

**Linda S. Judson**  
**Candidate for**  
**Commonwealth Court of Pennsylvania**  
**Responses to questionnaire from**  
*Pennsylvania Law Weekly and The Legal Intelligencer*

*1. What makes a good judge?*

Character and integrity are essential. The Pennsylvania Bar Association said that I “possess the character, judicial temperament, and skill to serve as a Commonwealth Court judge and recommends her as a candidate.” Experience related to the matters of the court are also essential. As a 51-year-old attorney, my professional experience in workers compensation, insurance regulations, and zoning and land use is exceptionally appropriate for this appellate court.

*2. How would you describe your legal philosophy?*

In the appellate Commonwealth Court a judge must examine the facts of the case below and rule based on the relevant law. It is not the role of a judge to legislate from the bench.

*3. What two decisions are you most proud of, and why? Conversely, what two opinions or cases would you like to take back or revise, if you could, and why?*

Since I am not a sitting judge, that aspect of this question is not applicable to my career. The component of my career I am proudest of regards worker safety. As a nurse working my way through college, I cared for patients injured in the work place, and came to recognize the importance of work place safety. In my subsequent twenty years as an attorney I have emphasized work place safety. I am the only judicial candidate who even knows what a “Lock Out – Tag Out” program is, much less one who has participated in implementing such a program.

*4. What in your background has prepared you best for being a judge?*

My first job after law school was as a clerk for the Commonwealth Court. I have twenty years of experience in areas that come before Commonwealth Court, including sixteen years in workers’ compensation. I am a highly respected practitioner in this area, and have been teaching other lawyers about workers compensation for the Pennsylvania Bar Institute continuing education program for several years. Workers compensation comprises more than a quarter of cases before Commonwealth Court. I have also worked as a legal specialist in the insurance industry, and was tested for and received a commercial insurance license. Insurance regulatory matters also come before Commonwealth Court, as do zoning and land use appeals. My experience in zoning and land use began when I was the Senior Clerk at the Allegheny County Law Department, even before I graduated from law school, and continues today in my unpaid Board position as Treasurer of the Pittsburgh Parking Authority.

*5. How would your personal views and experiences influence you as a justice?*

I must first emphasize that a judge must depend upon the law, not personal opinions. Nevertheless, background and experience may contribute to a judge’s thinking process. I do not come from a family of lawyers or politicians or perennial judicial candidates. I am the only person in my family to graduate from college. Raised by a widowed mother, I worked full time as a nurse to put myself through college, and worked full time to put myself through law school. I believe my experience provides a very important understanding of the lives of the people who come before Commonwealth Court.

6. *What separates you from the other candidates and why would you be a better addition to Commonwealth Court?*

My legal experience is an exceptionally appropriate fit for Commonwealth Court. For instance, while some candidates may have litigated some workers' compensation cases, I have far more experience in this field and have taught other lawyers about workers compensation for the Pennsylvania Bar Institute. While other candidates may have litigated some claimants' insurance cases, my experience is grounded in the insurance regulations that come before this court; I worked as a legal specialist for the world's largest insurance brokerage company.

7. *When deciding a case, how do you frame the issues and conduct your analysis to reach a conclusion?*

I am not a sitting judge. However, if elected, my conclusions will be based upon the facts of the case and their relevance to the appropriate law.

8. *What is the greatest threat to the practice of law or problem the profession faces?*

Lack of trust by the public. I have been honored by exceptionally extensive endorsements of my campaign from a very diverse range of organizations and unions. I attribute the surprising diversity of this support to a trust of who I am and of the values for which I stand. The organizations who have examined my character and career, and have decided to support my candidacy, range from the Black Clergy of Philadelphia to the United Mine Workers of America, from the Liberty City LGBT Democratic Club to the Pennsylvania State Troopers Association. For the many others, see [www.JudsonForJudge.com](http://www.JudsonForJudge.com).

9. *How important is consensus – particularly unanimous consensus – in appellate court opinions and are there limits when a judge should only concur, or should they do it any time they feel like it?*

In Commonwealth Court, as in other appellate courts where cases are heard by panels or en banc, consensus is clearly crucial to an effective legal process. In my legal practice, and in my role as Treasurer of the Pittsburgh Parking Authority, and in my community service ranging from housing for the low-income elderly to my work for Therapy Dogs International, I take pride in thoughtful and caring interaction and communication with others. At the same time, a judge must always rule as she deems appropriate to the case, and judicial concurrence should be based on the merits of each case, and not on whim or numerical guidelines.

10. *How important is stare decisis and when should a court depart from it?*

As a state-wide appellate court, Commonwealth Court is continually engaged in the interpretation of standing law, and thus stare decisis is a crucial aspect of the court's work in providing a body of interpretation. Nevertheless, changes in circumstances occur, including shifts in the interest and expertise within the court, and an appellate court should remain open to appropriate reassessment.

11. *Does the court need to become more open and accessible to the press and public?*

In general, openness to the public and press benefits both the integrity of the court and the awareness of the public about legal process. The "Judge Judys" of commercial television should not be the defining image of the judicial process. There do need to be limitations, however, so as not to impede or impact testimony, and to protect the rights of minors and the victims of, for example, crimes of sexual violence.

12. *Do you favor cameras in the courtroom, particularly for oral arguments?*

Please see answer #11 above.

*13. Since judges are elected and you are running as a member of a political party, what does your party membership say about you and how big a role does it play in your outlook on legal matters?*

The obligation of a judge is to hear cases on their basis in the law, and not on the basis of political party, religious beliefs, or any other belief or ideological system. As a life-long Democrat I take pride in the ways in which that party has supported the interests of “ordinary” people and the disenfranchised. On the other hand, I also have experience from the corporate perspective, and I firmly believe that my decisions as a judge will be fairly based on the law itself.

*14. Should party membership/loyalty play any role in getting a party's nomination?*

No. Nomination is an elective process, and I am a nominated candidate because I won that honor by the votes of the people in the primary election on May 19. I was not endorsed by any party.

*15. Would you recuse yourself if a campaign contributor were involved in litigation as a party or attorney before you?*

Yes. Contributions are a reality of an elected judiciary. In general, I would consider any contribution in excess of ten thousand dollars to be a benchmark for recusal, but other factors such as significant efforts on behalf of a campaign would also be among the grounds for recusal.

*16. In general, under what circumstance would you recuse yourself from a case?*

Whenever there is any real and significant circumstance or appearance of circumstance constituting a conflict of interest.

*17. In light of the revelation of judicial corruption in Luzerne County and the ongoing probe in Luzerne and Lackawanna Counties, does the judicial conduct system need to be reviewed and reformed?*

Although there are systems in place to advise and oversee judges regarding ethical conduct, improvements are clearly in order. These include cultural changes. Responsible media has an obligation to carefully and vigorously vet judicial candidates, which is not currently happening. Through education of the public, including posted notices in courtroom areas, awareness of the recourse provide by the Judicial Conduct Board should be developed. Internal judicial system guidelines should reinforce the obligations of each judge to the integrity of the entire system.