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EVALUATION REPORT

approved according to Article 40

of the Rules of Organization and Functioning

ION PÂCALEU

Interim President of the Bălți District Court

subject of evaluation under Article 3 para. (1) Law No. 252/2023

21 October 2025

(Reviewed under Article 40 para. (6) of Commission's Rules, to correct
certain technical, grammatical and spelling mistakes)

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Evaluation Panel D of the Commission (hereinafter the “Commission”) established by Law No. 65/2023 on the External Evaluation of Judges and Candidates for Judges of the Supreme Court of Justice and discharging the powers under Law No. 252/2023 on the external evaluation of judges and prosecutors and amending some normative acts (hereinafter “Law No. 252/2023”) deliberated on the matter on 15 October 2025 and approved the following report on 21 October 2025. The members participating in the approval of the report were:

1. Scott BALES
2. Lilian ENCIU
3. Iurie GAȚCAN

The Commission prepared the following evaluation report based on its work in collecting and reviewing the information, the subject’s explanations and its subsequent deliberations.

I. Introduction

1. This report concerns Mr. Ion Pâcaleu, the Interim President of the Bălți District Court (hereinafter the “subject”).
2. The Commission conducted its evaluation pursuant to Law No. 252/2023 and the Commission’s Rules of Organization and Functioning (hereinafter “Rules”).
3. The Commission concluded that the subject meets the criteria identified in Law No. 252/2023 for ethical and financial integrity.

II. Subject of the Evaluation

4. Since 2022, the subject has held the position of Interim President of the Bălți District Court. The subject was appointed as a judge of the Bălți District Court in 2017.
5. Between 2008 and 2017, the subject served as a judge at the Fălești District Court. From 2016 until his appointment to the Bălți District Court, he held the position of Interim President of the Fălești District Court.
6. The subject obtained a bachelor’s degree in law in 1999 from the Free International University of Moldova (ULIM).

III. Evaluation Criteria

7. Under Article 11 para. (1) of Law No. 252/2023, the Commission evaluates the subject’s ethical and financial integrity.

8. Under Article 11 para. (2), a subject:

"[...] does not meet ethical integrity requirements if the Evaluation Commission has determined that:

a) in the last 5 years, he/she seriously violated the rules of ethics and professional conduct of judges, or, as the case may be, prosecutors, as well as if they acted arbitrarily or issued arbitrary acts, over the last 10 years, contrary to the imperative rules of the law, and the European Court of Human Rights had established, before the adoption of the act, that a similar decision was contrary to the European Convention on Human Rights;

b) in the last 10 years, has admitted in his/her work incompatibilities and conflicts of interest that affect the office held."

9. Under Article 11 para. (3), a subject:

"[...] does not meet the criterion for financial integrity if the Evaluation Commission has serious doubts determined by the fact that:

a) the difference between assets, expenses and income for the last 12 years exceeds 20 average salaries per economy, in the amount set by the Government for the year 2023;

b) in the last 10 years, admitted tax irregularities as a result of which the amount of unpaid tax exceeded, in total, 5 average salaries per economy, in the amount set by the Government for the year 2023."

10. The applicable rules of ethics and professional conduct for judges in the relevant period were regulated by the:

- a. Law No. 544 of 20 July 1995 on Status of Judge;
- b. Law No. 178 of 25 July 2014 on Disciplinary Liability of Judges;
- c. Judge's Code of Ethics and Professional Conduct No. 8 of 11 September 2015 approved by the Decision of the General Assembly of Judge;
- d. Judge's Code of Ethics approved by the decision of the Superior Council of Magistracy no. 366/15 of 29 November 2007;
- e. Guide on the integrity of judges No. 318/16 of 3 July 2018 approved by the Superior Council of Magistracy.

11. The average salary per economy for 2023 was 11,700 MDL. Thus, the threshold of 20 average salaries is 234,000 MDL, and the threshold of five average salaries is 58,500 MDL.

12. Article 11 para. (4) of Law No. 252/2023 allows the Commission to verify various things in evaluating the subject's financial integrity, including

payment of taxes, compliance with the legal regime for declaring assets and personal interests, and the origins of the subject's wealth.

