

January 13, 2021

Dear Judiciary Committee,

We, the undersigned, would like to express our vehement opposition to the current effort to amend the Pennsylvania Constitution to change the way we elect appellate court judges and justices in the Commonwealth.

The negative implications of this legislation are of great concern. First, this effort is one of the largest attempts to disenfranchise Pennsylvanians in the history of our Commonwealth. Second, this is a massive threat to the independence of our Judiciary.

Currently, Pennsylvanians have the right to elect and hold accountable all thirty-one appellate court judges and justices (seven Supreme Court, fifteen Superior Court, nine Commonwealth Court). This amendment eliminates that right and will allow for most Pennsylvanians to vote for only three of the thirty-one appellate courts judges and justices (one Supreme Court, one Superior Court, one Commonwealth Court.)

Additionally, our Judiciary is a co-equal branch of government whose independence is a core tenet of our Democracy. That independence is enshrined in both the U.S. and Pennsylvania Constitutions. Appellate Court judges interpret case law, statutes, the Constitution and precedent equally as to all Pennsylvanians. Judges are not legislators whose job is to represent a specific community and should not be encouraged to care more or less about a case based on the region from which it arises. Judges should be free of influence from local biases and prejudices – their fidelity is to the law of the entire Commonwealth, and they should not be encouraged to consider how a specific regional judicial district would respond to a certain ruling.

Finally, there has been no testimony, no public hearings and no input from lawyers, bar associations, legal organizations and the community. We strongly urge that you permit this to occur.

Sincerely,

Disability Rights Pennsylvania
Justice at Work Legal Aid
Pennsylvania Institutional Law Project
Regional Housing Legal Service
Education Law Center
Episcopal Legal Aid
ACLU PA
Youth Sentencing & Reentry Project
Public Interest Law Center
Aids Law Project

Women's Law Project
Pennsylvania Health Law Project
Community Legal Services
HIAS Pennsylvania
Juvenile Law Center
Senior Law Center
Support Center for Child Advocates
Pennsylvanians for Modern Courts
Homeless Advocacy Project