

SEP 30 2025

COURT OF JUDICIAL DISCIPLINE
OF PENNSYLVANIA

VAN DER VEEN, HARTSHORN, LEVIN & LINDHEIM

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ATTORNEY FOR RESPONDENT

IN RE:
 JUDGE SCOTT DICLAUDIO
 FIRST JUDICIAL DISTRICT
 PHILADELPHIA COMPLAINT

:
 :
 : COMMONWEALTH OF
 : PENNSYLVANIA COURT OF
 : JUDICIAL DISCIPLINE
 :
 : NO. 1 JD 2025
 : NO. 2 JD 2025
 :

PROPOSED WITNESS LIST

Judge Scott DiClaudio ("Judge DiClaudio"), by and through his attorney, Michael T. van der Veen, hereby submits this Proposed Witness List in response to this Honorable Court's September 17, 2025 Order. Judge DiClaudio intends to call the following individual(s) during the October 6, 2025 Hearing on the Judicial Conduct Board's Petition for Relief for Interim Suspension Without Pay:

1. Judge DiClaudio

Judge DiClaudio will testify consistent with his Response to the Judicial Conduct Board's Notice of Full Investigation submitted on August 22, 2025 and attached hereto as "Exhibit A."

2. Judge Daniel Anders

Judge DiClaudio is presently unable to submit an Offer of Proof to this Court concerning the expected testimony of Judge Anders, as he has not been furnished with any discovery materials to date, including but not limited to statements, memoranda, transcripts of prior testimony, or any other relevant documentation. Notwithstanding the absence of such materials,

Judge DiClaudio intends to call Judge Anders as a witness in these proceedings should the Board of Judicial Discipline elect not to do so.

3. **Judge Zachary Shaffer**

Judge DiClaudio is presently unable to submit an Offer of Proof to this Court concerning the expected testimony of Judge Shaffer, as he has not been furnished with any discovery materials to date, including but not limited to statements, memoranda, transcripts of prior testimony, or any other relevant documentation. Notwithstanding the absence of such materials, Judge DiClaudio intends to call Judge Shaffer as a witness in these proceedings should the Board of Judicial Discipline elect not to do so.

4. **Nicole Vernacchio**

Judge DiClaudio is presently unable to submit an Offer of Proof to this Court concerning the expected testimony of Ms. Vernacchio, as he has not been furnished with any discovery materials to date, including but not limited to statements, memoranda, transcripts of prior testimony, or any other relevant documentation. Notwithstanding the absence of such materials, Judge DiClaudio intends to call Ms. Vernacchio as a witness in these proceedings should the Board of Judicial Discipline elect not to do so.

Respectfully submitted,

**VAN DER VEEN, HARTSHORN,
LEVIN & LINDHEIM**

Date: September 29, 2025

BY: */s/ Michael T. van der Veen*
Michael T. van der Veen, Esquire
Attorney for Respondent

VERIFICATION

I, Michael T. van der Veen, Esquire, verify that the statements made in the foregoing motion are true and correct. 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,

**VAN DER VEEN, HARTSHORN,
LEVIN & LINDHEIM**

Date: September 29, 2025

BY: */s/ Michael T. van der Veen*
Michael T. van der Veen, Esquire
Attorney for Respondent

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ATTORNEY FOR RESPONDENT

IN RE:
JUDGE SCOTT DICLAUDIO
FIRST JUDICIAL DISTRICT
PHILADELPHIA COMPLAINT

:
: **COMMONWEALTH OF**
: **PENNSYLVANIA COURT OF**
: **JUDICIAL DISCIPLINE**
:
: **NO. 1 JD 2025**
: **NO. 2 JD 2025**
:
:

CERTIFICATE OF COMPLIANCE

I, Michael T. van der Veen, Esquire, 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.

Respectfully submitted,

**VAN DER VEEN, HARTSHORN,
LEVIN & LINDHEIM**

Date: September 29, 2025

BY: */s/ Michael T. van der Veen*
Michael T. van der Veen, Esquire
Attorney for Respondent

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ATTORNEY FOR RESPONDENT

IN RE:
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: **NO. 2 JD 2025**
:

CERTIFICATE OF SERVICE

I, Michael T. van der Veen, hereby certify a copy of this Proposed Witness List was sent electronically, by email, and/or by USPS first class mail upon the following:

Court of Judicial Discipline
601 Commonwealth Avenue
Suite 1500
Harrisburg, PA 17120
Jennifer.love@pacourts.us

Judicial Conduct Board
601 Commonwealth Avenue
Suite 3500
Harrisburg, PA 17120
Elizabeth.Hoffheins@jcbpa.org

Respectfully submitted,

**VAN DER VEEN, HARTSHORN,
LEVIN & LINDHEIM**

Date: September 29, 2025

BY: */s/ Michael T. van der Veen*
Michael T. van der Veen, Esquire
Attorney for Respondent

EXHIBIT A

van der Veen, Hartshorn, Levin & Lindheim

By: Michael T. van der Veen, Esq.

