

PA JUDICIAL RACE INFORMATION—FALL 2009

PROVIDED BY SUSQUEHANNA VALLEY MORAL ISSUES COALITION

FROM PA FAMILY INSTITUTE VOTER GUIDE									(S)UPPORTED BY														
PFI Question ¹ Number:		1	2	3	5	6	7	8	Examples From Candidate Websites ²														
COURT	Q 1-3: see answer choices with the questions below. Q 4: Answers next page Q 5-8: (C)orrectly Decided (I)ncorrectly Decided (Y)es / (N)o / (U)ndecided (D)ecline to answer - = Chose not to respond * = Comments next page Blank = No Response (All were contacted)	(D)emocrat and / or (R)epublican	Preferred President	Preferred Supreme Court Justice	Living Document/Constitutionalist	Roe v. Wade Decided Rightly	10 Commandments In Courts	Same-Sex Marriage	Student Led Graduation Prayer	Fraternal Order Of Police PA/Local	Gay/Lesbian Group(s)	Life PAC	NRA / Firearm Owners Against Crime	PA Bar Association	PA Chamber of Business & Industry	PA NOW PAC/NOW	PA Pro-Life Federation PAC	PA State Education Association	PA State Troopers Association	Planned Parenthood PA PAC	Unions: Local or PA AFL-CIO	Unions Labor (Multiple)	
	CANDIDATES																						
SUPREME	ELECT 1	Jack Panella	D							S	S				S	S				S	S		
		Joan Orié Melvin	R	Reag	Scal	10	D*	D*	D*	D*	S		S	S		S	S	S					
SUPERIOR	ELECT 4	Robert Colville	D							S	S			S			S			S	S		
		Anne Lazarus	D	-	-	-	-	-	-		S			S		S		S		S	S	S	
		Kevin McCarthy	D								S	S			S				S		S	S	
		Teresa Sarmina	D								S				S			S		S	S	S	
		Sallie Mundy	R	Reag	Robt	10	D*	D*	D*	D*					S			S ³					
		Judy Olson	R	Reag	Robt	9-10	I*	Y*	N*	Y*	S		S		S			S	S	S			
		Paula Ott	R								S				S					S			
		Temp Smith	R	Reag	Robt	10	D*	D*	D*	D*			S	S	S			S					
	RETAIN	Kate Ford Elliott	D														S ³						
COMMONWEALTH	ELECT 2	Barbara Ernsberger	D								S					S					S	S	
		Linda Judson	D								S			S		S		S	S			S	S
		Kevin Brobson	R	Reag	Robt	*	*	*	*	*	S		S	S	S		S	S	S				
		Patricia McCullough	R	Reag	Scal	9	I	Y	N	Y			S	S	S		S						
		RETAIN	Dan Pellegrini	D													S ³						

¹ PA Family Institute Voter Guide Questions (various boldface portions of answer choices are used in the chart above)

1. Which of the following former U.S. presidents best represents your political philosophy?
John F. **Kennedy** George **Bush** (former) Jimmy **Carter** Bill **Clinton** Ronald **Reagan**
2. Which one of the current justices of the U.S. Supreme Court most reflects your judicial philosophy?
Roberts / Stevens / Scalia / Kennedy / Thomas / Souter / Ginsburg / Breyer / Alito (Court justices at time of question)
3. Rate your judicial philosophy on a scale of 1-10 with
"living document" approach being a "1" and "strict **constitutionalist**" or "originalist" being a "10."
4. List the 5 **organizations** in which you are most involved as a member, through contributions, &/or through volunteering-see p. 2.
5. Do you believe that *Roe v. Wade*, 410 U.S. 113 (1973), insofar as it recognizes a "right to privacy" that includes abortion under the United States Constitution, was correctly or incorrectly decided?
6. Do you believe that the Pennsylvania Constitution permits display of the Ten Commandments in courtrooms?
7. Do you believe the Pennsylvania Constitution recognizes a right to same-sex marriage?
8. Do you believe the Pennsylvania Constitution permits student-led graduation prayers in public schools?

²A blank row indicates no website found or no endorsements found on the website. See also note "3" directly below.

³Not on candidate's site but PA Pro-Life Federation PAC "recommends" this candidate

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ORGANIZATIONS LISTED IN RESPONSE TO QUESTION #4.

Joan Orié Melvin: Imani Christian Academy, Prevention/Intervention Education Program for Children and Teens on Internet Safety, Salvation Army, Soldiers and Sailors Memorial Museum, Auberle Development (Families in Crisis).

Sallie Mundy: Trinity Lutheran School, Pennsylvania Bar Association, Tioga Lawrenceville Little League, Washington & Jefferson College Alumni, Deane Center for the Performing Arts.

