



PENNSYLVANIANS  
FOR MODERN COURTS

## PRESS RELEASE

**Contact:** Shira Goodman

**Phone:** (215) 569-1150

**Email:** goodman@pmconline.org

July 1, 2008

## ***APPELLATE JUDGE APPOINTMENTS A POSITIVE MOVE, BUT REFORM STILL NEEDED***

*Merit Selection Would Allow Public to Evaluate Judges, Allow Full Terms*

**PHILADELPHIA** -- Pennsylvanians for Modern Courts (PMC) is pleased that the long-vacant appellate court seats finally are filled, but we regret that Pennsylvania is still using a political process that is part and parcel of the electoral system to fill such vacancies. Executive Director Lynn Marks explained, "We must be clear about this. Despite the fact that this process involved nomination by the governor and confirmation by the Senate, it is not the same as Merit Selection."

There are two major differences between the current interim appointment process and Merit Selection. First, the current process does not use a broad-based independent nominating commission to evaluate candidates and recommend the most qualified to the Governor. Instead, the Governor, working with legislative leaders, devises a list of candidates.

Second, the current process does not involve a role for the public. Under Merit Selection, after the judge serves for a brief initial term, the public votes in a nonpartisan retention election on whether or not the judge should continue in office. By contrast, in the current interim appointment process, the judges serve only for a short time and pledge not to seek a full term. This is the political deal that must be made to secure confirmation, and it deprives the public of an opportunity to evaluate the judges and of longer service by good judges.

Filling these vacancies was a long and politically contentious process. Although the new judges, like the previous nominees, are highly regarded, the process by which they came to the bench was not Merit Selection. Marks said, "We hope that disillusionment with the current process and dissatisfaction with the delay that resulted will motivate the public to demand a better way to fill all appellate court vacancies -- Merit Selection."

*Pennsylvanians for Modern Courts is a statewide nonprofit, nonpartisan organization founded to improve and strengthen the justice system in Pennsylvania by reforming the judicial selection process; improving court administration, court financing and the jury system; eliminating bias; and assisting citizens in navigating the courts and the justice system, whether as litigants, jurors, or witnesses.*