

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

COURT OF JUDICIAL DISCIPLINE
OF PENNSYLVANIA

JAN 18 2020

CLERK OF COURT

IN RE:

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

SANCTIONS MEMORANDUM OF RESPONDENT

Now comes Respondent, the Honorable Andrew T. LeFever, Magisterial District Judge, by and through his counsel, Robert A. Graci, Esquire, and Saxton & Stump, and files this Sanctions Memorandum, as follows:

I. Witnesses

Other than Judge LeFever's allocution, he will call no witnesses at the Sanctions Hearing. He will offer character and reputation evidence in the form of two letters from the following individuals:

1. Sergeant Todd A. Grager
Lancaster City Bureau of Police
39 W. Chestnut Street
Lancaster, PA 17603
2. Christopher P. Larsen, Esquire
Georgelis Injury Law Firm, P.C.
2168 Embassy Drive
Lancaster, PA 17605

Those letters will be incorporated into the record of the sanction proceeding without objection from counsel for the Judicial Conduct Board, Colby J. Miller, Interim Deputy Chief Counsel, who so advised undersigned counsel by email dated January 9, 2023. Judge LeFever will also move to incorporate three character and reputation letters that were introduced and admitted into evidence without objection during the trial of this matter. Those letters are from the following persons:

1. Jared L. Hinsey, Esquire
1800 Elmerton Avenue
Harrisburg, PA 17110
2. Patricia K. Spotts, Esquire
53 North Duke Street
Lancaster, PA 17602
3. Joseph P. McMahon, Esquire
8 North Queen Street
Lancaster, PA 17603

For the ease of the Court, these five letters are attached to this Memorandum and identified as Respondent's Exhibits S (for "Sanction") 1-5.

II. Factors for Consideration in Determining Sanction

As this Court has regularly stated, in determining what sanction will be imposed for a violation of the Rules Governing Standards of Conduct of Magisterial District Judges or related constitutional provisions, the Court is guided by the jurisprudence of our Supreme

Court, and also by this Court’s prior decisions. In determining a proper sanction, this Court has explained:

a judicial disciplinary sanction “not only punishes the wrongdoer, but also repairs the damaged public trust and provides guidance to other members of the judiciary regarding their conduct.” [*In re Berkheimer*, 930 A.2d 1255,] 1259-60 [(2007)] (citing *In re Melograne*, 888 A.2d 753 (2005)[]). While each disciplinary violation and the sanction that follows is factually unique, we also strive for as much consistency as possible in order to provide the “guidance” to other judges that our Supreme Court referred to in *Melograne*, *Berkheimer*, and [*In re Roca*], 173 A.3d 1176 (2017)]. In so doing, we look carefully to our prior cases and the sanctions that were imposed by our predecessor judges. Nevertheless, we interpret conduct and the ensuing violations in light of our evolving precedent and contemporary standards of public confidence in our judicial system.

In re Tidd, 181 A.3d 14, 17 (Pa.Ct.Jud.Disc. 2018).

Pennsylvania has adopted ten non-exclusive factors, sometimes called the “*Deming* factors” from the original Washington state case where they were announced. *See e.g. In re Roca*, 151 A.3d 739, 741 (Pa.Ct.Jud.Disc. 2016), *aff’d*, 173 A.3d 1176 (Pa. 2017), citing *In re Toczydowski*, 853 A.2d 20 (Pa.Ct.Jud.Disc. 2004), and *In re Deming*, 736 P.2d 639 (Wa. 1987). The ten factors and their application to this case are as follows:

1. Whether the misconduct is an isolated instance or evidenced a pattern of conduct: The conduct at issue here involves conduct during then-candidate LeFever’s campaign for Magisterial District Judge in 2019. As he

admitted, he did not resign as a member of a county political committee before publicly announcing his candidacy for this judicial position and he cast a vote as a committee person for his endorsement by the political committee. These acts, based upon a mistaken view of the applicable rules, cannot be properly characterized as a pattern of conduct. This factor weighs in favor of Judge LeFever.

2. The nature, extent, and frequency of occurrence of the acts of misconduct: The nature, extent and frequency of then-candidate LeFever's acts of misconduct are set forth under the first factor immediately above. They were neither extensive nor frequent. This factor weighs in favor of Judge LeFever.

3. Whether the conduct occurred in or out of the courtroom: Then-candidate LeFever's conduct all occurred out of the courtroom before he was a Magisterial District Judge. This factor weighs in favor of Judge LeFever.

4. Whether the misconduct occurred in the judge's official capacity: The misconduct at issue here was committed when Judge LeFever was a candidate. It did not occur in Judge LeFever's official capacity as a Magisterial District Judge.

