

Election 2023: Judge, Superior Court

As you know, 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. If you don't like a decision one of the local judges make, you can turn to the Appellate Courts. Remember, the Appellate Courts are the ones that may have the most effect on your everyday life. In this issue we'll discuss the Superior Court.

What is the Superior Court?

The Superior Court handles criminal, family and civil cases that are appealed by individual County Courts of Common Pleas. It is often the final arbiter of legal disputes.¹ If, for example, you don't like a decision a local judge made in your custody case, you can appeal that decision to the Superior Court. If a defendant wants to challenge his conviction, that appeal goes to the Superior Court for review. The Superior Court reviews every case properly brought before it. And once the Superior Court makes a decision, that decision is generally binding on the lower courts.

But if you don't like a decision made by the Superior Court, you can ask the PA Supreme Court to review even that decision. As you know, the Supreme Court is different from the Superior Court because it doesn't have to accept a request to review what a lower court decided. But when it does, any decision made by the PA Supreme Court is binding on every lower court. And, in most cases, the Supreme Court makes the final decision in a case. If you don't like what the PA Supreme Court decides there is usually not much that can be done.

So why does your vote for the Superior Court candidates matter? The Judges on the Superior Court are most likely to make the final decisions on issues that matter to your everyday life, for example, custody determinations, and whether a defendant's conviction should be overturned.

There are 15 members on the Superior Court. Most appeals are decided on the submission of briefs only. However, when the parties request oral arguments, those sessions are usually heard by panels of three judges sitting in Philadelphia, Harrisburg, or Pittsburgh, but the court also hears some appeals "en banc," i.e., with nine judges.

The Candidates²

There are two seats open on the Superior Court this year. The candidates are, in alphabetical order, Maria Battista, Jill L. Beck, Judge Patrick F. Dugan, Judge Timika R. Lane and Judge Harry F. Smail, Jr. Whoever wins the November General Election will take the open seats on the bench and serve for the next 10 years.

Maria Battista

- Areas of Legal Expertise
 - 15 years of legal experience in civil, criminal, and administrative law
 - Vice President, Federal and State Contracts, The Judge Group
 - Pennsylvania Office of General Counsel, Board Counsel, PA Department of State
 - Pennsylvania Office of General Counsel, Assistant Counsel, PA Department of Health
 - Former Assistant District Attorney
- Service to the Legal Profession
 - Pennsylvania Bar Association
 - Clarion County Bar Association
- Service to the Community – Not Available
- Education
 - J.D., Ohio Northern University
 - Ed.D., University of Pittsburgh
 - B.S., Clarion University of Pennsylvania

To learn more about Maria Battista, visit www.battistaforjudge.com

¹ Pacourts.us, The Unified Judicial System of Pennsylvania, Superior Court

² Limited background material is available for candidates Maria Battista and Judge Patrick Dugan. Operation Wildfire searched LinkedIn to gather information on both candidates, as well as PA Bar Association and newspaper sources.

Good Things Happen When YOU Vote

Jill L. Beck

- Areas of Legal Expertise
 - Commercial litigation, discrimination and appellate matters
 - Clerkships for the Superior Court of PA and Supreme Court of PA
 - KidsVoice Inc., managing matters related to abused and neglected children
 - Attorney, Blank Rome, L.L.P.
- Service to the Legal Profession
 - American Bar Association – Equal Justice Conference Host Committee Chair (former)
 - Pennsylvania Bar Association – Appellate Advocacy Committee; Diversity and Inclusion Representative; Children's Rights Committee; Legislative Subcommittee; Women in the Profession; Judicial Administration Committee
 - Allegheny County Bar Association – Diversity and Inclusion Committee; Public Service Committee; Backpack Project Co-Chair; Women in the Law Division
- Service to the Community
 - Jewish Community Center of Pittsburgh
 - Leukemia and Lymphoma Foundation
 - Leadership Board of Gilda's Club of Western Pennsylvania (now Our Clubhouse)
- Education
 - J.D., Duquesne University School of Law
 - B.A., The George Washington University

