



Committee of Seventy

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FOR IMMEDIATE RELEASE

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SEVENTY SUPPORTS TRANSPARENCY LEGISLATION FOR INTERIM COURT APPOINTMENTS

Bill would add commonsense changes until merit selection reform is achieved

HARRISBURG, PA – The Committee of Seventy supports the legislation announced today by Sen. Anthony H. Williams and his colleagues that would bring additional transparency to the appointment of individuals to fill vacancies in Pennsylvania courts.

Current law gives the governor the authority to submit a nominee to the state Senate for confirmation without any public discussion or vetting, which recently and in the past has created significant concern around how decisions are made in selecting individuals for powerful judgeships.

“Similar to special elections, interim judicial appointments can easily lead an individual into a longer stay in public office by conferring substantial incumbency advantages when the next regular election comes up,” stated Committee of Seventy CEO David Thornburgh. “So this begs the question of why we would not have a more rigorous process for making these selections.”

The proposal would require the following additional steps in the event of a vacancy in a Court of Common Pleas or any of the three appellate courts:

Governor directs the Office of General Counsel to accept applications for the judicial vacancy for at least 30 days;

Application materials are posted online for at least 30 days and public comment accepted;

Governor submits a nominee to the Senate from among the applications submitted. All public comment is also submitted to the Senate committee vetting the nominee; and

Senate committee holds a public hearing on the nominee and public comment before voting.

The legislation does not shift nominating power from the governor or confirmation power from the Senate, requiring only additional transparency and public input.



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“This commonsense change is worth making at this point and we encourage the Senate to take it up,” said Thornburgh. “But we must keep in mind the larger set of issues with our elected judiciary. With money pouring into judicial elections at record levels and with it, increasing partisan politicization of the court system, merit selection has never been more necessary. Whether for full-term appointments or interim replacements, an independent citizens commission could be making these nominations and alleviating concerns that these picks are wholly political instead of identifying the most qualified jurists.”

For more on money in judicial elections, see recent [research and analysis from the Brennan Center for Justice](#). Committee of Seventy and [Pennsylvanians for Modern Courts](#) have long supported merit selection for appellate judges in the commonwealth.

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The Committee of Seventy is a nonpartisan civic leadership organization that advances representative, ethical and effective government in Philadelphia and Pennsylvania through citizen engagement and public policy advocacy. For more information, see www.seventy.org.