



## For Immediate Release

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## PRESS RELEASE

### *Proposed Amendment to Pennsylvania's Constitution to change the way citizens of PA vote for Appellate Court Judges not on the May ballot*

**Harrisburg (February 18, 2021)** - The Judicial Independence Project of Pennsylvania (JIPPA) Fight Back Table is celebrating an interim victory for an independent judiciary today. Based on the current schedules for the Pennsylvania General Assembly, House Bill 38 (HB38), a constitutional amendment that would undermine the independence of our appellate courts by requiring appellate judges to be elected by district, will not appear on the May primary ballot. [The JIPPA Fight Back Table](#) is made up of more than 125 Pennsylvania organizations, representing hundreds of thousands of Pennsylvanians including community-based and good government organizations and groups, lawyers, corporations, unions, and committed activists.

“There is no Montgomery County or Elk County way to interpret Pennsylvania law,” said Kadida Kenner, director of Campaigns for the Pennsylvania Budget and Policy Center and Why Courts Matter - PA. “We are so proud of the way that such a broad and diverse group of organizations and individuals from all corners of the Commonwealth came together to fight back against these partisan threats to our independent judiciary. Our work is far from over, but today we are celebrating a win for democracy and our fellow Pennsylvanians.”

Currently, appellate court judges in Pennsylvania are elected statewide in odd-year elections. This judicial district amendment would require appellate court judges to be elected in legislatively drawn geographic districts.

“Pennsylvanians deserve a court system that is independent and impartial. The judicial districts amendment would undermine constitutional checks and balances between our branches of state government and give legislators more power over which judges are elected to the bench.” said Deborah Gross, Esq. CEO of Pennsylvanians for Modern Courts.

If HB38 was passed in this final session and approved by the voters on the ballot, it would:

- Threaten the independence of the judiciary;
- Create increased potential for corruption;
- Turn judges into politicians;
- Decrease people's confidence that court decisions will be fair;

- Decrease gender and racial diversity on the appellate courts.

Khalif Ali, Executive Director of Common Cause Pennsylvania said, “In our democracy, judges must be independent to interpret and apply the law equally to all Pennsylvanians. But some partisan lawmakers want to change the rules and make judges beholden to the geographic constituencies that elected them rather than the Pennsylvania Constitution and the law. It is the responsibility of our courts to administer justice without fear or favor and this bill threatens that inherent responsibility.”

The JIPPA Fight Back Table is not slowing down our efforts to protect the independence of our judiciary from partisan attacks. We understand that our fight is not over. We will continue to organize and educate Pennsylvanians across the state, grow our footprint, strengthen our message, and ensure that Judicial Redistricting is not reintroduced in the future, and placed on the November ballot.

For more information go to the JIPPA website: [www.judicialindependencepa.org](http://www.judicialindependencepa.org).

## **BACKGROUND**

The Pennsylvania Legislature passed House Bill 196 in July 2020. HB 196 is a constitutional amendment that undermines the impartiality of our court system by giving the General Assembly the power to gerrymander our appellate courts by drawing judicial districts. Both the House and Senate passed this bill without public hearings, testimony or debate.

Now known as HB 38, it was passed by the House Judiciary Committee in a close vote 13-12. This bill only needs to be passed again in this legislative session by the full House and Senate for it to be presented as a referendum question on the ballot. The Governor cannot veto this bill.

### **About JIPPA:**

The Judicial Independence Project of Pennsylvania (JIPPA) is a nonpartisan table of both grassroots and grassroots organizations working to keep our courts free from the influence of partisan attacks that seek to undermine the independence of the courts. The JIPPA table has joined together to fight back against an attempt to amend the Pennsylvania Constitution by dividing our state appellate courts into regional judicial districts.

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