

# **PA Judges**

**Elections and Retentions**

# **The Current Environment**

**The Politicization of Our Judiciary**

## The Role of the Courts

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- The courts are bulwarks of our Constitution and laws
- Separation of powers is not a threat to democracy; it is the essence of democracy
- The very legitimacy of the courts depends on the public belief that judges will treat every party without bias or favor,
  - That any party, regardless of wealth or connections, can have a fair day in court
- Public officials have a responsibility to respect courts and court decisions; to obey and enforce judicial rulings
- The courts depend on the public to respect their judgments
- But public confidence in the courts is at a crisis point

## We Are Seeing an Impact on Confidence in the Courts

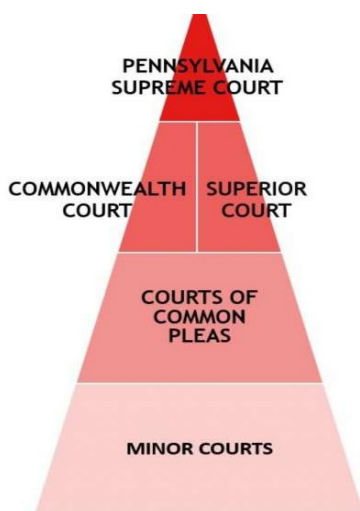
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- We see unprecedented attacks on the judiciary and individual judges
- Americans are increasingly concerned about the influence of politics and money on the courts
  - 75% of Americans believe campaign cash affects courtroom decisions — and, alarmingly, nearly half of state court judges believe the same
  - 90% of Americans think judges should not hear cases involving campaign supporters, but outdated judicial conduct rules allow this
- Other critical issues include
  - Unfair judicial selection systems, including those that result in lack of judicial diversity and
  - Judge shopping ... selecting a court that has a more favorable outlook for your issue

# The PA Court System

## The PA Court System

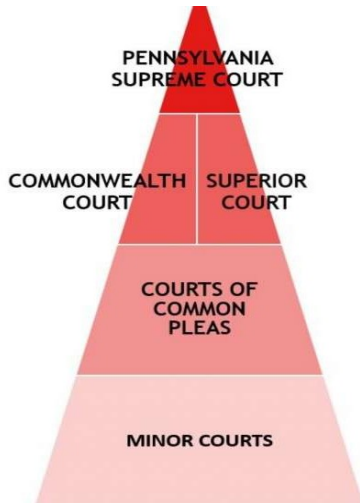
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There are three basic levels to the Pennsylvania Court System: minor courts, Courts of Common Pleas, and statewide intermediate appellate courts, which are called the Commonwealth Court and the Superior Court. The Supreme Court of Pennsylvania exercises authority over all other courts,

## Minor Courts

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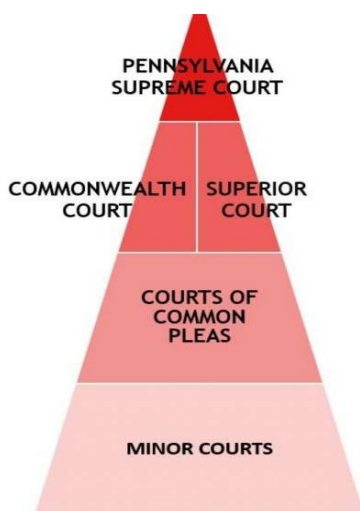
Pennsylvania's minor courts are the **Magisterial District Courts**, the **Philadelphia Municipal Court**, and special problem-solving courts throughout the state.

Minor courts decide minor cases, such as those involving traffic, housing, or small claims, and address whether serious criminal cases go to the **Court of Common Pleas**, preliminary hearings, or setting bail (except in murder or voluntary manslaughter cases).

Lancaster has 19 Magisterial District Judges (MDJs).

