

Election 2023: Judge, Centre County Court of Common Pleas

The Judicial Branch in Pennsylvania has several levels. Most people have contact with courts at the local level, the Magisterial District Courts and the Courts of Common Pleas. In this issue Operation Wildfire begins its review of the 2023 judicial races with the Centre County Court of Common Pleas.

What is the Court of Common Pleas?

A Common Pleas Court is a court that has general jurisdiction, meaning that it can hear a variety of civil and criminal cases. Common Pleas Courts are trial courts and do not have the jurisdiction to hear appeals; people who wish to appeal cases must take their cases to an appeals court that has that legal authority. A typical Common Pleas Court can hear all civil and criminal matters, with no ceiling on the types of cases it hears. These courts are used to try people accused of felonies, as well as to handle civil suits where large damages are being requested. Common pleas courts also handle matters like probate, divorce, and similar types of legal matters. General jurisdiction allows the court to oversee a broad assortment of cases.¹

There are four judges on the Centre County Court of Common Pleas. This year, there is one open seat that will be filled at the election in November. The seat was vacated by the retirement of President Judge Pamela Ruest.

The Candidates

Judicial candidates are able to cross-file on both the Democrat and Republican ballots and to obtain signatures from registered voters of both parties to get their name on the ballot. This is because being a judge is supposed to be a nonpolitical position. Rule 4.1 of the Code of Judicial Conduct reads, rather than making decisions based on the views or preferences of the electorate, a judge is supposed to make decisions based upon the law and facts of every case. Therefore, judicial candidates must be free from political influence and political pressure.²

There are two candidates running for Judge on the Centre County Court of Common Pleas. Listed alphabetically, the candidates are Gopal Balachandran and Julia Rater.

Gopal Balachandran

www.gopalforjudge.com

Born in India and moved to the United States in 1979. He became a U.S. citizen in 1987. He's been a Centre County resident since 2018.

- Areas of Legal Expertise
 - Penn State Law – Professor Balachandran directs the Externships Program as well as the Criminal Appellate & Post-Conviction Services Clinic. As Director of the Externships Program, he oversees students' employment with legal services and governmental organizations, including externships with judges. In his role as Director of the Criminal Appellate & Post-Conviction Services Clinic, Professor Balachandran supervises students in the writing and filing of briefs in the Pennsylvania Superior and Supreme Courts.
 - Assistant Public Defender for 10 years in three states (Massachusetts, New York and Maryland)
 - Represented Citizens in Centre County Court – No Appearances Listed
 - Litigated Cases in all Three Pennsylvania Appellate Courts (Commonwealth Court, Superior Court and Supreme Court) – No Appearances Listed
- Service to the Legal Profession
 - Centre County Bar Association member since September 2022
 - Pennsylvania Bar Association member since April 2017
- Service to the Community
 - State College Borough Council since 2021

¹ MyLawQuestions.com, "What is a Common Pleas Court?" March 29, 2023

² American Bar Association, Rule 4.1: Political and Campaign Activities of Judges and Judicial Candidates in General, July 15, 2020

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- Education:
 - J.D. from George Washington University
 - M.A. from the University of Chicago
 - B.S. from University of North Carolina at Chapel Hill

Julia Rater

www.juliaforjudge.com

Centre County resident for 21 years.

- Areas of Legal Expertise
 - Family law (divorce, child custody and support), child dependency, protection from abuse, domestic violence proceedings, general civil litigation (contract disputes, slip and fall, automobile accidents, medical malpractice and professional negligence), residential and commercial real estate transactions, real property disputes, landlord-tenant matters and estate planning.
 - Practicing law in Centre County for 27 years.
 - Shareholder with McQuaide Blasko, and a former Partner with Miller, Kistler, Campbell.
 - Represented Citizens in Centre County Court – Weekly since 2002 (1,100+ times)
 - Successfully Litigated Cases in all three Pennsylvania Appellate Courts (Commonwealth Court, Superior Court and Supreme Court)
- Service to the Legal Profession
 - Working with Centre Safe, helped to create a program through which individuals in Centre County can be represented by attorneys for free or low cost
 - Advisory Committee Member to form the Children's Advocacy Center of Centre County to protect children and to prevent, identify and treat child abuse
 - Centre County Bar Association member since March 2002
 - Centre County Bar Association Board of Governors for 15 years
 - Chairperson of Centre County Bench-Bar Committee for 7 years
 - Pennsylvania Bar Association member since December 1995
- Service to the Community
 - Board of Directors of Strawberry Fields for 16 years
 - Board of Directors of Tides for 3 years
 - Pennsylvania Special Olympics volunteer
 - Past board member of Bellefonte EMS
 - Concession stand coordinator for Park Forest Swim Team, booster club president for the State High Girls Lacrosse Team, board member for Centre Lacrosse, volunteer for the AVID Dance Team and Girl Scout Cookie Mom
 - Graduate of the Leadership Centre County Class of 2005
- Education
 - J.D. from Penn State Dickinson Law
 - B.A. from St. Vincent College

Setting the Record Straight

The Code of Judicial Conduct³ states: (a) A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory officer or public legal officer, or of a candidate for election or appointment to judicial or legal office.

(b) A lawyer who is a candidate for judicial office shall comply with the applicable provisions of the Code of Judicial Conduct.

Over the past few months, several statements were made that are misleading, false or inaccurate. One of the most critical misstatements includes two major inaccuracies:

³ American Bar Association, Rule 8.2 Judicial & Legal Officials, Maintaining the Integrity of the Profession

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In an April 18, 2023 interview, candidate Gopal Balachandran remarked, “Criminal law cases consistently form the most time-intensive and complex cases that a judge on the Centre County Court of Common Pleas faces. Yet, the current bench has no judge with a significant or comprehensive background in criminal law.”⁴

First, we'll address the number of criminal cases processed by the Centre County Court. According to cases processed before a judge in Centre County, the statistics report cases processed, not necessarily how the judges spend their time. That is more accurately reflected by the Centre County Legal Journal⁵ as follows:

1,778 Cases Processed in Family Court

These cases include Custody, Spousal and Child Support, Divorce, Juvenile Dependency, Juvenile Delinquency, Adoptions, Appointment of Guardians and Protection from Abuse.

638 Cases Processed in Civil Court

These cases include Motor Vehicle Accidents, Liability, Malpractice, Contract Actions, Debt Collections, Employment Disputes, Real Property, Landlord-Tenant, Mortgage Foreclosure and Civil Appeals.

1,718 Cases Processed in Criminal Court

The 2022 Journal reflects that 72% of the Judges' court time is on family law and civil cases (40% family law and 32% civil law) and only 28% on criminal cases.

Second, to address the experience or alleged lack thereof in criminal law, both President Judge Jonathan Grine and Judge Brian Marshall practiced criminal law before becoming a judge.

Operation Wildfire believes that the citizens of Centre County deserve a judge who will adhere to the Code of Judicial Conduct, who will enter the courtroom without a political agenda, and who will listen to the facts of each case and make a decision consistent with the law. For those reasons, as well as her extensive experience, Operation Wildfire encourages you to vote for Julia Rater for Judge, Centre County Court of Common Pleas.

What's Ahead?

Operation Wildfire reviews the candidates running for the Pennsylvania Commonwealth Court.

⁴ The Legal Intelligencer, Law.com, April 18, 2023

⁵ The Centre County Legal Journal is the official legal newspaper for Centre County owned and published by the Centre County Bar Association.