for any public office.

37. Judge LeFever endorsed non-judicial candidates for public office when on February 11, 2019, he, as an LCDC Committee Person, voted for the LCDC to endorse candidates for School Director and Lancaster City Council.

38. Rules 4.2, 4.3, and 4.4 of the Rules Governing Standards of Conduct of Magisterial District Judges do not permit a judicial candidate to endorse non-judicial candidates for public office.

39. By voting for the LCDC to endorse candidates for School Director and Lancaster City Council, Judge LeFever violated Canon 4, Rule 4.1(A)(3) of the Rules Governing Standards of Conduct of Magisterial District Judges.

Count 3 - Violation of Canon 4, Rule 4.2(A)(1)

40. By virtue of some or all of the conduct alleged in paragraphs 4 through 26 above, Judge LeFever violated Canon 4, Rule 4.2(A)(1) of the Rules Governing Standards of Conduct of Magisterial District Judges.

41. Canon 4, Rule 4.2(A)(1) states the following:

Canon 4, Rule 4.2. Political and Campaign Activities of Judicial Candidates in Public Elections.

(A) A judicial candidate in a public election shall:

(1) act at all times in a manner consistent with the independence, integrity, and impartiality of the judiciary.

42. By voting, as an LCDC Committee Person, for the LCDC to endorse him for the position of Magisterial District Judge in Magisterial District 02-2-04, Judge LeFever violated Canon 4, Rule 4.2(A)(1) of the Rules Governing Standards of Conduct of Magisterial District Judges.
43. By voting, as an LCDC Committee Person, for the LCDC to endorse candidates for School Director and Lancaster City Council, Judge LeFever violated Canon 4, Rule 4.2(A)(1) of the Rules Governing Standards of Conduct of Magisterial District Judges.
44. By engaging in campaign activity from January 27, 2019 through March 11, 2019 while he was a Committee Person in the LCDC, Judge LeFever violated Canon 4, Rule 4.2(A)(1) of the Rules Governing Standards of Conduct of Magisterial District Judges.

Count 4 - Violation of Article V, § 17(b) of the Constitution of the Commonwealth of Pennsylvania

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

Article V, § 17(b) Derivative Violation

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

47. A violation of the Rules Governing Standards of Conduct of Magisterial District Judges constitutes an automatic, derivative violation of Article V, § 17(b) of the Constitution of the Commonwealth of Pennsylvania.
48. Judge LeFever violated Canon 4, Rule 4.1(A)(1).

49. Judge LeFever violated Canon 4, Rule 4.1(A)(3).
50. Judge LeFever violated Canon 4, Rule 4.2(A)(1).
51. By violation of all, or some, of the Rules set forth above, Judge LeFever violated Article V, § 17(b) of the Constitution of the Commonwealth of Pennsylvania.

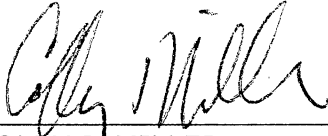
WHEREFORE, Andrew T. LeFever, Magisterial District Judge in Magisterial District 02-2-04, Lancaster County, Pennsylvania, is subject to disciplinary action pursuant to the Constitution of the Commonwealth of Pennsylvania, Article V, § 18(d)(1).

Respectfully submitted,

RICHARD W. LONG
Chief Counsel

DATE: November 9, 2020

By:



COLBY J. MILLER
Deputy Counsel
Pa. Supreme Court ID No. 311599
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
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VERIFICATION

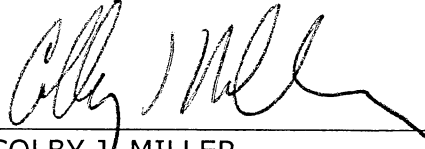
I, Colby J. Miller, Deputy Counsel to the Judicial Conduct Board, verify that the Judicial Conduct Board found probable cause to file the formal charges contained in the *BOARD COMPLAINT*. I understand that the statements herein are made subject to the penalties of 18 Pa. Cons. Stat. Ann. §4904, relating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

Respectfully submitted,

RICHARD W. LONG
Chief Counsel

DATE: November 9, 2020

By:



COLBY J. MILLER
Deputy Counsel
Pa. Supreme Court ID No. 311599
Judicial Conduct Board
Pennsylvania Judicial Center
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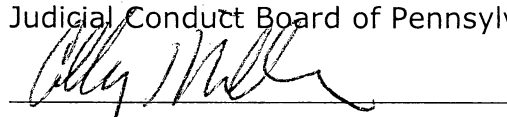
Andrew T. LeFever, Esq. :
Magisterial District Judge :
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CERTIFICATE OF COMPLIANCE

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

Submitted by: Judicial Conduct Board of Pennsylvania

Signature:



Name:

Colby J. Miller
Deputy Counsel

Attorney No.:

311599

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PROOF OF SERVICE

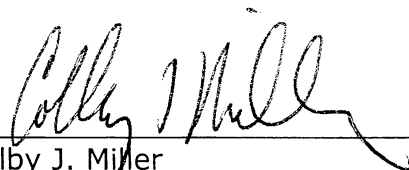
In compliance with Rule 122 of the Court of Judicial Discipline Rules of Procedure, on the date below a copy of the Board's Complaint was sent by UPS overnight mail to Robert A. Graci, Esquire, counsel for Magisterial District Judge Andrew T. LeFever at the following address:

Robert A. Graci, Esquire
Saxton & Stump, LLC
4250 Crums Mill Road, Suite 201
Harrisburg, PA 17112

Respectfully submitted,

DATE: November 9, 2020

BY:



Colby J. Miller
Deputy Counsel
Pa. Supreme Court ID No. 311599
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106
(717) 234-7911

EXHIBIT B

EXHIBIT B

NewsRoom

3/21/19 LNP (Lancaster Newspapers) (Pa.) (Pg. Unavail. Online)

2019 WLNR 12546563

LNP (Lancaster Newspapers) (PA)
LNP Media Group Inc. Mar 21, 2019

March 21, 2019

Section: Local News

Candidate's objection to opponent's petition for Lancaster district judge dismissed in court

LINDSEY BLEST

A Lancaster County judge dismissed in court Thursday a magisterial district judge candidate's claim that his opposing candidate should be removed from the ballot.

President Judge Dennis Reinaker ruled that candidate Andrew Lefever appropriately resigned from the Lancaster City Democratic Committee before filing a petition for an open seat at northeast Lancaster's District 02-2-04 court.

Opposing candidate John Kenneff had filed an objection to Lefever's petition Tuesday, alleging that Lefever began his candidacy when he formed a campaign committee while a member of the city's Democratic committee.

The standards of conduct of magisterial district judges section of Pennsylvania Code says a candidate "shall not act as a leader in, or hold office in, a political organization," which Kenneff cited in his filing. He said Lefever's name should be taken off the ballot for the May 21 primary.

Kenneff was recently a judicial law clerk for Lancaster County Common Pleas Judge Margaret C. Miller but resigned to run for judge. Lefever is an assistant district attorney in the county.

The district court, in the northeast part of Lancaster, opened after former Judge Janice Jimenez retired in January. Magisterial district judges are elected to 6-year terms.

The parties met with Reinaker before appearing in the courtroom for the hearing Thursday. Reinaker said his understanding was Lefever resigned from the committee March 11, the day before submitting his nominating petitions.

"In my opinion, he became a candidate when he filed nominating petitions," Reinaker said.

After the hearing, Lefever said he thought the ruling was "appropriate." He said he was aware that he could not be on the committee while a candidate for district judge which was why he resigned when he did.

"It's important that we have judges who understand the law and what's at stake for people in the community," he said.

Lefever was endorsed for the judge seat by the city's democratic committee at a Feb. 11 meeting.

Kenneff said he was disappointed by the ruling but understood the judge's interpretation of the case law.

"My candidacy wasn't dependent on this. I was required to resign from my position as judicial law clerk to run. I'm about as committed as you can get," he said.

Kenneff and Lefever have both cross-filed for the Democratic and Republican ballot. Another candidate for the seat, Sharon Watson, filed for the Democratic ballot, according to Randall Wenger, chief clerk of the Lancaster County Board of Elections.

Wenger said the county typically sees a few objection filings. The petition deadline was March 12, and the objection deadline was Tuesday. No other parties filed objections this year, he said.

Crédito: LINDSEY BLEST | Staff Writer

---- **Index References** ----

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Clerical personnel; Committees; Local elections; Court hearings & proceedings; State court decisions; Judges & magistrates

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NewsRoom

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Andrew T. LeFever, Esq.	:	
Magisterial District Judge	:	
Magisterial District 02-2-04	:	7 JD 2020
2 nd Judicial District	:	
Lancaster County	:	

PROOF OF SERVICE

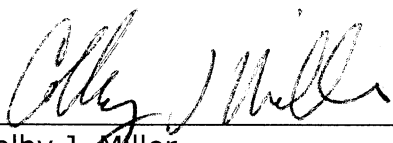
In compliance with Rule 122 of the Court of Judicial Discipline Rules of Procedure, on the date below a copy of the Petition for Relief for Interim Suspension with or without Pay was sent by UPS overnight mail to Robert A. Graci, Esquire, counsel for Magisterial District Judge Andrew T. LeFever at the following address:

Robert A. Graci, Esquire
Saxton & Stump, LLC
4250 Crums Mill Road, Suite 201
Harrisburg, PA 17112

Respectfully submitted,

DATE: November 9, 2020

BY:



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