5. Whether the judge acknowledged or recognized that the acts occurred: Judge LeFever has acknowledged his improper conduct, stipulated to it thereby avoiding the necessity of a trial on those issues, and has apologized for his conduct. This factor weighs in favor of Judge LeFever.

6. Whether the Judge has evidenced an effort to change or modify his conduct: Judge LeFever has expressed contrition for his misconduct. The nature of the misconduct, committed by then-candidate LeFever cannot be changed or modified as it could only occur by a candidate. Judge LeFever could never again engage in the conduct giving rise to the charges against him as he is no longer a committee person. This factor weighs in favor of Judge LeFever.

7. The length of service on the bench: Judge LeFever began his service on the bench in January 2020, after having been elected in November of 2019. He has just completed his third year of service on the bench. This factor weighs in favor of Judge LeFever.

8. Whether there have been prior complaints about the judge: There have been no prior complaints against Judge LeFever. Moreover, the complaint giving rise to these proceedings was initiated not by one of then-candidate LeFever's opponents but by Board Chief Counsel based on newspaper accounts. *See* Board Exhibit 1 and attachments thereto. Other than these

campaign-related violations occurring before his ascendency to the bench, his professional record as a lawyer and a judge is blemish free. This factor weighs in favor of Judge LeFever.

9. The effect the misconduct has upon the integrity of and respect for the judiciary: Then-candidate LeFever's misconduct occurred early in the year in which he was a candidate. It was the subject of local publicity before the primary and general elections. Nevertheless, he was successful in securing a position on the ballot and in winning the general election. His candidacy was challenged by an opponent before the primary election consistent with the Election Code. Board Exhibits 12-14. The presiding judge denied the request that candidate LeFever be removed from the ballot and dismissed the petitions. Board Exhibit 15, pp. 4-5. Candidate LeFever's misconduct was wrought of a misunderstanding of the applicability of the Rules Governing Standards of Conduct of Magisterial District Judges relating to campaign activities. It did not erode the integrity of or respect for the judiciary. This factor weighs in favor of Judge LeFever.

10. The extent to which the judge exploited his or her position to satisfy personal desires: As the conduct at issue was completed before Judge LeFever assumed the bench, he did not exploit his position as a judge to satisfy personal desires. This factor weighs in favor of Judge LeFever.

In addition to considering the *Deming* factors, as noted above, the Court strives for as much consistency as possible in order to provide the “guidance” to other judges and looks carefully to prior cases and the sanctions that were imposed in those prior cases, interpreting current conduct and the ensuing violations in light of the Court’s evolving precedent and contemporary standards of public confidence in our judicial system. *In re Tidd, supra*, at 17.

There are few prior cases from this Court finding violations or imposing sanctions for conduct occurring during a campaign before the respondent judge was elected to or serving in judicial office. One such case which provides guidance in this matter is *In re Singletary*, 967 A.2d 1094 (Pa.Ct.Jud.Disc. 2008). In that case, after being elected as a Judge of the Philadelphia Traffic Court, Judge Singletary was charged with violating the Rules Governing Standards of Conduct of Magisterial District Judges¹ for conduct in which he

¹ At the time of the proceedings against Judge Singletary and until the Traffic Court was eliminated, the judges of that Court and candidates for that Court were subject to the Rules Governing Standards of Conduct of Magisterial District Judges, the same rules governing Judge LeFever’s conduct. See Rules Governing Standards of Conduct of Magisterial District Judges (effective prior to December 1, 2014), Rule 18 (re Applicability to Judges of the Traffic Court of Philadelphia). *See also* Rules Governing Standards of Conduct of Magisterial District Judges (effective prior to December 1, 2014), Rule 15B(2) (referring to “Magisterial district judges or a candidate for such office”); Rule 15C (referring to “Magisterial district judges or candidates for such offices”); and Rule 15D (referring to “magisterial district judges or candidates for such office”).

engaged as a candidate for that office. He was charged with violating then-extant Rules 15(D)(1) (relating to magisterial district judges or candidates for judicial office shall maintaining the dignity appropriate to judicial office), 15D(3) (relating to not making pledges or promises of conduct in office other than the faithful and impartial performance of the duties of the office; make statements that commit the candidate with respect to cases, controversies, or issues that are likely to come before the court; or misrepresent their identity, qualifications, present position, or other fact), and 15D(4) (relating, in part, to magisterial district judges or candidates for such office, not themselves soliciting or accepting campaign funds).² He was also charged with violating the “Disrepute Clause” found at Article V, § 18(d)(1) of the Pennsylvania Constitution.³ The Court found that Judge Singletary violated each of these Rules as well as the constitutional provision. *Id.* at 1097-1100. These violations were based on the candidate’s conduct at a campaign event where he

