

2025 JUDICIAL CANDIDATE QUESTIONNAIRE

This questionnaire is designed to provide insight about your candidacy and to aid the various committee members in making a more informed choice when casting their endorsement vote. This will be shared with the members of the committees participating in the 2025 Judicial Candidates Zoom Conference and any other Democratic Committee/Committee member that requests copies. Your response is requested no later than: January 20, 2025. Please email your .pdf responses to:
committee@mccandlessdemocrats.org

Name: HEATHER SCHMIDT BRESNAHAN

Campaign website: www.heatherforjudge2025.com

1. Have you received a rating from the Allegheny County or Pennsylvania Bar Association?

If so, please state the rating and year received.

If not, are you applying for a rating? Please state when your interview is scheduled or why you are not applying for a rating.

Yes, I am applying for the Allegheny County Bar Association rating. My interview is scheduled for February 4th.

2. What are your qualifications to run for a Judicial Seat? What specific accomplishments in your past have qualified you for this?

I have been a family law attorney for over 23 years and have extensive experience in the Family Courts representing clients in motions, conciliations, pretrial conciliations, hearings, and trials on child custody, divorce, spousal support, child support, protection from abuse matters and grandparent custody. In practicing family law, you need to have compassion and the right temperament to work with clients who are going through the worst times of their lives on a day-to-day basis. Further, I work with clients of all races, socioeconomic backgrounds, cultures, genders, sexual orientations, religions, etc. In working with such diverse people on a day-to-day basis it has taught me to not prejudge anyone or their story and really listen to people. The character of a person and how one relates to people is a good way to measure how a person will

perform on the bench. Additionally, judges need to respect the attorneys and let them do their job or the system breaks down. There are times when attorneys are not always given the respect that they deserve as officers of the court, and I will always treat the attorneys with respect.

I often work with attorneys in other areas of the law on cases when there is a related criminal action arising from a Protection from Abuse matter or a related civil case or a personal injury matter. This has given me insight into all of the various divisions in our court system.

I worked full time for the Allegheny County District Attorney's office as a staff person during the day for 6 years while I attended college and law school. I was assigned in the general trial division, working with the sentencing guidelines department and the law clerk to the Head of Homicide. These years gave me invaluable insight into the Criminal Court.

Finally, I am a Hearing Officer for the Allegheny County Retirement Board. I believe that my nearly 30 years of experience in the legal field and over 23 years of experience as a trial attorney make me a strong candidate for a seat on the Court of Common Pleas.

3. Describe the nature of your legal practice since graduating from law school, including the percentage of your practice dedicated to litigation and whether you appeared in court frequently, occasionally, or not at all.

I have focused my legal career primarily on Family Law, including matters such as divorce, child custody, child support, spousal support, alimony pendente lite, alimony, Protection from Abuse, grandparent custody and marital agreements. Additionally, I draft wills and powers of attorney and administer estates for clients, although this constitutes less than 10% of my practice.

I have appeared a few times in criminal court to walk people through the ARD program for DUI's and have attended magistrate hearings on behalf of clients. When I was partner with Fiscus Ball, I appeared in civil court to address matters related to real estate and quieting title on properties.

Since January 2024, I have been honored to serve as a hearing officer for the Allegheny County Retirement Board. Additionally, I dedicate time each month to volunteering with Neighborhood Legal Services, assisting with their PFA caseload to support individuals in need.

I am in court on average once per week if not more frequently for conciliations, motions, hearings and trials.

4. Why are you running for this office?

I believe that being a Judge would give me an opportunity to make a meaningful and positive difference in the lives of so many people in Allegheny County. I am confident that I bring my 23 + years of experience as a Family Law Attorney, and my previous experience in the District Attorney's Office to the Allegheny County bench and serve the Court of Common Pleas as a fair and effective Judge. Family Court and Criminal Court cases not only affect the individual going through the case, but entire families and often many others around them. A judge's decision in a custody case, a juvenile dependency case, divorce case, or a criminal case can have a ripple effect on generations of a family. These effects can be positive or negative.

In my experience, I have had the privilege of appearing before judges who consistently treat litigants and attorneys with dignity, respect and integrity. These judges embody the values that make our justice system work effectively. I firmly believe that judges play a vital role in maintaining the integrity of the courtroom, and it is important for all parties involved to understand and respect the responsibilities of the presiding judge. At the same time, attorneys have their own responsibilities to their clients, and it's essential for everyone in the courtroom to work collaboratively and with mutual respect. Judges are elected to serve the people of Allegheny County, all the people, and should approach their work with humility and a commitment to fairness for everyone they serve.

I know that I have the experience, qualifications, temperament, compassion, and values necessary to serve as a Judge on the Allegheny County Court of Common Pleas. My background and experience make me a unique candidate who will treat everyone equally and fairly, regardless of race, religion, ethnicity, gender/gender identification or sexual orientation.

