

Allegheny County Bar Association

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March 5, 2020

Hon. John DiSanto, Chair
Senate State Government Committee
Senate Box 203015
168 Main Capital Building
Harrisburg PA 17120

Re: Opposition to House Bill 196

Dear Senator DiSanto:

The Allegheny County Bar Association Board of Governors held its regular monthly business meeting on Tuesday, March 3, 2020. Our Board reviewed and discussed House Bill 196, a joint resolution proposing an amendment to the Pennsylvania Constitution requiring regional elections of Appellate Court Judges in Pennsylvania.

Our Board voted overwhelmingly in opposition to this legislation for the following reasons:

- House Bill 196 represents a legislative intrusion upon the judiciary as a co-equal, separate, independent branch of government.
- Pennsylvania's appellate court judges are charged with interpreting and developing the law for general application on a statewide basis. Appellate court judges are elected by a statewide constituency to render decisions of statewide impact. Electing judges by regional judicial districts would render them vulnerable to political interference and create a conflicting dynamic whereby they represent a regional or local "constituency" while serving in a statewide office.
- Forming regional judicial voting districts could lead to gerrymandering districts for political gain, and render judicial campaigns more susceptible to outside special interest groups seeking to affect the makeup of the state appellate courts.
- Establishing regional elections of appellate court judges reduces the number of judges being elected from the largest population centers in the Commonwealth.

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- Judicial district elections will reduce the number of diverse candidates that participate in the election process. The House of Representatives did not hold Public Hearings on House Bill 196. As a result, no testimony or data exists to suggest that the proposed legislation would foster enhanced gender, racial or ethnic diversity in our appellate courts.
- Regional elections would limit voters to electing one judicial candidate from their respective regional districts for Commonwealth Court, Superior Court and the Supreme Court. Regional election of appellate judges would therefore disenfranchise voters by eliminating their ability to select a full panel of judges which issues decisions of statewide impact.

The Allegheny County Bar Association Board of Governors believes that House Bill 196 is unreasonable on its face and threatens state appellate judges' capacity to render decisions honestly, impartially, in accordance with the law, and free from political pressure.

For these reasons, our Board urges you and the members of the Senate State Government Committee to vote against House Bill 196.

Sincerely,



Lori E. McMaster
President

LEM/jmd

cc: Hon. Anthony J. Williams, Minority Chair
Hon. Kristin Phillips-Hill, Vice-Chair
Hon. David J. Arnold, Jr.
Hon. Maria Collett
Hon. Doug Mastriano
Hon. Katie J. Muth
Hon. Patrick J. Stefano
Hon. Judy Ward
Hon. Lindsey M. Williams
Hon. John K. Fetterman, President of the Senate
Hon. Joseph B. Scarnati, III, President Pro Tempore

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Hon. Jake Corman, Floor Leader
Hon. Jay Costa, Floor Leader
Hon. James Brewster
Hon. Wayne Fontana
Hon. Pam Iovino
Hon. Lindsey Williams
Anne N. John, President, Pennsylvania Bar Association
A. Michael Snyder, Chancellor, Philadelphia Bar Association