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IN RE: JUDGE SCOTT DICLAUDIO

**COMMONWEALTH OF
PENNSYLVANIA**

JUDICIAL CONDUCT BOARD

File No. 2025-427

**RESPONSE TO THE JUDICIAL CONDUCT BOARD'S
NOTICE OF FULL INVESTIGATION**

TO THE JUDICIAL CONDUCT BOARD:

Judge Scott DiClaudio ("Judge DiClaudio"), by and through his attorney, Michael T. van der Veen, hereby submits this Response to the Judicial Conduct Board's Notice of Full Investigation. In support thereof, Judge DiClaudio represents the following:

A.

1. This is inaccurate. On the stated date, Judge Shaffer came to Judge DiClaudio's courtroom unannounced to pay for tee shirts which he had ordered for himself and his clerk.
2. This is inaccurate. After Judge Shaffer gave Judge DiClaudio ten (10) dollars for the tee shirts, Judge Shaffer remained in Judge DiClaudio's chambers, apparently to chat as they have done on many occasions.

3. This is inaccurate. As explained below, Judge DiClaudio did not have a note; but he had a card which had been given to him on or about June 1, 2025 by Mr. Jones. The card had no information on it concerning the nature or date of proceedings before Judge Shaffer.

4. This is inaccurate. As explained below, Judge DiClaudio did not say anything to Judge Shaffer about how he would or should handle the case.

5. From the docket in this case, it is apparent that Judge Shaffer recused himself from the case four (4) days after our meeting.

6. This is incomplete. On June 25, 2025, Judge DiClaudio was informed by Administrative Judge Anders that, effective immediately, he was required to be in Chambers daily to work on judicial matters.

7. This is accurate, however, Judge DiClaudio had no idea that Judge Shaffer was involved in a complaint against him.

8. This is accurate.

9. This is accurate.

By way of full explanation: on or about June 1, 2025, Dwayne Jones approached Judge DiClaudio at a concert he was attending at The Mann Center in Philadelphia, Pennsylvania. Judge DiClaudio had never met Mr. Jones before and he has not met him since.

At that time, Mr. Jones handed Judge DiClaudio his card which Judge DiClaudio put into his cell phone case. Mr. Jones told Judge DiClaudio that he had a court case and wanted to know what kind of judge Judge Shaffer was. Mr. Jones said he had pled guilty, but Mr. Jones did not say when any future court dates or hearings would be. Judge DiClaudio's immediate response was that Judge Shaffer was a good judge who always does the right thing. Mr. Jones did not in any way ask

Judge DiClaudio to talk to Judge Shaffer or to influence his case in any way. Nor did Judge DiClaudio offer.

Over the intervening two (2) weeks, Judge DiClaudio made no effort to contact Judge Shaffer or find out about the nature or status of Mr. Jones' case. Thus, when Judge Shaffer came to Judge DiClaudio's chambers, he had no idea of whether the case remained active with Judge Shaffer. It was well into Judge DiClaudio's chat with Judge Shaffer on June 12, 2025, that Judge DiClaudio remembered that Mr. Jones had mentioned him at the concert. Judge DiClaudio did not immediately remember Mr. Jones by name so he said something like "Some guy . . ." and remembered that he had given Judge DiClaudio his card. Judge DiClaudio pulled the card out of his phone case and identified the "guy" as Dwayne Jones. Judge DiClaudio reported the conversation as described above and told Judge Shaffer that his full response was that he was a good judge who does the right thing. There was no discussion of the case, its nature, or its status. Judge DiClaudio believes he chatted for a moment longer and then he went into his courtroom and Judge Shaffer left.

Apparently Judge Shaffer then waited four (4) days before deciding to recuse himself and up to eleven (11) days before going to Judge Anders. On information and belief, Judge Shaffer stated to a member of his staff that he only reported this incident because he, himself, has been under investigation and thought Judge DiClaudio had been wearing a wire.

Judge DiClaudio had no intention of influencing any matter before Judge Shaffer in any way, and neither his words nor his actions belie that.

B. Our investigation is continuing, and we will supplement this response with witnesses to be interviewed shortly.

C. Our investigation is continuing, and we will supplement this response with pertinent documents shortly.

WHEREFORE, for the foregoing reasons, Judge Scott DiClaudio respectfully requests that the Judicial Conduct Board close and dismiss this investigation.

Respectfully Submitted,

**VAN DER VEEN, HARTSHORN,
LEVIN & LINDHEIM**

DATED: August 22, 2025

/s/ *Michael T. van der Veen*

Michael T. van der Veen, Esquire
Attorney for Judge Scott DiClaudio

VERIFICATION

I, Scott DiClaudio, hereby verify that the statements in the foregoing Response are true and correct to the best of my knowledge, information and belief. The undersigned understands that the statements herein are made subject to the provisions of 18 Pa. C.S. §4904 pertaining to the falsification of unsworn statements.

/s/ *Scott DiClaudio*
Scott DiClaudio