² While the current version of the Rules Governing Standards of Conduct of Magisterial District Judges does not have a specific counterpart to old Rule 15D(1), the other rules which Judge Singletary was found to have violated are found in the version of the Rules adopted in 2014. The “pledges, promises and commitments” proscription of former Rule 15D(3) is now found at Rule 4.1(A)(12). A they prohibition on soliciting and accepting campaign contributions previously found at Rule 15D(4) is now found at Rule 4.1(A)(7).

³ Judge Singletary was also charged with violating Rule 15B(2). Upon motion of the Judicial Conduct Board, this Court dismissed that count of the complaint against Judge Singletary in favor of the charge filed under Rule 15D(4).

personally solicited and accepted campaign contributions and promised “that anyone who gave him money would get favorable consideration from him if he was elected judge.” *Id.* at 1098. *See also Id.* at 1100. By so campaigning he did not maintain the dignity appropriate to judicial office. *Id.* at 1099. This conduct, said the Court, was so extreme that it brought the judicial office into disrepute. *Id.* For these violations, including extreme conduct that brought the judiciary into disrepute, the Court ordered the sanction of a public reprimand and a two-year period of probation. *Id.* at 1100.⁴ Any sanction for the

⁴ In imposing this sanction, the Court listed a number of factors that spoke well of Judge Singletary. *See In re Singletary, supra*, at 1101. Some of these factors are also applicable to Judge LeFever, including that: 1) the *Deming* factors weighed in favor of leniency; 2) there was no other offending conduct of any kind by Judge LeFever during his campaign for judge; 3) Judge LeFever’s contrition; 4) Judge LeFever’s cooperation with the Judicial Conduct Board at every stage of its investigation and prosecution of this case, including his stipulation to virtually all of the facts supporting the violations found by this Court; and 5) Judge LeFever’s exemplary record as a magisterial district judge, particularly in the more than two years since the Judicial Conduct Board filed its complaint against him in 2020, including his election to and service as President of the Lancaster County Magisterial District Judge Association since 2021. Additional factors standing in Judge Singletary’s stead were that he had never been a candidate before, had never been involved in an election before, was not a lawyer and was unfamiliar with and had not had any courses in the Rules Governing Standards of Conduct of Magisterial District Judges. Judge LeFever testified that he was familiar with the Rules Governing Standards of Conduct of Magisterial District Judges but was mistaken as to when they became applicable to him. He relied to an extent on the advice of members of the Lancaster Democratic Committee for when he had to resign as a committee person and candidly admitted that he did not seek advice from any judicial ethics expert in making that decision. These distinctions require no increased sanction for Judge LeFever over what was meted out in *Singletary*.

violations committed by Judge LeFever, which do not include extreme conduct that brought the judiciary into disrepute, should be no greater than the reprimand imposed in *Singletary*.

While there are not many cases approximating Judge LeFever's case previously decided by this Court, relevant to this inquiry is how the Judicial Conduct Board has treated other judges who have engaged in conduct arguably in violation of the political or campaign-related provisions of Canon 4. Many such matters, including one matter resolved since Judge LeFever was charged in late 2020, were handled without the filing of a public complaint in this Court. They include matters described in the Judicial Conduct Board's Annual Reports ("Annual Report") between 2017 and 2021.

Those reports describe certain conduct in which judicial candidates or sitting judges at various levels of the judiciary received either a "Letter of Counsel" or a "Letter of Caution" from the Board. The reports describe these resolutions as follows:

Letters of Counsel are issued by the Board as private admonitions in cases where there is sufficient evidence of judicial misconduct to file formal charges with the Court of Judicial Discipline, but mitigating or extenuating circumstances exist that weigh against the filing of formal charges. The Board's issuance of a Letter of Counsel is subject to judge's acceptance and appearance before Chief Counsel of the Judicial Conduct Board.

2021 Annual Report, p. 14.

Letters of Caution are issued as private warnings of potential judicial misconduct.

Id., p. 15.

In 2021, the Board issued a Letter of Caution under the following circumstances where it determined that Rule 4.2 was implicated in the judge's conduct:

A judge made, as a judicial candidate, false and misleading claims about opposing candidates in a campaign mailer. Upon investigation, the Board concluded that the judge unintentionally made false claims regarding endorsements the opposing candidates received or did not receive. The Board also found that the judge likely misled electors into believing that the opposing candidates voted not to increase penalties on "Drug Dealers and Criminals Who Prey on Seniors and Children" when the opposing candidates were not members of any legislative body in order to make such a vote.

