

Voters: Some Tips for Judging the Judges Before You Get to the Booth

By Bonnie Eisenfeld

You never know when you may find yourself in court for a civil or criminal case in which you, a family member, or a friend is involved as a litigant, victim, witness, or defendant, or just to protest a traffic ticket. So, it's important to all citizens that the most qualified judges are presiding from the bench.

Pennsylvania is the only state in the country to hold judicial elections solely in odd-numbered years, so 2015 is the year of the judges! Candidates for five judicial offices will appear on the ballot on Election Day, Tuesday, November 3. But with so much at stake, it is surprising that many voters know so little about those vying for such important roles in our democratic process.

In an *Inquirer* article published before the Primary Election in May, Lynn Marks, Executive Director of Pennsylvanians for Modern Courts, and a Center City resident, stated that "voters have a hard time getting enough meaningful information to make an informed choice." Unfortunately, the random assignment of ballot positions can influence the outcome of the election. It is important that voters make an effort to learn more about the candidates than their number on the ballot or their party affiliation.

The Pennsylvania Court System is structured like a pyramid with the Supreme Court on top. Go to the following link to see a graphic, an explanation of how each court is structured, and its function. <http://www.pacourts.us/learn>

The Courts of Common Pleas are trial courts organized into 60 judicial districts mostly

following the geographic boundaries of counties. Judges in these courts hear cases involving crimes including robbery, rape and homicide; family law including divorce and child custody; and civil suits including motor vehicle accidents, defective products, malpractice and libel. Common Pleas, Municipal Courts and Traffic Courts are often called minor courts, and, according to Marks, "they are also called the people's courts because they are the courts which most Pennsylvanians will come in contact with."

There are three appellate courts in Pennsylvania: The Supreme Court is the highest appellate court, with seven justices who receive over 3,000 requests for review per year; the Superior Court and the Commonwealth Court are intermediate appellate courts. Cases are usually heard by panels of three judges in Philadelphia, Harrisburg, or Pittsburgh but may sometimes be heard by all the judges. The Commonwealth Court is primarily responsible for matters involving state and local governments and regulatory agencies, and trials for lawsuits filed by or against the Commonwealth of Pennsylvania.

To help sort out the various players and courts, the Pennsylvania Bar Association and the Philadelphia Bar Association both rate judicial candidates for Supreme Court and Superior Court. The Pennsylvania Bar Association also rates candidates for the Commonwealth Court. The Philadelphia Bar Association rates candidates for the Philadelphia Court of Common Pleas and Municipal Court. Voters can read the ratings and learn about

the process at <http://www.pabar.org/public/news%20releases/pr012815.asp> and <http://philadelphiabar.org/page/NewsItem?appNur=1&newsItemID=1001450>

Judicial candidates are labeled *highly recommended*, *recommended* and *not recommended*. Ratings are based on a variety of factors including legal ability, experience, integrity and temperament. Candidates who are *highly recommended* are considered capable of outstanding performance, those *recommended* are expected to perform satisfactorily, and those *not recommended* are considered inadequate at the present time.

Pennsylvanians for Modern Courts, the non-profit, nonpartisan organization headed by Marks, seeks to reform the judicial selection process, and has proposed Merit Selection. Using this process, judges would be screened and nominated by an independent nonpartisan commission composed of citizens from diverse fields. The Governor would then select from a list of the most qualified finalists. The purpose of this reform would be to ensure that the most qualified judges are seated on the bench, regardless of their financial and political resources, geographic region or background. In order to change the current process, an amendment to the Pennsylvania Constitution is required. An amendment requires a bill to pass two legislative sessions and a Pennsylvania voters' referendum. <http://www.pmconline.org/>

The Committee of Seventy can provide more information about the November election; please go to: www.seventy.org



BE SURE TO VOTE IN THE NOVEMBER GENERAL ELECTION

October 5 Last day to REGISTER before the November election

October 27 Last day to apply for a civilian absentee ballot

October 30 Last day for County Boards of Elections to receive voted civilian absentee ballots

November 3 ELECTION DAY