## Courts of Common Pleas

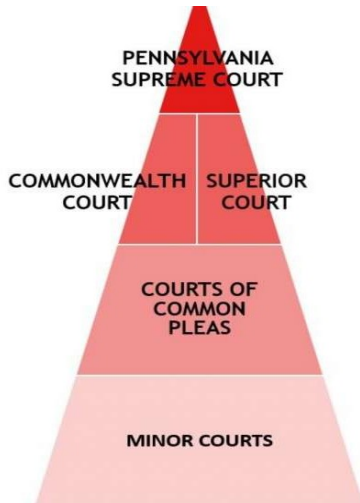
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**Courts of Common Pleas** are trial courts which hear appeals in cases from the minor courts. Some cases before **Courts of Common Pleas** are heard by juries and some are heard by judges. There are 60 courts across the state, most of which align with a single county. Lancaster's Courts of Common Pleas has 15 judges.

## Intermediate Appellate Courts

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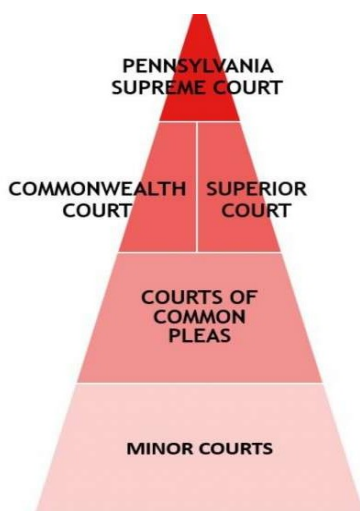
There are two statewide appellate courts in Pennsylvania: the **Superior Court** and the **Commonwealth Court**.

The **Superior Court** handles appeals in criminal and civil cases from the **Courts of Common Pleas**. There are 15 seats.

The **Commonwealth Court** handles original civil actions brought by and against the Commonwealth and appeals from state agency decisions. There are 9 seats.

## Supreme Court of Pennsylvania

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The **Supreme Court** of Pennsylvania is the ultimate authority on matters brought before lower courts. The Court hears direct appeals from lower courts' decisions and answers requests for interventions in lower courts' proceedings. There are 7 seats.

# PA Judicial Elections & Retention

## PA Judicial Elections

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- Supreme Court, Superior Court, Commonwealth Court and Court of Common Pleas are **elected** as a member of a party for 10-year terms
  - PA is one of 8 states that hold **partisan** judicial elections
  - 14 states hold **nonpartisan** judicial elections
  - The rest of the states have some version of a **merit selection** process to appoint new judges
    - Most of these require some form of legislative consent for the new judges

## PA Judicial Retentions

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- At the end of a 10-year term, the voters are asked a simple question: 'Do you want to **retain** this judge or not?'
  - Retention elections are listed in a separate section of the ballot
  - There is no mention of a party affiliation and no opponent
- If the voters decide to '**retain**' the judge, they start another 10-year term
- If the voters say 'no, don't **retain**', the term for that judge ends and an **election** to replace that judge will be scheduled
  - The governor may appoint an interim replacement subject to confirmation by the Senate

*Judges can step down at any time, but they must step down at age 75*

## Our Judicial Elections Are Awash in Money

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- 2015: three PA Supreme Court seats up for election
  - Spending of \$17 million ... a startling new record
    - ~\$12 million in candidate expenditures
    - ~\$3 million in independent expenditures
- 2023: one PA Supreme Court seat up for election
  - Spending rose to \$22 million ... for a single seat
    - ~\$4 million in candidate expenditures
    - ~\$13 million in independent expenditures
      - Significant expenditures by one wealthy individual
      - And increased expenditures by dark money groups

## Problems of PA Judicial Elections

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- The right to a fair day in court is under threat
- Our goals should be:
  - Protect judicial independence and guard against special interest influence on the courts
    - Sadly, we are seeing serious efforts to politicize our judiciary including political retaliation in response to unpopular decisions
      - We need to fight to prevent that
  - Achieve a diverse bench
    - The PA Supreme Court comes up short on diversity
      - PA is 27% minorities, but there is no minority representation on the PA Supreme Court

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## Things To Consider When Evaluating Judicial Candidates

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- Legal experience such as courtroom experience and writing abilities
- Reputation for integrity and fairness
- Community involvement and public service
- Ongoing educational and professional activities
- Compassion
- Commitment to equal justice
- References and recommendations

*Note: some candidates will be experienced judges and can be evaluated based on their prior judicial experience, or they may be evaluated based on their trial experience*