2021 Annual Report, p. 17.

In 2018, the Board issued a Letter of Counsel to a magisterial district judge for alleged violations of Rules 1.1, 4.1(A)(7), 4.1(A)(8) and 4.2(A)(2), explaining:

A judge improperly used office email address and telephone number for campaign purposes, but corrected improper use upon being informed of impropriety and self-reported conduct to the Judicial Conduct Board. Judge did not properly form campaign committee and thereby violated the Election Code by improperly accepting contributions to and making expenditures from the campaign committee. Finally, judge personally accepted campaign contributions for the judge's campaign committee.

2018 Annual Report, p. 12. That same year, the Board issued another Letter of Counsel for alleged violations of Rules 1.3, 4.1(A)(3) and 4.1(A)(11), noting:

A judge standing for reelection abused the prestige of judicial office by publicly endorsing a candidate for election to non-judicial public office.

Id.

Also that year, the Board issued a number of Letters of Caution for allegedly improper campaign-related activity by sitting judges. Amid allegations of violations of Rules 4.2(A)(1) and 4.2(B)(3), a Letter of Caution was issued to a magisterial district judge who “endorsed candidates for the office of magisterial district judge who were on the ballot in different counties than the endorsing judge.” *Id.* at 13.

In another matter involving a judge of a higher court who allegedly violated Rules 4.1(A)(7) and Rule 4.4(B)(1) of the Code of Judicial Conduct,⁵ the Board described that

While conducting a door-to-door judicial campaign, the judicial candidate accepted a \$100 cash donation from a constituent, an individual who had previously contributed to the candidate’s campaigns for State Representative. The judge then submitted the tainted contribution to his judicial campaign committee. Such conduct could be perceived as an impermissible solicitation or acceptance of a campaign contribution and a failure to take reasonable steps to cause the judicial campaign committee to

⁵ It is noted that at Canon 4, the Rules Governing Standards of Conduct of Magisterial District Judges and the Code of Judicial Conduct applicable to judges of higher courts are virtually identical.

accept only such campaign contributions as are permitted by law or Rule.

Id. at 15.

The Board issued a Letter of Counsel to a judge in 2017 for the following conduct in violation of Rules 1.1 and 4.1(A)(4), as well as Article V, § 17(b) of the Pennsylvania Constitution: A judge violated the law and violated the general proscription on partisan political activity by making a monetary donation to a political campaign at a time when the judge was prohibited from making political contributions. 2017 Annual Report, p. 12.

Also that year, the Board issued a number of Letters of Caution for, *inter alia*, violations of Canon 4. With allegations of violations of Rules 1.1, 1.2, 2.16(B), 4.1(A)(8) and 4.2(A)(1), a Letter of Caution was issued on the following facts:

A judge utilized his court office as a forum for a political discussion and utilized the prestige of the judicial office to assist the career prospects of a then-potential opponent to lessen the chances that the potential opponent would run against the judge in the election.

2017 Annual Report, p. 13.

In another case resolved with a Letter of Caution it was alleged that the magisterial district judge violated Rule 4.1 and other non-campaign related rules “by making postings on a social media site that appeared to endorse policy positions put forth by a political party.” 2017 Annual Report, p. 14.

In another matter that year, “[a] recently appointed [magisterial district] judge standing for election for the first time admitted improperly endorsing a candidate for a non-judicial public office” which the Board states potentially ran afoul of Rule 4.1(A)(3). 2017 Annual Report, p. 15.

Also in 2017, the Board says that “[a magisterial district] judge who was not a candidate for election or reelection publicly endorsed the reelection candidacy of another magisterial district judge via a social media post, mistakenly believing that post was private” may have violated Rule 4.1(A)(3). This conduct resulted in a Letter of Caution from the Board. 2017 Annual Report, p. 15.

In two other matters in 2017, the Board issued Letters of Caution to separate magisterial district judges for arguable violations of Rule 4.2(B)(3). In both instances the “judge standing for reelection publicly endorsed via social media reelection of another magisterial district judge who was not a candidate for the same judicial office and who did not appear on the same ballot as the endorsing judge.”⁶ 2017 Annual Report, p. 15.⁷

⁶ In one of these matters, the Board also noted a potential violation of Rule 2.15(A) for failing to report an endorsement violation by another magisterial district judge. 2017 Annual Report, p. 15.