13. In evaluating the subject's financial integrity, Article 11 para. (5) of Law No. 252/2023 directs the Commission also to consider the wealth, expenses, and income of close persons, as defined in Law No. 133/2016 on the declaration of wealth and personal interests, as well as of persons referred to in Article 33 paras. (4) and (5) of Law No. 132/2016 on the National Integrity Authority.
14. In assessing a subject's compliance with the ethical and financial integrity criteria, the Commission applies the rules and legal regime that were in effect when the relevant acts occurred.
15. According to Article 11 para. (2) of Law No. 252/2023 a subject shall be deemed not to meet the ethical integrity criterion if the Commission has determined the existence of the situations provided for by that paragraph. Under Article 11 para. (3) of Law No. 252/2023, the Commission determines that a subject does not meet the financial integrity criterion if it establishes serious doubts determined by the facts considered breaches of the evaluation criteria. The Commission cannot apply the term "serious doubts" without considering the accompanying phrase "determined by the fact that". This phrase suggests that the Commission must identify as a "fact" that the specified conduct has occurred.
16. Regarding the standard of "serious doubts" in the context of the vetting exercise, the Constitutional Court noted concerning its previous decisions that the definition of standards of proof inevitably involves using flexible texts. The Court also said that the Superior Council of Magistracy can only decide not to promote a subject if the report examined contains "confirming evidence" regarding the non-compliance with the integrity criteria. The word "confirms" suggests a certainty that the subject does not meet the legal criteria. Thus, comparing the wording "serious doubts" with the text "confirming evidence", the Court considered that the former implies a high probability without rising to the level of certainty (Constitutional Court Judgement No. 2 of 16 January 2025, §§ 99, 101).
17. Once the Commission establishes substantiated doubts regarding particular facts that could lead to failure of evaluation, the subject will be given the opportunity to oppose those findings and to submit arguments in defense, as provided by Article 16 para. (1) of Law No. 252/2023. After weighing all the evidence and information gathered during the proceedings, the Commission makes its determination.

IV. Evaluation Procedure

18. On 15 April 2025, the Commission received the information from the Superior Council of Magistracy under Article 12 para. (1) of Law No. 252/2023. The information included the subject as an Interim President of the Bălți District Court.
19. On 2 May 2025, the Commission notified the subject and requested that he complete and return an ethics questionnaire and the declarations as provided in Article 12 para. (3) of Law No. 252/2023 within 20 days from the date of notification (hereinafter these declarations are referred to as the “five-year declaration”). The subject returned the completed five-year declaration and questionnaire on 19 May 2025.
20. On 30 May 2025, the Commission notified the subject that his evaluation file had been randomly assigned to Panel B, composed of Scott Bales, Lilian Enciu and Iurie Gațcan. The subject was also informed of his right to request, in writing and at the earliest possible time, the recusal of any panel member. On 20 August 2025, the subject was notified that the panel composed of the same members had been renamed Panel D.
21. Because the law sets different evaluation periods for the ethical and financial integrity criteria cited above, the Commission evaluated compliance with these criteria over the past five, ten and 12 years. Due to the end-of-the-year availability of the tax declarations and declarations on wealth and personal interests, the financial criteria evaluation period included 2013-2024 and 2015-2024. The evaluation period for the ethical criterion includes the past five or ten years calculated backward from the date of the notification.
22. In the last 12 years of the evaluation period, the subject had an obligation to submit declarations, both under Law No. 133/2016 on the Declaration of Wealth and Personal Interests and under Law No. 1264/2002 on the Declaration and Income and Property Control for persons with positions of Public Dignity, Judges, Prosecutors, Civil Servants, positions of Management.
23. The Commission sought and obtained information from numerous sources. No source advised the Commission of later developments or any corrections regarding the information provided. The sources asked to provide information on the subject included the General Prosecutor's Office, the Anti-Corruption Prosecutor's Office, the Prosecutor's Office for Combating Organized Crime and Special Cases, the Ministry of Internal Affairs, the National Anticorruption Center, the National Integrity Authority

(hereinafter “NIA”), the State Fiscal Service, the National Office of Social Insurance, the General Inspectorate of Border Police, banks (Energbank JSC, EuroCreditBank JSC, Eximbank JSC, Moldinconbank JSC, MAIB JSC, Victoriabank JSC, OTP Bank JSC, Banca de Economii JSC, Unibank JSC), Office for Prevention and Fight Against Money Laundering, and the Public Service Agency. Information was also obtained from other public institutions and private entities, open sources such as social media and investigative journalism reports. Two petitions were received from individuals. These were included in the evaluation file. All information received was carefully screened for accuracy and relevance.