5. Have you ever run for or held office? If yes, what office? Why did you leave office?

I was elected to serve on the Dormont Borough Council from 2009-2011. In December 2011, I decided to step down to focus on my growing law practice and my recent marriage, allowing me to dedicate more time to both. However, it was a very worthwhile experience that provided me with valuable insight into local government.

6. Have you ever been arrested? If yes, list the county and state of arrest, the charge, and the outcome of the case.

No

7. Have you ever had a Domestic Violence Protection Order or Civil Stalking Protection Order taken out against you? If yes, list the county and state issuing the Order.

No

8. Do you have any outstanding tax liabilities? Have you ever had any outstanding tax liabilities in the past? If yes, describe them and the outcomes(s).

In 2016, there was a mix up with my mortgage company during a refinance, as they were to be paying my taxes through my mortgage. Dormont Borough and Allegheny County filed a lien when the mortgage company did not pay and as soon as I was aware that my mortgage company did not pay the taxes, I paid the taxes promptly and the lien was satisfied.

9. Have you ever had a malpractice claim filed against you? If yes, list the year and detail the complaint.

No

10. Have you ever had a bar complaint and/or grievance filed against you? If yes, list the Bar Association which handled the matter and the outcome of the matter.

I had one Disciplinary Board complaint filed against me in 2021. The complaint was filed two and a half years after my representation ended, and I believe the motivation behind the complaint was the clients' desire not to pay me significant legal fees that were still owed to me. I hired ethics counsel who advised me of his opinion that the complaint was frivolous and should be dismissed. We filed a response to the complaint, after which the complaint was dismissed the following month. My counsel advised me that that was an unusually quick dismissal.

11. Has your law license ever been inactive? If so, why?

No

12. Has any professional license held by you other than your law license ever lapsed, been denied renewal, suspended, or revoked for any reason? If yes, describe the circumstances and outcome(s).

No

13. Has your driver's license ever been denied renewal, been suspended, or been canceled because of unpaid tickets or for any other reason? If yes, describe the circumstances and outcome(s).

No

14. Do you have or have you had any liens or judgments on any property you own? If yes, describe the circumstances and outcome(s).

Other than the mix up with my mortgage as explained above in number 8– NO.

15. Have you ever sued or been sued in your personal capacity? If yes, describe the circumstances and outcome(s).

No

16. Have any sexual harassment allegations and/or complaints been levied against you? If so, please detail.

No

17. Please provide your screen/username for all social media accounts, including but not limited to LinkedIn, Facebook, Twitter, etc.

Facebook: Heather Schmidt Bresnahan and Schmidt Bresnahan Law Group, LLC

Instagram: Heatherschmidt1071

BlueSky: @heatherschmidt

Campaign:

Facebook: facebook.com/61569415637976

Instagram: instagram.com/hsbforjudge2025

Bluesky: <https://bsky.app/profile/heatherforjudge/bsky.social>

18. Please disclose any other matter that may be of significance in your judicial race. Include in your disclosure any information about you that could be used negatively against you or the Democratic Party.

N/A

19. Please explain your thoughts on cashless bail? i.e. when is it appropriate and when is it not appropriate?

The use of cash bail without evidence-based guidelines has broad negative effects on minority and marginalized populations as well as placing a huge financial cost on taxpayers. Prior to any determination that a cash bail should be set, the court should hold an evidentiary hearing to determine whether the person is an imminent danger to the community if they are released. The defendant's charges and prior criminal history should be examined to determine whether the defendant poses a danger to the community or a flight risk. If so, cash bail would be appropriate. If the defendant does not pose a danger and it is a nonviolent offence, then cashless bail should be looked at. If the Court is concerned about appearance at trial, there are other methods such as reporting requirements and text message reminder programs that work well. The use of ankle monitoring and treatment programs in non-violent crimes are other creative and effective methods to reduce recidivism, if that is the goal.

20. Are you familiar with Senate Bill ("SB") 752 (Expanding Diversion; Focusing Detention and Out-of-Home Placements; Related Juvenile Justice Reforms)? Please explain whether you support the bill and explain your reasoning.

I am not intimately familiar with Senate Bill 752, and it would be inappropriate to comment on pending legislation as a judicial candidate. If passed, I will implement the law in accordance with the final legislation.

I agree with Juvenile Justice Reforms as the studies have shown that during adolescence the brain is still immature, and adolescents are less able to regulate their behavior and are more susceptible to peer pressure. Confinement should be a last resort for juveniles and the system should be focused on restorative justice and helping youths take responsibility for their actions.

21. Is a hot dog a sandwich? Please explain your reasoning.

Yes, while I have never really considered a hot dog a sandwich as I have never thought of a hamburger as a sandwich, technically a hot dog is a sandwich. It is a filling between two or more slices of bread.

