

# Operation Wildfire: Good Things Happen When Republicans Vote

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Issue 8

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## Why State-wide Judicial Races Matter – Commonwealth Court Edition

In earlier issues, we reminded you that 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 those local judges made, 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 Commonwealth Court.

If you disagree with your local zoning board and don't like how the local Judge ruled, you can appeal that decision to the Commonwealth Court. The Commonwealth Court also hears appeals regarding Right to Know requests. The Commonwealth Court reviews every case properly brought before it. And once the Commonwealth Court makes a decision, that decision is generally binding on the lower courts. Remember that the PA Supreme Court does not have to accept a request to review what the Commonwealth Court decided.

So why does your vote matter? Recently the Commonwealth Court upheld an order which closed a restaurant for failing to abide by Gov. Wolf's mask mandate and Covid mitigation rules.<sup>1</sup> Even though the Commonwealth Court said the restaurant could continue to fight the mask mandate order at the county level, the decision shows how the Commonwealth Court can affect people on a daily basis.

There are nine judges on the Commonwealth Court. This year, there are two seats open that will be filled at the election in November. One of the seats is being vacated by Judge Mary Hannah Leavitt, who is not running for retention. The other involves incumbent Judge Andrew Crompton, who was appointed to the court by Gov. Tom Wolf to fill a vacancy in 2019. Crompton is running to keep the seat.

The candidates for the Commonwealth Court seats are Judge Drew Crompton, Stacy Wallace, Lori Dumas and David Spurgeon. You can learn more about them at [judgecrompton.com](http://judgecrompton.com), [stacyforpa.com](http://stacyforpa.com), [judgedumas2021.com](http://judgedumas2021.com) and [judgespurgeon4commonwealth.com](http://judgespurgeon4commonwealth.com)

In addition, two judges are running for retention to the Commonwealth Court. What does that mean? At the end of a Judge's term, if they want to stay on the bench, they will run for retention. It is an uncontested race where the voters decide either to keep them on the bench or not. It is only if they are not retained that the seat would open up for a contested election. The other way a seat is opened is if the Judge reaches the mandatory retirement age of 75 and can no longer serve on the Court.

This year, Judge Anne E. Covey and Judge Renee Cohn Jubelirer are running for retention on the Commonwealth Court. You can learn more about Judge Covey at <https://www.pacourts.us/courts/commonwealth-court-judges/judge-anne-e-covey>. You can learn more about Judge Jubelirer at <https://www.pacourts.us/courts/commonwealth-court-judges/judge-renee-cohn-jubelirer>. After you've had an opportunity to review their websites, along with any other research you may find, we hope that you'll agree with us that both Judges should be retained.

### In Our Opinion

We support the election of Judges to the Appellate Courts who are going to stick to interpreting the law and not try to make law from the Bench – and that's why we support the election of Judge Drew Crompton and Stacy Wallace to the Commonwealth Court. We believe that when you review the websites, you'll agree with our assessment.

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<sup>1</sup> Pa. Court uphold order closing restaurant for violating Gov. Wolf's COVID-19 mask mandate. PennLive.com July 23, 2021.

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Judge Kevin Brobson, our candidate for the PA Supreme Court, has declared “I will not legislate from the bench.” Megan Sullivan, our candidate for Superior Court, shares that same belief. And so do our candidates for the Commonwealth Court.

Judge Drew Crompton was appointed to the Commonwealth Court in 2020 by a Senate vote of 42-7. His appointed term ends in 2022, and he is running for a full term. He was the point lawyer for dozens of high-profile cases including redistricting, negotiating a settlement with the NCAA, budget disputes and separation of power cases (often to rein in the power of the Governor or other executives). Judge Crompton also participated in the seminal U.S. Supreme Court case, *DC v. Heller*, to protect the 2nd Amendment.

Judge Crompton believes “A judge’s job is not to make the law. That is the legislature’s responsibility. My role as a judge has been to interpret and follow the law in every case. Each branch of government is constitutionally required to stay in its lane.”

As an attorney, Stacy Wallace has represented an extensive range of clients in both the private and public sectors, worked on behalf of local and regional nonprofits, such as Northwestern Legal Services, and argued cases involving county and state government entities.

Stacy has advocated for rank-and-file Pennsylvanians and served as their guide to our Commonwealth’s legal system. Stacy believes the best judges have real-world experience to understand how their decisions will impact those in their jurisdiction. If elected, Stacy will be a judge for all Pennsylvanians, drawing on her perspective and past experience to craft decisions that are legally and constitutionally grounded.

As a judge, Stacy Wallace “...will restore the public’s confidence and trust in Pennsylvania’s judiciary by emphasizing integrity and due process.” Most importantly, Stacy can always be trusted to practice judicial restraint by adhering to our federal and state constitutions.

## **Something to Remember**

The candidates we choose in November will be elected for 10-year terms. That’s why it’s important to elect:

- Judge Kevin Brobson to the PA Supreme Court
- Megan Sullivan to the Superior Court
- Judge Drew Crompton and Stacy Wallace to the Commonwealth Court

And vote to retain on the Commonwealth Court:

- Judge Anne E. Covey
- Judge Renee Cohn Jubelirer

## **What’s Ahead**

In a future issue we’ll provide information about candidates running for retention.