24. On 30 June 2025, the Commission asked the subject to provide additional information by 10 July 2025 to clarify certain matters (hereinafter the “first round of questions”). The subject provided answers and documents within the deadline.
25. On 6 August 2025, the Commission asked the subject to provide additional information by 17 August 2025 to clarify certain matters (hereinafter the “second round of questions”). The subject provided answers and documents within the deadline.
26. On 29 August 2025, the Commission asked the subject to provide additional information by 9 September 2025 to clarify certain matters (hereinafter the “third round of questions”). The subject provided answers and documents within the deadline.
27. On 3 October 2025, the Commission notified the subject that, based on the information collected and reviewed, it had no doubts about his compliance with the financial and ethical criteria to be discussed at a public hearing. The subject was sent a written hearing notice and an invitation to attend a public hearing on 15 October 2025. The notice stated that if the subject declined to participate, but confirmed the accuracy of the information previously provided, the Commission would, absent any new information or developments, adopt a decision on passing the evaluation.
28. As provided in Article 39 para. (4) of the Rules, the subject could have requested access to all the materials in his evaluation file at least seven days before the hearing. However, the subject did not exercise this right.
29. On 6 October 2025, the subject informed the Commission that he would not participate in the hearing.

30. On 13 October 2025, the Commission requested the subject to confirm the accuracy of the information previously provided. On the same date, the subject provided the confirmation.

V. Analysis

31. This section discusses the relevant facts and reasons for the Commission's conclusion.
32. Based on the information it collected, the Commission analyzed and, where necessary, requested further clarifications on the matters which, upon initial review, raised doubts as to compliance with the criteria established by law:
- a) possible instances of abuse of office;
 - b) compliance with the conflict-of-interest regime;
 - c) potential difference between the assets, expenses, and income (hereinafter "unjustified or inexplicable wealth").

A. Possible instances of abuse of office

1. Alleged hiring without a public competition

33. According to a petition submitted to the Commission, the subject, while serving as interim president of the Bălți District Court, allegedly rehired a former staff member, M.C., without organizing a legally required public contest. The petitioner claimed that M.C. had previously been dismissed for submitting forged timekeeping records on behalf of her spouse, who was formally employed at the court but working elsewhere.
34. The court's official competition announcement was posted online on 10 February 2022. However, the competition process reportedly occurred on 11 and 18 January 2022, raising concerns that the procedure may have been simulated or retroactively formalized.
35. According to Article 29 para. (1) of Law No. 158/2008 on the Public Service and the Status of Civil Servants,
- "The contest for filling a vacant or temporarily vacant public position is based on the principles of open competition, transparency, competence and professional merit, as well as the principle of equal access to public positions for all citizens."
36. Recruitment in the public service must therefore take place exclusively through a contest selection process. The simulation of such a process, if

confirmed, could constitute abuse of power or abuse of office under Article 312 of the Contravention Code and may also entail disciplinary liability.

37. The Commission requested and received relevant documentation from the Bălți District Court, which clarified several aspects of the situation. Specifically:

a) The public competition for the position of Superior Specialist was announced on 14 December 2021, as per evidence submitted by the court. Although the competition listing is no longer visible at the original URL, the court explained that this is due to a system-wide website limitation, which automatically updates links to reflect only ongoing competitions. Moreover, the court clarified that the notice dated 10 February 2022, which was cited in the petition, did not constitute the original announcement but was a post-factum communication regarding the completion of the competition procedure for the position in question;

b) The court provided the act of resignation from M.C.'s previous position, confirming that her departure was not based on disciplinary grounds;

c) The reappointment order and the full competition file—including the order establishing the competition committee, the written tests completed by the candidates and the minutes and scoring records of the competition committee.