⁷ The Board explained that, in each of these matters, “the endorsing judge relied on an opinion of the Ethics & Professionalism Committee of the Special Court Judges Association of Pennsylvania (with which the Board disagreed) and [the endorsing judge] was afforded the benefit of ‘Rule of Reliance’ as set forth in the Preamble to

As is readily seen in examining these summaries, conduct potentially in violation of rules in Canon 4 similar to those filed and found against Judge LeFever resulted in no public charge against the offending judge. These dispositions are relevant to any sanction that is to be imposed on Judge LeFever for conduct of similar ilk.

III. Analysis and Discussion of Factors Considered in Determining Sanction

Following *Tidd, supra*, several factors guide the Court's decision on the proper sanction for Judge LeFever's conduct. If punishment is warranted, the sanction punishes the judge. *Id.*, at 17. If the public trust has been broken, the sanction repairs the damage. *Id.* Though each disciplinary case is unique, the Court strives for consistency to provide guidance to other judges. *Id.* The Court's precedent is to be consulted, though later violations are interpreted in light of evolving precedent and contemporary standards of public confidence in our judicial system. *Id.*

Given the nature of Judge LeFever's misconduct, one must wonder if any sanction is warranted. His actions must be considered as minor infractions. Here, the Preamble to the Rules provides guidance. It says: "it is not intended that disciplinary action would be appropriate for every violation of the Conduct

the Rules Governing Standards of Conduct of Magisterial District Judges." 2017 Annual Report, p. 15.

Rules' provisions. Whether disciplinary action is appropriate, *and the degree of discipline to be imposed*, should be determined through a reasonable application of the text and *should depend on such factors as the seriousness of the violation*, the intent of the magisterial district judge, whether there is a pattern of improper activity, and the effect of the improper activity on others or on the judicial system." Rules Governing Standards of Conduct of Magisterial District Judges, Preamble [6] (emphasis added). Here, there were minor infractions, including one derivative violation of Article V, § 17(b) which is based on the two separate Rules violations and appears in virtually every case brought to the Court by the Board. There is no pattern of improper activity. Judge LeFever testified that he intended to follow the applicable rules and mistakenly relied upon precedent that this Court has concluded was inapposite. Nevertheless, his activity had no negative effect on the judicial system in contrast to the misconduct in *Singletary* which brought the judiciary into disrepute. Importantly, Judge LeFever was not charged with the serious offense under the Disrepute Clause.

Returning to *Tidd*, Judge LeFever's actions did not break the public trust. Accordingly, a sanction is not required to repair the public trust.

In the years leading up to the Board Complaint being filed against Judge LeFever and since, the Board has decided on private admonitions and warnings

for a variety of campaign- and election-related violations as set forth in the Board's Annual Reports as explained above. These resolutions reflect that evolving precedent and contemporary standards of public confidence in our judicial system do not demand any type of severe sanction for Judge LeFever's once-and-done conduct.

The only arguably close precedent to guide the Court in this matter is *Singletary*. If any sanction is warranted here, it is but a reprimand. There is no need for any probationary period as, different from Judge Singletary, Judge LeFever is and was conversant with the Rules and mistakenly looked to inappropriate case law to guide his decision. By this Court's opinion in finding that Judge LeFever violated two of the provisions with which he was charged, the judiciary now has the benefit of this Court's ruling that Election Code cases are not binding on matters arising under the Rules Governing Standards of Conduct of Magisterial District Judges and the definitions contained therein. This salutary result should weigh in Judge LeFever's favor and lead to a minor sanction (if any is to be imposed).

Judge LeFever has already suffered great harm to his reputation by the Board's filing of its Complaint and the trial before this Court. Any discipline imposed by this Court will only further harm his otherwise fine reputation as a person and as a member of the judiciary. *See, e.g., In re Whittaker*, 948 A.2d 279,

298 (Pa.Ct.Jud.Disc. 2008) (“the injury to the reputation of a judicial officer ‘disciplined’ by this Court cannot be overassessed”). Consistent with this Court’s precedent in this area and the contemporary standards of public confidence in our judicial system, Judge LeFever should suffer no further indignity by the imposition of any serious sanction.

III. Conclusion

For the foregoing reasons, given the *de minimis* nature of Judge LeFever’s conduct, he should suffer no further sanction. In the alternative and consistent with this Court’s precedent and contemporary standards of public confidence in our judicial system, Judge LeFever should receive only a reprimand.