Judy Olson: American Heart Association, Children's Hospital of Pittsburgh, Diocese of Pittsburgh.

Temp Smith: Southminster Presbyterian Church, Republican Committee of Mt Lebanon, Mt Lebanon Nature conservancy.

Kevin Brobson: Dauphin County Bar Association, Middle Paxton Township Planning Commission, James S. Bowman Chapter-American Inns of Court, Jump Street, St Catherine Laboure Church.

Patricia McCullough: St John Capistran Church, Pittsburgh Leadership Foundation, Women Without Walls, Storehouse for Teachers, Spirit and Life Center.

*COMMENTS FROM A PA FAMILY INSTITUTE DOCUMENT SEPARATE FROM THE VOTER GUIDE

Joan Orié Melvin: Q5. I am a strict constructionist. I cannot comment on an issue that may come before the court because I do not want to disqualify myself from important issues. In my 23 years as a judge, I have always been endorsed by the Pro-Life Federation and all other Pro-Life organizations. My sister, Senator Jane C. Orié, the Majority Whip, is the chairwoman of the PA Pro-Life Caucus. She also changed the Values Committee at the National Convention, where she enacted the most conservative platform, on abortion, same-sex marriage, and stem-cell, in Republican history. **Q6.** As a strict constructionist, I look to the Founding Fathers. Again, I cannot comment on an issue that may come before the court because I do not want to disqualify myself from important issues. **Q7.** I am a strict constructionist. It is the legislators' role to set policy such as this and not the court. My sister, Senator Jane C. Orié, the Majority Whip, is a strong proponent of legislation that maintains the traditional definition of marriage between one man and one woman. Again, I cannot comment on an issue that may come before the court because I do not want to disqualify myself from important issues. **Q8.** Again, I cannot comment on an issue that may come before the court because I do not want to disqualify myself from important issues. All six of my children attend Christian schools.

Sallie Mundy: Q5. In regards to Roe v. Wade, I join you in hoping that the Supreme Court will overturn the decision and send it back to the States. That would give the legislature the ability to set policies, and my personal position is that abortion should be outlawed except in the cases of rape, incest, or to save the life of the mother. **Q6.** The issue of displaying the Ten Commandments is an issue for the legislature, but I personally support proudly displaying the Ten Commandments. **Q7.** In regards to same sex marriage, I have always personally supported the Pennsylvania Defense of Marriage Act passed by the Pennsylvania General Assembly. I believe that marriage is between a man and a woman. **Q8.** I personally support the right of public schools to include prayer in their graduation ceremonies.

Judy Olson: Q5-8. However, as a judge I am bound to follow binding precedents of higher courts and the laws passed by the legislature.

Temp Smith: Q5. I personally hope that the Supreme Court will reverse Roe v. Wade. Until it does so, however, I, as a judge cannot be an advocate or legislator and will be constrained to follow the high court's decision. I personally oppose abortion except in cases of rape, incest or where the life of the mother is in danger. **Q6.** While the displaying of the Ten Commandments in courtrooms may be a matter for the legislature in the first instance, my personal view is that such a display should be permitted, and I am suspicious of the underlying motives of anyone who would oppose the displaying of a set of rules so in tune with our basic system of justice. **Q7.** I personally believe that the term "marriage," defines a relationship between one man and one woman, as prescribed by the Pennsylvania Defense of Marriage Law, which is the law of Pennsylvania. **Q8.** I personally believe that student-led prayer at school graduations is protected by the "free exercise" clause of the United States Constitution.

Kevin Brobson: Q5. I personally disagree with the United States Supreme Court's ruling in Roe v. Wade. That decision and subsequent Supreme Court decisions, however, are settled law from our United States Supreme Court. As a Commonwealth Court judge, I will faithfully uphold the law and apply it to the facts in every case that comes before me in a fair and impartial manner regardless of my personal beliefs. **Q6-8.** Because any state law, regulation, or other action relating to this subject may come before the Commonwealth Court, I feel constrained not to express any view on this particular legal question, as any such public statement could be construed as a promise that I might rule a particular way should the question come before me as a judge of that court.

CANDIDATE WEBSITES (preface with "http://www" if needed)

votejackpanella.com

judgeoriemelvin.com

judgecolville.com

lazarusforsuperiorcourt.org

mccarthyforsuperiorcourt.com

sarminaforsuperiorcourt.com

sallymundie.com

electjudgejudy.com

paulaottforsuperiorcourt.com

patriciamccullough.com/about-patricia-mccullough.htm

tempsmith.com

ernsbergerforjudge.com

lindajudsonforjudge.com

brobson4judge.com