38. The documentation demonstrated that the recruitment procedure had been conducted and formally documented. The Commission finds that, considering the submitted materials, the recruitment process complied with applicable legal requirements.

2. Alleged extensions of an interim position beyond the statutory limit

39. Based on the information provided in a petition noted at § 23, the Commission examined the initial appointment and subsequent extensions of E.P., a judicial assistant at the Bălți District Court, as Interim Head of Secretariat during the period March 2021 – December 2022.

40. According to the timeline established by official documents, E.P. exercised this interim position for a total of 21 consecutive months, under successive appointment and extension orders.

41. Article 49 paras. (2) – (3) of Law No. 158/2008 on the Public Function and the Status of Civil Servants sets clear limits for interim appointments to public managerial positions. The law provides:

“(2) If the public managerial position or the senior-level public managerial position is vacant, the temporary exercise of the function is permitted for a period not exceeding 6 months per year, by the authority legally competent to make appointments.

(3) This period may be extended by no more than 6 months if the public authority has organized a competition to fill the respective position, but the position has not been filled, in accordance with the law.”

42. According to the documents received and the responses provided by the subject, the following timeline of interim appointments was established:

a) On 1 March 2021, E.P. was appointed as Interim Head of Secretariat for a term of six months by then-President D.G;

b) On 1 September 2021, his interim mandate was extended for another six months, completing the 12-month statutory maximum under Article 49 para (3);

c) On 1 March 2022, the subject—then serving as interim president of the Bălți District Court—issued a new order reappointing E.P. to the same interim position for another six-month term;

d) On 1 September 2022, the interim was extended once more by Vice-President V.P;

e) On 30 December 2022, E.P. was appointed to the position on a permanent basis following a competitive procedure.

43. In his written response to the Commission, the subject acknowledged that the 12-month interim term had expired in February 2022. However, he argued that the March 2022 appointment did not constitute an extension under para. (3) of the cited provision, but rather a new interim appointment under para. (2), justified by the continued vacancy of the position and repeated failures of the court’s attempts to organize a successful competition.

44. The subject noted that public competitions had been announced multiple times during this period. The subject explained that, in some cases, no candidates applied; in others, the applicants were disqualified. Screenshots and documents were provided to demonstrate the court’s efforts to comply with the requirement to fill the position through a competitive process.

45. The Commission notes that the continuous exercise of interim duties by the same person for 21 months—whether through a new appointment or successive extensions—may have resulted in a circumvention of the temporal limitation set out by law. Nevertheless, having assessed all relevant

circumstances, including the documented efforts made to organize a lawful competition, the Commission does not find that the subject's actions amount to a serious violation of ethical rules, within the meaning of Law No. 252/2023.

3. Use of an official vehicle by the subject's wife

46. On 4 May 2023, the subject's wife was recorded for violating traffic regulations by exceeding the legal speed limit. The violation occurred while she was driving an Opel Astra m/y 2012, a vehicle under the management of the Bălți District Court.
47. In response to the Commission's inquiry, the Bălți District Court confirmed that, since 2022, the vehicle in question had been under the management of several court employees, including the subject, in his capacity as interim president. However, the court did not provide any indication that the subject's wife was authorized to operate or use the vehicle managed by the court.
48. The Bălți District Court also submitted the vehicle's journey sheet for May 2023. The records included vehicle data, daily mileage, fuel consumption and official routes travelled, but did not include the names of individual drivers. Based on the analysis of travel patterns, the relevant date (4 May 2023) likely corresponds to a trip from Bălți to Sângerei and back. No data within the journey sheet specifically referred to the subject's wife.

