

TITLE 1: GOVERNMENT
DIVISION 3: JUDICIAL BRANCH

§ 3309. Disqualification Procedure.

(a) Whenever a justice or judge of the Commonwealth believes that there are grounds for his or her disqualification, he or she shall, on his or her own initiative, recuse himself or herself and enter a written order of recusal in the record of the proceeding. If the parties are not present in court when the order is entered, the clerk shall immediately transmit a copy of the order to each party or attorney who has appeared in the action or proceeding.

(b) Whenever a party to any proceeding in a court of the Commonwealth believes that there are grounds for disqualification of the justice or judge before whom the matter is pending, that party may move for disqualification of the justice or judge, stating specifically the grounds for such disqualification.

Source: PL 6-25, § 3, ch. 3 (§ 3309).

Commission Comment: See also the Code of Judicial Conduct for the Commonwealth Judiciary and Procedure for Filing Grievances Involving Members of the Judiciary.