

Ten Traits to Consider When Voting for Judges

By C. Dale McClain, President, Pennsylvania Bar Association

Judges make important decisions daily that affect the lives of all Pennsylvanians. Before you enter the voting booth, you need to know more than a candidate's name, home county or ballot position. You need to know about a candidate's integrity, experience, legal scholarship, temperament, professionalism and more. The following is a list of ten traits you should consider when voting for a judicial candidate.

1. Legal ability.

Legal ability is having the intellectual capacity to interpret and apply established legal principles to factual situations and to communicate, both in speech and in writing, the reasoning behind a legal conclusion. A judicial candidate should have the ability to reach concise decisions promptly, respond to issues in a clear manner and grasp quickly the real meaning of questions presented.

2. Trial or other similar experience that ensures knowledge of the law and courtroom procedures.

A judicial candidate's professional experience should be long enough so that the voter can evaluate the candidate's performance in dealing with legal problems and the judicial process. While substantial trial experience can be a "plus," other types of legal experience also should be considered, such as negotiation and mediation skills. Lawyers in private practice, law teachers or corporate, government or public interest lawyers or others who are not frequently in the courtroom may have experience that would make them successful judges.

3. A record and reputation for excellent character and integrity.

The integrity of a judge is the keystone of the judicial system. Integrity enables a judge to make decisions based on the facts of a case and the law. A judge with integrity sets aside personal prejudices, personalities and partisan political influences.

4. Financial responsibility.

Financial responsibility in a candidate shows self-discipline and the ability to resist pressures that might threaten judicial independence and impartiality. Check whether a candidate has had judgments or liens or bankruptcy proceedings instituted by or against him or her and whether the candidate has promptly and properly filed all required tax returns.

5. Judicial temperament.

A candidate should show qualities of patience, open-mindedness, courtesy, tact, firmness, understanding, compassion and humility. A candidate should be able to deal with people calmly and courteously and should be willing to hear and consider the views of all sides of a case. A good judge needs to be even-tempered, yet firm; open-minded, yet willing and able to reach a decision; confident, yet not self-centered.

6. Mental and physical capacity to fulfill the duties of judicial office.

A candidate should be in good mental and physical health.

7. Record of community involvement.

A candidate's non-legal experience is very important. A candidate's participation in public service, community and pro bono (providing free legal services to the less fortunate) activities should be considered.

8. Administrative ability.

A judge needs to have strong administrative skills to deal with the demands of long court lists and complex lawsuits. These administrative skills are necessary for a judge to hear and decide cases within reasonable time limits without sacrificing the needs of individual citizens or their lawyers.

9. Devotion to improvement of the quality of justice.

A candidate should participate in proposing and supporting ways to improve or preserve the legal system through active membership in local, state and national professional associations such as bar associations.

10. Demonstrated sound judgment in professional life.

A candidate should possess good work habits and the ability to set priorities. A candidate should meet deadlines, keep appointments and commitments, and respect the time of the parties involved in a lawsuit, as well as the lawyers, judges and court personnel.

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