Subject's explanations

49. In the second round of questions, the subject confirmed that he was the designated driver of the vehicle on 4 May 2023 and that the journey to the Sângerei headquarters was work-related, as part of his official duties as interim president of the Bălți District Court.
50. The subject explained that, on 4 May 2023, at approximately 15:00, he was preparing to travel to the Sângerei headquarters together with the court driver. As they were leaving the premises, they encountered the subject's wife, who had returned from medical consultations and was waiting to accompany him home. To avoid her having to wait for several hours, the subject invited her to join the trip. The court driver proposed to remain at the Bălți headquarters, and the subject continued the journey using the court vehicle, accompanied by his wife.
51. During the return trip to Bălți, the subject experienced a sudden health issue that temporarily prevented him from driving. He pulled the vehicle over

and, due to the situation, his wife took over driving for the remainder of the journey.

52. The traffic violation was recorded near the entrance to the city of Bălți. The patrol officer who stopped the vehicle recognized the subject (due to his capacity as a judge) and observed that he appeared to be in a state of physical discomfort. The subject further explained that his wife acknowledged the violation and paid the fine.
53. The subject submitted a written undated statement of the patrol officer who documented the violation, which corroborates the subject's account of the incident. No internal investigation was initiated, as the event was isolated and did not result in any prejudice to the Court or third parties.

Commission's assessment

54. In this case, the initial established circumstances gave rise to concerns regarding possible misuse of court property.
55. However, based on the subject's explanations, the Commission considers that the circumstances described may plausibly indicate an exceptional and unforeseen situation. The subject was on an official trip between court locations, and the presence of his wife in the vehicle appears incidental. Her assumption of driving duties was explained as a response to a temporary health issue affecting the subject.
56. The documentation reviewed does not indicate that the vehicle was diverted from its official route or used for personal purposes. The subject's version of events is coherent and is supported by the third-party statement of the police officer.
57. There is no evidence to suggest that the subject acted with intent to misuse public property and the Commission does not find sufficient grounds to raise integrity concerns in connection with this incident.

B. Compliance with the conflict-of-interest regime

1. Legal principles

58. Under Article 11 para. (2) lit. b) of Law No. 252/2023, a subject does not meet the criteria of ethical integrity if the Commission determined that in the last 10 years, has admitted in his/her work incompatibilities and conflicts of interest that affect the office held.
59. As already noted in the Commission's previous reports, *e.g.* Ursachi (Report of 5 November 2024), in its Judgement No. 18 of 27 September 2022, the

Constitutional Court mentioned that a distinction must be made between the conflicts of interest of judges arising in administrative activity (e.g. presidents of courts) and in jurisdictional activity. Judges have an obligation to perform their functional duties impartially and objectively. In general, this obligation requires a judge to refrain from examining an application or taking a decision if he or she has a personal interest which influences or could influence the impartial exercise and objective performance of his or her duties.

60. Article 52 para. (1) of the Code of Civil Procedure, Article 34 para. (1) of the Code of Criminal Procedure and Article 202 para. (1) of the Administrative Code obliges the judge to refrain from examining the case when there are reasons affecting the judge's impartiality.
61. Under Article 4 para. (1) lit. a) of the Law 178/2014 on disciplinary responsibility of judges, a disciplinary offense can be:

“non-compliance by intention or gross negligence with the duty to abstain when the judge knew or should have known that circumstances provided by law requiring abstention existed [...]”

2. A case concerning the mother of a court employee

62. According to the Integrated Case Management System (hereinafter “PIGD”), on 13 December 2016, a civil case was registered at the Bălți District Court, Fălești Headquarters, having R.S. as complainant. The case concerned a claim for material damages resulting from the alleged theft of walnuts by two minors.
63. The case was assigned to the subject who admitted the complainant's claim in full on 14 February 2017. The complainant was legally represented by an attorney and did not appear in court.
64. R.S. is the mother of M.S., who at the time was employed as a driver at the Fălești Court — the same court where the subject worked as a judge. Moreover, data reviewed by the Commission suggests a longer-term collegial and possibly personal connection between the subject and M.S.
 - a) The subject and M.S. worked at the Fălești Court between 2008–2017;
 - b) In 2014, M.S. transferred 1,000 MDL to the subject's bank account, which the subject stated was a sum entrusted to M.S. for loan repayment;
 - c) M.S. later appears as the insured driver in RCAI policies for a vehicle owned by the subject's mother-in-law

65. On this basis, the Commission raised the question of whether the subject should have recused himself in the case involving R.S., considering the potential indirect links.
66. While the presence of M.S. in various informal or family-adjacent roles may suggest proximity between the families, there is no evidence that the subject had a personal connection with the complainant or that he was aware of her identity as the mother of a colleague. The complainant did not appear in court, being represented by an attorney, and the subject stated that he had never met or interacted with the complainant.
67. Consequently, no conflict of interest affecting the office held, within the meaning of Article 11 para. (2) lit. b) of Law No. 252/2023, can be established.