Respectfully submitted,



Robert A. Graci, Esquire
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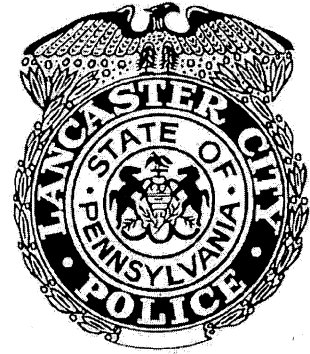
Attorney for Andrew T. LeFever
Magisterial District Judge

Date: January 13, 2023

RESPONDENT'S EXHIBIT S-1



Sergeant Todd A. Grager
Lancaster City Bureau of Police
39 W. Chestnut St.
Lancaster, Pa. 17603
Office 735-3248
Email: gragert@lancasterpolice.com
Community Engagement Sergeant



To whom it may concern,

I have known Magisterial District Judge Andrew Lefever for many years prior to him becoming a judge. When Andy was an Assistant District Attorney, we worked together on numerous cases when I was a Patrol Officer. We worked more closely together when I became a detective which is when I really got to know Andy. During this time, I learned that Andy was more than just a great prosecutor, but was an allaround good person. Andy has always had a vested interest in his community which is why becoming an MDJ was a natural fit for him. Andy has worked with neighbors to improve the quality of life in the area of Musser park. Andy has also volunteered on the board for the Longs Park Summer Music series which has brought our community many fun and exciting reasons to come together.

Upon being elected as a Magisterial District Judge, I have seen Andy grow even more. He has taken his position very seriously and has not taken his position as an opportunity to exercise power, but has used it to improve our community in the City of Lancaster. Andy is an extremely good listener which is a tool that he has sharpened over the years. This is a natural byproduct of a man that genuinely cares for people. This has been evident in any position that Andy has held. It is my belief that our community is a better place with Andy holding the position of Magisterial District Judge in the northeast portion of Lancaster City. I have known many different Magisterial District Judges during my 17 years with the City of Lancaster. I truly believe that Andrew Lefever is one of the best that the City of Lancaster has ever seen. If you have any questions at all, please feel free to contact me directly.

Respectfully,

Sgt. Todd A. Grager #403

Sergeant Todd Grager #403

RESPONDENT'S EXHIBIT S-2

Anthony M. Georgelis, Esquire
Thomas J. Sabatino, Esquire
Christopher P. Larsen, Esquire

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GEORGELIS

INJURY LAW FIRM, P.C.

Tanya J. Georgelis, CFO/COO
Helen L. Shaubach, Paralegal
Robbin L. Hessinger, Paralegal
Kari K. Gehman, Paralegal

Tanya@GeorgelisLaw.com
Helen@GeorgelisLaw.com
Robbin@GeorgelisLaw.com
Kari@GeorgelisLaw.com

January 4, 2023

Court of Judicial Discipline
Pennsylvania Judicial Center
601 Commonwealth Avenue #5500
Harrisburg, PA 17120

RE: Magisterial District Judge Andrew T. Lefever
Magisterial District Court 02-2-04
Second Judicial District
Lancaster County

Dear Sir or Madam:

I am writing concerning the Honorable Andrew T. Lefever. I am aware Judge Lefever will stand before the Court for a sanctions hearing, and I would like to share my perspective.

I have known Judge Lefever for over ten (10) years. At the time I first met Judge Lefever, I was serving as the First Assistant District Attorney of Lancaster County. I served in the District Attorney's Office for over nineteen (19) years, and hired many assistant district attorneys throughout my tenure; Judge Lefever was one of the best. I had the pleasure of observing Judge Lefever develop into a highly effective, reliable and determined prosecutor. He took his role seriously and always served the public interest with integrity and balanced judgment. Based on what I observed of him as a prosecutor, I knew Judge Lefever would be an excellent magisterial district judge.

Although I have moved on from the District Attorney's Office and now practice solely in the area of personal injury law, which limits my magisterial district court practice, I am still very familiar with Judge Lefever and his reputation on the bench. Attorneys on both sides of the aisle consistently comment about how it is a pleasure to appear before Judge Lefever. He has a reputation for being not only fair, but also kind and considerate to all that appear before him. Additionally, I know Judge Lefever personally and have the pleasure of socializing with him occasionally. I have never seen anything that would cause any concern about his fitness to serve in his capacity as a magisterial district judge.

I know this entire episode has caused a great deal of stress and strife in his life, but despite it all, Judge Lefever has never wavered from the even-keeled manner in which he has always conducted himself.

