

PRESS RELEASE



JUDICIAL CONDUCT BOARD

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Contact Person: Joseph A. Massa, Jr., Chief Counsel

DATE: March 2, 2005

TO: Media/Press

FROM: Judicial Conduct Board

SUBJECT: No. 6 JD 2004
(Former Pittsburgh City Magistrate Moira C. Harrington)

Harrisburg. The Pennsylvania Court of Judicial Discipline has ruled that former Pittsburgh City Magistrate Moira C. Harrington engaged in conduct that was in violation of the Rules Governing Standards of Conduct of District Justices and of the Pennsylvania Constitution; her conduct was such that it brought the judicial office into disrepute, and she is subject to discipline.

The Judicial Conduct Board filed a Complaint against Harrington on October 29, 2004, charging her with two counts which the Board alleged would subject Harrington to judicial discipline. Prior to trial, the Board and Harrington agreed to submit the matter for decision on Stipulated Facts, which detail Harrington's parking her motor vehicle at expired parking meters on a number of occasions over the course of a two-week period in downtown Pittsburgh and in placing on her windshield parking tickets which had been issued to others for

overtime parking of other vehicles.

Said the Court:

"We think the reasonable expectations of the public would include the expectation that a judicial officer would obey a common ordinance which applies to all who might wish to park a motor vehicle on the streets of Pittsburgh and certainly would include the expectation that she would not devise and carry out a scheme to "fool" the enforcing officer in order to defeat the enforcement of the law. It is, after all, "the law" that she is entrusted to enforce and expected to respect.

We certainly recognize that no one would consider parking at an expired meter to be a heinous crime, but it is the very triviality of the offense which makes Respondent's determination to defeat its application to her so unbecoming a judicial officer.

There are few among us who operate motor vehicles on a regular basis who have not been the recipient of an overtime parking ticket, and few of us who have not experienced some degree of vexation on those occasions. But the ordinary citizen either puts the coin in the slot or pays the fine. We daresay that Respondent's conduct here described: first, intentionally disobeying the law, and then inventing a devious strategy to avoid payment of the statutory fine, is exactly the type of conduct which causes an ordinary citizen to believe that judges – i.e., all judges – consider themselves to be "above the law" – a privileged class. It is exactly this type of conduct which gives judges a "bad name" and which brings the judicial office itself into disrepute."

Joseph A. Massa, Jr., Chief Counsel to the Judicial Conduct Board advised that the Board is pleased with the ruling of the Court of Judicial Discipline. Massa stated, *"The Board felt strongly that Harrington's conduct was such that it brings the judicial office into disrepute and warranted discipline. The Court's ruling has vindicated the Board's conclusion."*

By Order of the Court, Harrington has ten (10) days to file an objection to

the Court's Conclusions of Law. If no objection is filed, the Court will conduct a hearing on the issue of sanctions on May 18, 2005, at 11:00 a.m. in Commonwealth Court, Courtroom No. 1, 5th Floor, Irvis Office Building, Harrisburg, Pennsylvania.

Pittsburgh Magistrates Court has been merged into the statewide magistrate district judge (formerly "District Justices") system. This consolidation, pursuant to a Supreme Court of Pennsylvania Order issued November 29, 2004, is intended to boost judicial efficiencies and effectiveness.

Court of Judicial Discipline's Order and Opinion attached.

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