3. A case concerning the former president of the court

68. The Commission received a petition submitted by an attorney of one of the parties in a civil case previously examined by the subject. The petitioner stated that the opposing party in the case was represented by V.T., an attorney who had formerly served as a judge at the Făleşti District Court, including in the capacity of court president.
69. V.T. resigned from the judiciary on 7 November 2016. Subsequently, on 1 February 2017, the subject issued a judgment in a civil case in which V.T. represented the Făleşti City Council. At the time of the judgment, the subject served as a judge at the Bălți District Court, Făleşti Făleşti Headquarters (previously Făleşti District Court).
70. The petition does not provide any additional details suggesting a relationship between the subject and the attorney beyond a professional context. The sole circumstance invoked is V.T.'s prior function as court president.
71. The petitioner—acting as attorney for the opposing party in the case—did not file a recusal request during the judicial proceedings, although such a request could have been made if any concrete circumstances had raised doubts about the subject's impartiality.
72. The Commission notes that a judge's independence is not limited to protection against external interference, but also applies in relation to former or current members of the judiciary, including court leadership. The mere fact that an attorney had previously served as president of the same court cannot, by itself and absent any additional context, be considered a valid ground to call into question the objective impartiality of the judge.

73. According to ECtHR case law, the fact that judges know each other as colleagues or even share the same offices is not sufficient to raise doubts about objective impartiality. In this regard it is important to elucidate whether their relationship went beyond a professional relationship as office colleagues. (*Steck-Risch and Others v. Liechtenstein*, 19 May 2005, § 48)
74. The same principle was confirmed in a case reviewed by the Supreme Court of Justice (*Minciuna v. Vetting Commission*, Decision of 2 June 2025), which involved circumstances where a judge examined a case in which a former colleague, who had since become an attorney, represented one of the parties. In that case, it was demonstrated that the relationship between the two extended beyond the professional sphere — the attorney had previously acted as a witness in a criminal case involving the judge, and the evidence showed that they had participated together in social activities, including hunting trips.
75. In contrast, in the present case, there is no evidence of any personal relationship between the subject and V.T., nor of any prior involvement in shared private activities or other contexts that would suggest bias. The sole fact that the attorney had previously been president of the same court is insufficient to undermine the presumption of impartiality.
76. To assess whether the subject may have shown preferential treatment to V.T., the Commission reviewed the Integrated Case Management System (PIGD) and identified 27 cases in which he appeared as legal representative before the subject.
77. The outcomes varied. In child support proceedings, V.T. acted on behalf of both claimants and defendants, with partially admitted claims in both roles. In criminal and misdemeanor cases—including drink-driving, domestic violence, hooliganism, and minor bodily harm—his clients were convicted, receiving sentences ranging from unpaid community work to imprisonment. In civil matters, he represented parties in eight divorce cases, none of which were appealed. In another civil case concerning eviction, where he represented the defendant, the claim was admitted. Other cases involved minor debt recovery or legal determinations of fact, with outcomes that differed from case to case. The overall case record does not reveal any consistent pattern of favorable outcomes.
78. Based on the above, the Commission finds no conflict of interest affecting the office held, within the meaning of Article 11 para. (2) lit. b) of Law No. 252/2023.

C. Potential inexplicable wealth

79. In evaluating the subject's financial integrity, the Commission examined, among other things: (1) the declared cash savings and funds held on behalf of a third party, and (2) potential investments in a house owned by the subject's in-laws. The sections below outline the factual circumstances related to each of these aspects, with the issue of inexplicable wealth per year being addressed thereafter.