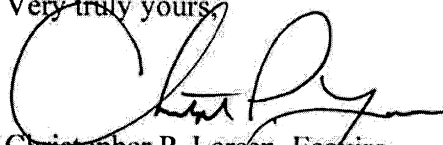
MAILING ADDRESS: Georgelis Injury Law Firm, P.C.
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Lancaster, PA 17603

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Toll-Free: (800) HURT-NOW
Fax: (717) 824-4970
Website: GeorgelisLaw.com

I hope my perspective provides some additional insight and I welcome any questions. If I can be of any further assistance, I would be happy to do so.

Thank you for your time and consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Chris Larsen", written over the typed name below.

Christopher P. Larsen, Esquire
GEORGELIS INJURY LAW FIRM, P.C.

CPL/hls

RESPONDENT'S EXHIBIT S-3

May 25, 2021

The Pennsylvania Court of Judicial Discipline
Pennsylvania Judicial Center
601 Commonwealth Avenue
Suite 5500
P.O. Box 62595
Harrisburg, PA 17106-2595

Re: Magisterial District Judge Andrew T. LeFever

To The Honorable, the Judges of the Court of Judicial Discipline:

I am writing in regard to Magisterial District Judge Andrew T. LeFever. I know Judge LeFever through the Lancaster County District Attorney's Office and I have known him for almost 5 years. When I started with the District Attorney's Office in 2016 Judge LeFever was one of the first fellow ADAs that befriended me. He and I shared numerous interests and views of the world that we enjoyed discussing. One thing that struck me immediately about Judge LeFever was an instant trust and respect that we gave each other. I know Judge LeFever to be of outstanding moral character and to be a truthful, honest, trustworthy, peaceful and law-abiding person. Judge LeFever has always been a knowledgeable, hardworking and diligent attorney and continues to hold those traits as Judge. Whenever I had questions about what to do with cases, or needed a template of a motion that needed to be filed, Judge LeFever was always a phone call away no matter the time of day or night. I knew I'd always get what I was looking for or pointed in the right direction quickly. Judge LeFever was well-respected in the office by his fellow ADAs and the law enforcement community. He prosecuted some of the most difficult cases involving special victims and complex constitutional issues. His service to the Lancaster County community during his time in the District Attorney's Office was astounding. Judge LeFever took his job seriously and remained committed to his oath until the day he left. Based upon that service to community, becoming a Judge suited Andrew LeFever appropriately.

I know people in the community who know Judge LeFever professionally and personally. In fact, several of us who used to work together in the District Attorney's Office have stayed committed friends that regularly talk on the phone and meet up to share dinner. We don't always agree on the issues of the day, but with each other we all know that we are safe to talk, respectfully argue and disagree, and walk away closer than ever and satisfied with the positive discussion. Among those of us who used to work with Judge LeFever as ADAs and who still work at the District Attorney's Office and interact with Judge LeFever professionally at his office, his reputation as a truthful and honest person, as a peaceful and law-abiding person, and as a knowledgeable, diligent and hard-working lawyer and judge is excellent. I also know members of the Defense Bar in Lancaster County who have similar opinions of Judge LeFever. Before I left the District Attorney's Office earlier this year, I had the pleasure of being before Judge LeFever during preliminary hearings. He did not give me any favoritism or my opponents any bias. The Judge made sure that decorum, professionalism, and the law came first.

I am aware that Judge LeFever is facing misconduct charges and nevertheless hold these views and am willing to so testify. He told me of the charges against him upon the charges being filed. He has been forthright in doing so and has expressed remorse for his conduct. On several occasions we have talked about the charges and he even went as far as to explain in detail to me how his conduct could result in these charges when I did not understand. Even with this knowledge, I still hold him in the highest regard. I believe that his willingness and honesty in explaining to me the conduct and repercussions thereof show that he understands fully what he did wrong and knows that he must pay closer attention to the laws and rules of conduct.

I implore you to consider his outstanding character and demonstrated record of service to the community as a lawyer and judge in coming to a decision on the pending matter. It is my sincere hope that the Court of Judicial Discipline will take this letter into account when reaching its decision on the charges against him and any sanction that might be imposed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "JLH", written over a horizontal line.

Jared L. Hinsey, Esquire

RESPONDENT'S EXHIBIT S-4



Law Offices of Patricia Spotts & David Blanck

May 27, 2021

The Pennsylvania Court of Judicial Discipline
Pennsylvania Judicial Center
601 Commonwealth Avenue
Suite 5500
P.O. Box 62595
Harrisburg, PA 17106-2595

Re: Magisterial District Judge Andrew T. LeFever

To The Honorable, the Judges of the Court of Judicial Discipline:

I am writing in support of Magisterial District Judge Andrew T. LeFever. I have known Judge Lefever for approximately 7 years, first as a prosecutor in Lancaster County and then as a Magisterial District Judge. As a defense attorney, I admire his sense of justice, integrity, and knowledge of the law. I respect that Judge LeFever brought his sense of integrity to the prosecution of my clients by focusing on the fair administration of justice rather than a win at all cost attitude. His integrity in dealing with all people fairly and honestly gave him a well-deserved trustworthy and knowledgeable reputation among attorneys and judges alike. It is those character traits that caused members of the legal community to support his decision to run for Magisterial District Judge. The district that he represents previously had a poor reputation for the fair and efficient administration of justice. Having someone in the position of Magisterial District Judge with the leadership skills and hard work ethic of Judge Lefever has greatly benefited the local community.