To learn more about Jill Beck, visit www.JillBeck.com

Judge Patrick Dugan

- Areas of Legal Expertise
 - President Judge, Philadelphia Municipal Court
 - 15 years serving on the Philadelphia Municipal Court
 - Member, Judicial Ethics Advisory Board (Supreme Court Appointee)
- Service to the Legal Profession
 - Pennsylvania Bar Association
 - Philadelphia Bar Association
- Service to the Community
 - U.S. Army and U.S. Army Reserve – Airborne Infantryman, Civil Affairs Soldier and JAG Officer
 - Founder, Philadelphia Veteran's Court
- Education
 - J.D., Rutgers Camden School of Law

To learn more about Judge Patrick Dugan, visit www.judgepatdugan.com

Judge Timika R. Lane

- Areas of Legal Expertise
 - Philadelphia Court of Common Pleas since 2013, where she has overseen criminal appeals from the Philadelphia Municipal Court, presided over criminal cases in the Major Trials program and handled investigative grand jury matters. Currently assigned to the court's Civil Trial Division, handling civil motions and jury/bench trials.
 - Chief Counsel and Minority Executive Director, State Government Committee, PA Senate
 - Defender Association of Philadelphia
 - Law Offices of Michael Nix, where she represented clients in various areas of Family Law ranging from support to custody issues
- Service to the Legal Profession
 - Pennsylvania Bar Association
 - Philadelphia Bar Association
 - Pennsylvania Conference of State Trial Judges
 - Pennsylvania Adult Probation and Parole Advisory Committee (Supreme Court Appointee)
 - Women Judges' Initiative
 - Harcum College, Adjunct Professor

Good Things Happen When YOU Vote

- Service to the Community
 - Friends Central School – Parents for Diversity
 - Bright Hope Baptist Church, Trustee
 - Cancer Hope Network
 - National Coalition of 100 Black Women
- Education
 - J.D., Rutgers Camden School of Law
 - B.A., Howard University

To learn more about Judge Timika Lane, visit www.judgelaneforpa.com

Judge Harry F. Smail, Jr.

- Areas of Legal Expertise
 - Westmoreland County Court of Common Pleas since 2014
 - Law Offices of Harry F. Smail, Jr, representing clients in a wide range of civil, criminal, employment and family litigation
 - Blum, Reiss & Plaitano Attorneys at Law, litigating domestic law, bankruptcy, personal injury, criminal law and workers compensation
- Service to the Legal Profession
 - Pennsylvania Bar Association
 - Westmoreland County Bar Association (President, Vice President, Board of Directors)
 - The Federalist Society
 - Former memberships include the American Bar Association, Allegheny County Bar Association, Pennsylvania Association of Justice, Western Pennsylvania Trial Lawyers Association
- Service to the Community
 - Fraternal Order of Police Associate Membership
 - Westmoreland Chamber of Commerce
 - Boy Scouts of America; Girl Scouts of America
 - Hempfield Area Moot Court Coach
 - Shriner's International; Fraternal Order of the Elks
 - First Presbyterian Church of Greensburg
 - Hempfield Township Parks and Recreation Available Sports Coach
- Education
 - J.D., Duquesne University School of Law
 - B.A., Grove City College

To learn more about Judge Smail, visit www.votejudgesmail.com

In Our Opinion

Operation Wildfire believes that the citizens of Pennsylvania deserve and need Judges who will interpret the law fairly and objectively based on facts and by following legal precedent and practice. Operation Wildfire does not support the notion of politics in the Courtroom and thus we support those candidates who will enter their Courtrooms without a political agenda. We support those candidates who will listen to the facts of each case and will make decisions consistent with the laws of the Commonwealth. For those reasons, Operation Wildfire encourages you to vote for Judge Harry F. Smail, Jr. and Maria Battista for Judge, PA Superior Court.

What's Ahead?

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