**But are most voters able to fairly evaluate judicial candidates?**

## PA Bar Association Ratings: A Vital Source of Candidate Evaluation

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- The Pennsylvania Bar Association rates candidates
- The ratings are based in on a two-part evaluation process, including interviews conducted by both an investigative panel and the PBA's Judicial Evaluation Commission
- The Commission is composed of both lawyers and non-lawyers
- Candidates for **election** are rated as **Highly Recommended**, **Recommended**, or **Not Recommended**
- Candidates for **retention** are rated as **Recommended for Retention** or **Not Recommended for Retention**

## 2025 PA Supreme Court

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- In 2015 there was 3 PA Supreme Court Justices elected ... all Democrats who are now up for Retention
  - **Justice Christine Donohue: Recommended for Retention**
  - **Justice Kevin Dougherty: Recommended for Retention**
  - **Justice David Wecht: Recommended for Retention**
- **For more information: <https://pavotesmart.org/current-judicial-ratings/>**

## Justice Christine Donohue

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### **Rating: Recommended for Retention**

"The candidate is in her tenth year of service on the Supreme Court of Pennsylvania, and before that time, she served eight years on the Superior Court of Pennsylvania. Justice Donohue has distinguished her Supreme Court tenure as a jurist who is thorough and well-prepared for oral arguments, treats litigants respectfully, is smart and fair, and is attentive and engaged during oral arguments. The candidate is well-qualified, is of impeccable character, and possesses a fine judicial temperament that is well suited for the Supreme Court. For these reasons, the Commission recommends the candidate's retention as a judge on the Supreme Court of Pennsylvania."

## Justice Kevin Dougherty

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**Rating: Recommended for Retention**

"Justice Dougherty served as a judge on the Philadelphia Court of Common Pleas from 2001 until 2015 when he was elected to the Pennsylvania Supreme Court. The attorneys who appeared before Justice Dougherty describe him as attentive, smart, well prepared, open to consideration of differing perspectives with a temperament and demeanor that is respectful and professional. He writes opinions that are thoughtful, clear, concise and well organized. Justice Dougherty has earned high marks from the legal community for his efforts to assist the Court in addressing a broad range of complex legal issues, including matters of first impression. He is devoted to community service, promotes support for youth and promotes excellence and diversity in law enforcement. For these reasons, the Commission recommends the candidate's retention as a judge on the Supreme Court of Pennsylvania."

## Justice David Wecht

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**Rating: Recommended for Retention**

"Following nine years as a Court of Common Pleas trial judge the candidate served four years as a Superior Court judge before his election to the Supreme Court of Pennsylvania where he is now in his tenth year. The candidate gives careful consideration to oral arguments, and discharges his duties as a justice with fairness, equity, and respect to all. His opinions are well written and logical, often viewed as helpful and instructive. Justice Wecht possesses the legal ability, experience, integrity, intelligence, and work ethic to continue performing the duties of a Supreme Court Justice, and his judicial temperament is above reproach. Finally, the candidate serves on a number of committees for the courts, participates in continuing education panels for attorneys and remains active with various bar associations. For these reasons, the Commission recommends the candidate's retention as a judge on the Supreme Court of Pennsylvania."

## 2025 PA Superior Court

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- In 2015 there was 1 PA Superior Court Justice elected ... a Democrat who is now up for Retention:
  - **Judge Alice Dubow: Recommended for Retention**
- And there is one open seat that is up for Election:
  - **Judge Brandon Neuman: Highly Recommended**
- For more information: <https://pavotesmart.org/current-judicial-ratings/>

## Judge Alice Dubow

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### Rating: **Recommended for Retention**

"The candidate has served as a judge on the Superior Court since 2016. Prior to that, she was a judge on the Court of Common Pleas in Philadelphia County. She is recognized for her excellent judicial temperament, being well prepared and showing respect and fairness toward lawyers who appear before her. The candidate's opinions are thorough, thoughtful, well-reasoned and well-researched. She engages in activities to advance the profession of law, including the American Law Institute, Judicial Conduct Board, and Juvenile Court Procedural Rules Committee of the Supreme Court. She serves on the board of the Stoneleigh Foundation, a foundation dedicated to the improvement of the community's youth. Judge Dubow has clearly demonstrated all the qualities necessary to fulfill the responsibilities of an appellate judge. For these reasons, the Commission recommends the candidate's retention as a judge on the Superior Court of Pennsylvania."