Democratic Values

22. Why are you a Democrat? What makes you a Democrat?

I am a Democrat because I believe in and practice what I believe to be the core values of the Democratic Party. I believe the core values of the Democratic Party to be fairness, justice and equality and that Democrats believe that government can and should make life better for all families across our nation. I believe the Democratic Party's core values include standing up for the working class and all those struggling to realize the American dream, the right to collectively bargain and to form and belong to a union, the right to make your own choice about your own body and always striving for greater racial and gender equality. All these Democratic Party core values align with my own beliefs and personal values. That is why I am a proud Democrat and have been since I first registered to Vote at age 18.

23. If you do not receive the Democratic Party Endorsement for this position, will you run against the endorsed candidates?

Yes

24. Have you ever run for political office where you ran against an endorsed Democratic candidate? If so, why?

No

25. Have you ever changed your party affiliation or voted in a primary other than the Democratic Primary? If so, when and why?

No

26. Have you ever volunteered for a Democratic campaign? If yes, what candidate and what year?

Yes. My grandmother was a very active Democrat and worked as a high-achieving volunteer for many Democratic candidates throughout her years as an active Democratic Party worker. She was very influential in my life, and I followed her example by volunteering for Democratic candidates over the years, mostly those that ran for judicial office. Most recently, like so many others, I did many days of door-knocking for the Harris campaign. Additionally, I have donated to multiple Democratic campaigns, local, county wide, statewide, and federal.

27. What personal experiences have you had that you believe will shape your judicial temperament?

The personal experiences that will shape my judicial temperament align with my professional career experiences. I have represented clients in my family law practice for over 23 years who are going through some of the most difficult times in their lives. They are emotional and scared and many times, just depending on the judge and how they are treated, they feel better at the end of the day. If a judge is patient, compassionate and open minded, the client feels that they have really been “heard”. Sometimes, all that someone wants is to feel that their side of the story has been “heard” by the judge. I have been in cases where the judge is impatient with clients and the attorneys and client’s feel that they were not treated fairly. This leaves them feeling as if the system has failed them. I will always be open minded, compassionate, patient, and treat everyone equally and fairly.

28. What does it mean to have a commitment to diversity and inclusion? In your personal, professional, or civic life have you demonstrated that commitment? If so, how?

A commitment to diversity and inclusion means exactly that. If and when you have a commitment to an action, a concept, or a cause, you make a pledge and a promise to do

everything you can to fulfill that obligation. One can also be committed to the spirit of diversity and inclusion and take meaningful action to demonstrate that commitment. I have tried my best over the course of my career to be cognizant of the need for diversity and inclusion and have often taken meaningful action to increase diversity and provide inclusion.

For example, I have been committed to gender diversity and inclusion in the legal field. When I have had hiring authority (as I have had in my own Law Firm) I have hired women for significant positions. I have also mentored young female attorneys so that they could advance in the legal world. In my personal life and in my little neighborhood, we pride ourselves in the diversity in our neighborhood, whether it be gender, race, religion, sexual orientation, etc., and strive to support and include all of our neighbors.

29. Have you previously represented any clients where you had to take a position adverse to any Democratic values or core constituencies (ex. representing an employer during a union busting campaign, representing a white supremacist)? If so, please explain.

No

30. Have you ever taken a public stance for or against the following? If so, please detail your position at the time of the public statement and where the statement can be found (if published or recorded):

- a. Women's Reproductive Rights**
- b. LGBTQ Rights**
- c. Marriage Equality**
- d. Right to Work Legislation**
- e. Collective Bargaining**
- f. Second Amendment**
- g. Vaccinations or other public health measures**
- h. The validity of any election or election process**

Like many active members of the Democratic Party, over the years of being an active and informed member of the Democratic Party, I have taken a "public stance" on many of the issues listed above. Both as an active member of the Democratic Party and as a concerned voting citizen, I have never been hesitant to be visible and be vocal regarding the policies that I believe in. So, in the sense described above, I have taken a "public stance" as a committed and strong Democrat on the right side of all of the issues on this list.

Other than my own comments on social media over the years regarding most if not all of the issues listed, I don't know of any "published" or "recorded" statements about my positions.

31. If you believe that gender, racial, ethnic, class or other forms of bias can infect the justice system, how will you work to keep your courtroom as bias-free as possible?

I am aware of the impacts of implicit bias and the fact that feelings or stereotypes affect our understanding of every matter, often in a subliminal way that requires intentional action with a plan to address. To combat this, I would consciously work to make sure that any subconscious beliefs and stereotypes do not affect my judgment and ensure that only facts and observations guide my decisions. I would also continue to educate myself and my staff about implicit bias, the negative effects and how to counteract the reality in the courtroom.

I would always make sure that everyone in my courtroom was treated fairly and with respect and courtesy, including litigants, attorneys and staff. I would also work with the other judges and court personnel to ensure that we had a policy in place to continue to educate ourselves and all staff to combat this.