I have also had the pleasure of learning about Judge Lefever's private life and personal views. He shared his goals and philosophies as we developed a collegial friendship. His integrity as a person carried over in all aspects of his life. I have never heard any of his friends or colleagues discuss any behavior that would reflect negatively on the judiciary.

I am aware that Judge LeFever is facing misconduct charges and we have discussed them at length. He certainly regrets that he acted in error prior to his election. He has been completely forthcoming in discussing his actions and none of this has changed my opinion of Judge Lefever or the opinion of others who know him. I am willing to testify before this Court in support of Judge Lefever.

It is my sincere hope that the Court of Judicial Discipline will take this letter into account when reaching its decision on the charges against Judge Lefever and any sanction that might be imposed. The citizens of his judicial district need a strong and honest leader that will continue to serve the community.

Phone (717) 690-2975
Fax (717) 869-4903
patricia@pkddlblaw.com

53 North Duke Street SUite 306
Lancaster, Pennsylvania 17602

Respectfully submitted,

/s/ Patricia K Spotts, Esquire

RESPONDENT'S EXHIBIT S-5

May 26, 2021



PARTNERS

JOSEPH P. McMAHON
SHAWNEE S. BURTON

ASSOCIATES

JULIA M. PARRISH
SARAH A. GROODY

OF COUNSEL

ROBERT C. WEE

The Pennsylvania Court of Judicial Discipline
Pennsylvania Judicial Center
601 Commonwealth Avenue
Suite 5500
P.O. Box 62595
Harrisburg, PA 17106-2595

RE: Magisterial District Judge Andrew T. LeFever

To The Honorable, the Judges of the Court of Judicial Discipline:

I am writing in regard to Magisterial District Judge Andrew T. LeFever. I know Judge LeFever through interactions in criminal court and I have known him for approximately seven (7) years. I know Judge LeFever to be of outstanding moral character and to be an honest, and principled attorney. I know people in the community who know Judge LeFever. Among those people, his reputation as an honest and law-abiding person and as a thoughtful, conscientious, and fair lawyer and judge is excellent.

I personally become acquainted with Judge LeFever when he served as an Assistant District Attorney. As a criminal defense attorney, I had the pleasure of dealing with Judge LeFever and his refreshingly fair-minded approach to his job. He treated me and my colleagues with respect at all times.

I am aware that Judge LeFever is facing misconduct charges and nevertheless hold these views and am willing to so testify. He has told me of the charges against him. He has been forthright in doing so and has expressed remorse for his conduct. Even with this knowledge, I still hold him in the highest regard.

I implore you to consider his outstanding character and demonstrated record of service to the community as a lawyer and judge in coming to a decision on the pending matter. It is my sincere hope that the Court of Judicial Discipline will take this letter into account when reaching its decision on the charges against him and any sanction that might be imposed.

Respectfully submitted,

Joseph P. McMahon
Attorney at Law

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COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

IN RE:

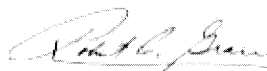
Andrew T. LeFever, Esquire :
Magisterial District Judge : 7 JD 2020
Magisterial District 02-2-04 :
2nd Judicial District :
Lancaster County :

CERTIFICATE OF COMPLIANCE

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

Submitted by: Counsel for Andrew T. LeFever

Signature:



Name: Robert A. Graci, Esquire

Attorney ID Number: 26722

**COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE**

IN RE:

Andrew T. LeFever, Esquire	:	
Magisterial District Judge	:	7 JD 2020
Magisterial District 02-2-04	:	
2nd 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 Sanctions Memorandum of Respondent was mailed and emailed to Colby J. Miller, Judicial Conduct Board Deputy Counsel, at the following addresses:

Colby J. Miller, Deputy Counsel
Judicial Conduct Board
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106

and

Colby.Miller@jcbpa.org

Respectfully submitted,



Robert A. Graci, Esquire
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Cell: 717-585-3684
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Date: January 13, 2023