## Judge Brandon Neuman

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**Rating: Highly Recommended**

"Since January 1, 2018, the candidate has served as a Common Pleas Court judge and has presided over family law, criminal and civil cases in both jury and non-jury proceedings. The candidate is also involved with the Veterans specialty court in his county and is taking over the program. Prior to his tenure as a Common Pleas judge, the candidate worked under a law firm partner who described the candidate as an extremely hard worker and an excellent attorney. He served in the Pennsylvania House of Representatives for terms beginning in 2010, 2012, 2014 and 2016 and, while serving as a Representative, he continued his legal work on a part-time basis. The candidate's opinions demonstrate knowledge of substantive and procedural legal issues and the ability to provide good factual backgrounds and well-developed legal arguments. His colleagues indicate the candidate has a high level of integrity, treats all individuals fairly, has appropriate judicial temperament, is patient with all persons who appear before him and has a record of involvement in community service. Based on the candidate's experience as a practicing attorney, his service in the House of Representatives and his diversified experience as a Common Pleas judge, the commission highly recommends the candidate for election to the Superior Court."

## 2025 PA Commonwealth Court

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- In 2015 there was 1 PA Commonwealth Court Justice elected ... a Democrat who is now up for Retention:
  - **Judge Michael Wojcik: Recommended for Retention**
- And there is one open seat that is up for Election:
  - **Judge Stella Tsai: Highly Recommended**
- For more information: <https://pavotesmart.org/current-judicial-ratings/>

## Judge Michael Wojcik

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**Rating: Recommended for Retention**

"The candidate has served on the Commonwealth Court since 2016. His appellate opinions are well-reasoned, concise, and clear. He possesses a diversity of experience and knowledge of legal principles and procedures. The candidate has a reputation for excellent character, judicial temperament, high integrity and firm intellect. He has served as a speaker or panelist for numerous continuing legal education programs to assist judges, lawyers, and law students in their professional development. He has an impressive record of community involvement and is a zealous advocate for many causes related to the betterment of the legal profession. He is intelligent, fair-minded, and objective. He is admired by his colleagues and the attorneys who appear before him. For these reasons, the Commission recommends the candidate's retention as a judge on the Commonwealth Court of Pennsylvania."

## Judge Stella Tsai

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**Rating: Highly Recommended**

"The candidate has a long and diverse legal career. Since 2016, she has served as a judge on the Philadelphia County Court of Common Pleas in Orphans' Court and the Civil Trial, Criminal Trial and Family Court divisions. Prior to joining the bench, she had extensive trial experience in both state and federal courts, representing insurance companies in environmental matters, the Philadelphia Civil Service Commission and as outside counsel to the City of Philadelphia in high-profile civil rights litigation. The candidate has handled complex domestic and international litigation in the areas of governmental agency audits, real estate and creditors' rights, as well as land use matters. Her legal writing is clear, concise and thorough, indicating her grasp of legal issues. She currently is an adjunct professor of law at the University of Pennsylvania. Considered enthusiastic, hard-working and fair, her courtroom demeanor has earned the respect of her colleagues as well as that of the attorneys and litigants who appear before her. The candidate's long history of civic and pro bono activities, and her receipt of the Philadelphia Bar Association's Sandra Day O'Connor award, add depth to her legal career. The commission believes that the candidate would perform admirably as a judge on the Commonwealth Court and highly recommends her candidacy."

## Our Challenge for November

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- Historically, retention elections have been sleepy affairs
- Only 1 Supreme Court justice has recently failed retention ... and that was associated with the anger at the 'middle of the night' pay raise for legislators and judges
- But today there is an organized and well financed effort by Republicans to 'not retain' these judges
- **As the PA Bar Association notes:**
  - **These judges should be retained based on their performance!**

## Our Mission Is To Ensure That These Judges Get Retained!

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- Primary target:
  - **There are a significant number of Democrats who vote in national elections, but not local elections**
    - L-S turnout in 2023 was only 45% of the 2024 turnout!
  - **Our challenge is to get these 'national-only voters' out to vote this November**
- **Lets get every Democrat and sympathetic voters (Independents and Republicans) to vote to keep politics out of our judiciary ...**
  - Vote to retain these judges, and
  - Get your family, friends and neighbors to vote to retain these judges!