1. Declared cash savings and funds held on behalf of a third party

80. In the five-year declaration, the subject stated that, at the beginning of 2022, a third party entrusted him with the amount of 150,000 MDL in cash. The stated purpose was to safeguard the funds and use them for funeral-related expenses in the event of the third party's death. According to the subject, the third party was living alone and, due to security concerns, did not wish to keep the money at home.

81. In the first round of questions, the subject explained that he had known the person in question through a professional relationship established during their time as colleagues within Făleşti District Council. The third party held a legal position for an extended period, and the subject had also worked there as a legal specialist. During that period, they were the only two legal professionals within the institution. The subject further stated that the third party does not have any living close relatives.

82. In 2020, the third party informed the subject that a will had been drafted in his favor. In 2022, she handed him a copy of the notarized will, along with the amount of 150,000 MDL in cash. The subject submitted a copy of the will to the Commission as part of the supporting documentation. In addition, the subject submitted a signed written statement dated 6 July 2025 from the third party, confirming the transfer of the funds for safekeeping and explaining the rationale behind the decision. The third party stated that, due to concerns about her safety and the absence of immediate heirs, she trusted the subject to keep the money safe and make it available for funeral arrangements if needed. Photographs of the cash held by the subject were also submitted as evidence that the amount remained intact.

83. From 2022 onward, the subject included this amount in the NIA annual declarations of assets and personal interests, under the section "Cash in the equivalent of 15 average monthly salaries in the economy" The following amounts were declared:

- a) 152,000 MDL in 2021 annual declaration (submitted at the beginning of 2022);
 - b) 228,000 MDL in 2022 annual declaration:(submitted at the beginning of 2023);
 - c) 263,000 MDL in 2023 annual declaration (submitted at the beginning of 2024);
 - d) 202,000 MDL in 2024 annual declaration (submitted at the beginning of 2025).
84. In each case, the subject indicated his own name in the field “Name of the beneficial owner.” In his explanations, he clarified that the electronic declaration form only requires the indication of the subject, a family member, or a partner, and does not provide an option for declaring cash held on behalf of a third party.
85. He further explained that the difference between the total declared amount and the entrusted sum represents his own personal cash savings held at the date of submission of each annual declaration.
86. The Commission notes that the subject provided detailed explanations regarding the origin and intended purpose of the entrusted funds, and submitted supporting documents, including a written statement from the third party and a copy of the notarized will. The relationship between the subject and the third party was described as professional, later evolving into a personal acquaintance based on mutual trust. While the subject included the entire amount in the annual declarations due to alleged structural limitations of the electronic form, a clearer indication of the third-party ownership of the 150,000 MDL—either through annotation in the declaration or in the comments section—would have improved the accuracy and traceability of the declared data.
87. In its financial analysis, the Commission considered only the cash savings declared by the subject in the first round of questions as belonging to him at the end of each respective calendar year.

2. Potential investments in a house owned by the subject’s mother-in-law

88. Beginning with 2021, the subject has declared a right of habitation in a house located in a village in Făleşti District, owned by his mother-in-law, O.S. The property, reportedly constructed in 1979, is not registered in the Real Estate Register. The subject stated that the house has not undergone any major structural changes since its construction and that, during the evaluation

period (2013–2024), neither he nor members of his household incurred renovation expenses, aside from the purchase of furniture in 2015.

