TO: Honorable Members of the Pennsylvania House of Representatives
FROM: Samuel Denisco, Vice President, Government Affairs
DATE: April 9, 2018
RE: House Bill 111 – Merit Selection of Appellate Court Judges

On behalf of its thousands of members crossing all industry sectors, the Pennsylvania Chamber of Business and Industry (PA Chamber) is writing you to express its support for House Bill 111 which provides for the merit selection of appellate court judges.

A fair and equitable system of civil justice is essential to the proper functioning of a free market economy. By permitting legitimate disputes to be resolved in a fair and efficient manner, it allows for a full and timely compensation of parties legitimately injured; gives parties predictability and certainty; and contributes to greater productivity and economic prosperity. An unbalanced litigation environment can cause serious dislocations with significant economic implications such as reduced investment, increased costs, job loss and improper shift of costs to taxpayers.

Job creators throughout the Commonwealth want an efficient, cost-effective judicial system comprised of appellate court judges of demonstrated expertise, independence, integrity and competence who adhere to the highest standard of judicial behavior. Pennsylvania can maintain these core qualities by distinguishing judges from elected legislators and executives and move to a merit based approach.

The PA Chamber supports the merit based selection process provided for in HB 111 as it is an important element in creating an equitable judicial system. The selection process contained in the bill provides appropriate balance. No one party or branch of government can monopolize the process and the electorate is granted the opportunity to vote whether continuance on the bench is warranted.

The purpose of appellate review is to evaluate the legal correctness of the application of law and regulation by trial courts and, in the instance of the Commonwealth Court, of administrative agencies. This is a valuable core function of the Pennsylvania judicial process which is critical for the business community as it ensures that proper scrutiny is given to decisions that affect the very existence of a business and the jobs it creates.

We understand that HB 111 may be considered for a vote this week and we ask that you support this important reform proposal.
If you have any questions, please do not hesitate to contact me.