## Postcards To PA Voters To Retain Our Judges

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- Democratic Club of Willow Valley is organizing a postcard effort to reach out to voters about the Retention elections
- It is part of "Postcards to Swing States" by the Progressive Turnout Project
  - Their target audience is based on turnout scores and Dem support
  - They provide the postcards, we provide the handwriting & stamps
- There are three messages to choose from
- Everyone in their target audience will get 2 handwritten postcards ... one mailed Oct. 15<sup>th</sup> and one mailed Oct. 24<sup>th</sup>
  - The Oct. 15<sup>th</sup> mailing is fully subscribed ... we are participating in the Oct. 24<sup>th</sup> mailing
- **Are you interested in participating??? Barbara Bonanno has started soliciting volunteer postcard writers ... please consider signing up**

## Other Announcements

## West Lampeter Fair

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- L-S Dems will have a table at the fair
  - Dems Club of Willow is joining at this table
- The table will be staffed (2 people at a time in 2-hour shifts) during normal fair hours
  - Wednesday, Sept. 24<sup>th</sup> from 1pm-9pm
  - Thursday, Sept. 25<sup>th</sup> & Friday, Sept. 26<sup>th</sup> from 9am-9pm
- We are circulating a sign-up-genius form for volunteering to staff our table

## Exploring Christian Nationalism Across Communities and Continents

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**Democracy, Faith & Power: An Educational Forum**

**CoSponsored by Elizabethtown College & Power Interfaith**

**Speakers: Dr. Andrew Ward & Dr. Greg Carey**

**Friday, September 26<sup>th</sup>: 6:30-8:30pm (doors open at 6pm)**

**Elizabethtown College  
Eshbshade Building  
Gibble Auditorium  
1 Alpha Drive  
Elizabethtown, PA 17022**

**Tickets: <https://www.eventbrite.com/e/exploring-christian-nationalism-across-communities-and-continents-tickets-1612133176729>**

**In Person & Virtual options**

## September Dems Club Meeting

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- The September Dems Club meeting is scheduled for Tuesday, Sept. 30<sup>th</sup> at 1pm in the Education Room at the Cultural Center
- We will start with a TEDx talk by David LaMotte
  - He questions prevailing narratives about how large-scale social change happens
  - He builds a case that citizens have both our capacity and responsibility to make a difference by examining the often misunderstood and misrepresented dynamics of change
  - He supports his encouraging worldview with compelling stories from the U.S. civil rights movement and from his own experiences around the world
- This will be followed by a discussion about possible actions we can take
- Everyone is welcome!

## Barbara McQuade at Millersville

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The League of Women Voters of Lancaster County is sponsoring a talk by Professor Barbara McQuade

She is the author of *Attack from Within: How Disinformation is Sabotaging America*

Friday, Oct. 17<sup>th</sup> @7pm  
 Biemesderfer Concert Hall  
 Winter Center  
 60 West Cottage Ave.  
 Millersville



Attack from Within:  
 How Disinformation is  
 Sabotaging America

Friday, October 17, 2025 - 7pm  
 Biemesderfer Concert Hall  
 Winter Center  
 60 West Cottage Avenue  
 Millersville, PA 17551



**SPEAKER:** Barbara McQuade  
 Author of "Attack From Within: How Disinformation is Sabotaging America"; Professor from practice at the University of Michigan Law School; first woman to serve as the US Attorney for the Eastern District of Michigan (2010-2017); legal analyst for NBC News & MSNBC; co-host of #SistersInLaw podcast

#### SPONSORED BY

The Harriet Kenderdine Lecture Series: The League of Women Voters of Lancaster County, The Women's, Gender, and Sexuality Studies program, Center for Civic Responsibility & Leadership, Center for Public Scholarship & Social Change, President's Commission on the Status of Women, American Association of University Women Club

The League of Women Voters of Lancaster County is willing to facilitate book club discussions prior to the lecture. Reach out to [info@lwvlancaster.org](mailto:info@lwvlancaster.org) for more details.