89. However, photographs submitted by the subject—together with satellite images from 2016 and 2020—suggest that the house underwent substantial exterior and interior renovations, including: (1) installation of a modern roof; (2) renovation of the facade using decorative plaster and insulation; (3) paving of the front yard and surrounding areas; (3) refurbishment of the interior.
90. The subject explained that these works were carried out between 2019 and 2024 and that all costs were borne by the owner, *i.e.* his mother-in-law. Specifically: (1) roof renovation in 2019 – approx. 100,000 MDL; (2) facade renovation in 2021 – approx. 80,000 MDL; (3) pavement replacement in 2024 – approx. 35,000 MDL.
91. The subject reported that other than physical labor, he contributed only with 100,000 MDL in 2015 on furniture and household items. This amount has been reflected in the financial flows calculations.
92. The subject also stated that his mother-in-law had the financial means to cover the renovation costs, citing her declared income from teaching, entrepreneurial activities, and pension payments between 2013–2024, which cumulatively exceeded 2,000,000 MDL. This information is corroborated by official data obtained from the SFS and the National Social Insurance House (CNAS). The Commission did not identify any significant acquisitions made by the subject's mother-in-law during the evaluation period, except for a Volkswagen Transporter, m/y 2003, purchased in 2019 for 4,500 EUR.
93. The Commission also identified that the subject's mother-in-law made several payments from her personal bank accounts to interior furniture companies: 30,000 MDL in 2021 and 15,900 MDL in 2022. While it remains unclear whether these transactions are exclusively connected to the house in which the subject resides, the furniture models displayed on supplier websites closely resemble those shown in interior photos provided by the subject.
94. Based on the available information, the Commission considers that the subject has provided a sufficiently supported explanation for the current condition of the house in which he resides. The renovation works appear consistent with the timeline described, and the financial contributions are supported by both bank records and the declared income of the subject's mother-in-law. The expenditures that the subject reported as having been

covered by his own family were included in the Commission's financial analysis.

3. Potential inexplicable wealth for 2013, 2014, 2017, 2018 and 2023

95. The Commission initially identified five years in which the subject's household reported a negative annual financial balance between declared income and estimated expenses: 2013 (-2,777 MDL), 2014 (-19,340 MDL), 2017 (-20,517 MDL), 2018 (-7,220 MDL), and 2023 (-20,492 MDL). The cumulative deficit for these years initially amounted to -70,346 MDL.
96. Following the subject's explanations provided in the third round of questions, the Commission reviewed its initial calculations and found that the deficit was slightly overestimated due to a duplication of educational expenses. Specifically, the education category from the Consumption Expenditures per Population (CEP) statistics duplicated the subject's declared education expenses, which were already higher than the statistical estimates, even though the children attended a public school. The Commission therefore applied the necessary corrections, reducing the estimated deficit by 292 MDL (for 2013), 326 MDL (for 2014), 582 MDL (for 2017), 180 MDL (for 2018), and 1,776 MDL (for 2023).
97. Additionally, considering the relatively small amounts identified as negative balances, the Commission accepts that these discrepancies may be partly attributable to the limitations of the consumption expenditures estimated by the National Bureau of Statistics. The margin of error for household consumption estimates is $\pm 5\%$. (Judgment of the Supreme Court of Justice, *Andrian Ciobanu v. Superior Council of Magistracy*, 4 March 2025, §§ 49, 65).
98. The negative balances may also be partially attributed to the estimated nature of the cash savings declared by the subject. In either case, even if the negative financial flow for these years were treated as unjustified wealth, it would not exceed the threshold of 234,000 MDL under Article 11 para. (3) lit. a) of Law No. 252/2023. Accordingly, the Commission did not request further explanation on this issue.

VI. Conclusion

99. Based on the information obtained from the subject and other sources, the Commission proposes that the subject promotes the external evaluation made according to the criteria set in Article 11 of Law No. 252/2023.

VII. Further action and publication

100. As provided in Article 40 point (4) of the Rules, this evaluation report will be sent by e-mail to the subject and the Superior Council of Magistracy. The Commission will publish the evaluation's result on its official website on the same day.
101. No later than three days after the approval, a printed paper copy of the electronically signed report, will be submitted to the Superior Council of Magistracy, along with the original electronic copy of the evaluation file containing all the evaluation materials gathered by the Commission.
102. This report will be published on the Commission's official website, with appropriate precautions to protect the privacy of the subject and other persons, within three days after the expiry of the appeal period against the decision of the Superior Council of Magistracy or after the Supreme Court of Justice issues its decision rejecting the appeal or ordering the promotion or non-promotion of the evaluation.
103. This evaluation report was approved by a unanimous vote of the Panel members on 21 October 2025 and signed pursuant to Articles 33 point (2) and 40 point (5) of the Rules.
104. Done in English and Romanian.

Scott Bales

Chairperson of the Commission

Chair of Panel D