

**Urban League of Philadelphia Written Testimony in Support of HB 1815  
and HB 1816**

**Pennsylvania House Judiciary Committee  
Subcommittee on Courts**

**March 1, 2012**



Urban League of  
Philadelphia

*Empowering Communities.  
Changing Lives.*

On behalf of The Urban League of Philadelphia I want to thank Chairman Marsico and the other members of the House Judiciary Committee for allowing us to submit the following testimony:

The Urban League of Philadelphia, as part of the national network of urban league affiliates, has served the Philadelphia region since 1917 providing direct services, research, policy and advocacy to empower individuals, families and underserved communities. The Urban League has held tight to a mission that has sought to empower African-Americans to secure economic self-reliance, parity, power and civil rights.

In our battle for Empowerment and Civil Rights we understand that we are a nation of laws- A nation where “Equal Justice for All” is not simply a battle cry but the bedrock in which we guide our citizenry. We understand that our nation’s most disenfranchised citizens seek voice and objective representation.

And as our system of justice struggles to become truly color blind the courts of this Commonwealth continue to exclude certain groups from decision making posts and exclude perspectives of the traditionally disenfranchised. To that point, I submit that in this Commonwealth’s history of jurisprudence, only *once* has an African American been elected to Pennsylvania’s Supreme Court. Moreover, there have been *no* justices or appellate judges of Hispanic or Asian descent.

Certainly, objectivity is never measured in terms of gender or race but a compelling case can certainly be argued that diversity increases public confidence, enhances the appearance of impartiality for litigants appearing before the court and giving voice to traditionally shut out groups that populate our great Commonwealth is a desirable good.

Research shows and I concur that selecting judges purely through partisan elections where advertising and fundraising are at the core of a successful campaign are front in center the cause of the disproportionate lack of diversity.

Significantly, Pennsylvania is one of only six states that still choose all of its judges through partisan elections.

In 2007, four candidates running for state Supreme Court raised nearly \$8 million. These numbers create daunting and in most cases insurmountable challenges to qualified lawyers from different races, ethnicities or backgrounds to reach the bench. Interestingly, campaign money is often donated by lawyers and law firms that can later argue cases before the same judges they helped get elected - a phenomenon that drastically hurts the public's perception of the impartiality of our justice system.

It is time for Merit Selection in Pennsylvania. A hybrid approach of appointive and elective systems where qualifications determine who becomes a judge.

House Bill 1815 and 1816 would create a citizen-based, independent nominating commission including lawyers and non-lawyers, men and women, from various regions, who are racially and professionally diverse. A list of nominees would then be given to the Governor. The Governor would select the most qualified of candidates.

Merit Selection offers opportunities for qualified candidates without access to money and from diverse backgrounds to reach the bench. No person is excluded from the process due to a lack of resources or political connections. Merit selection emphasizes qualifications and values racial and ethnic diversity – as well as gender, geographic and professional diversity.

Merit selection moves us increasingly closer to a system of justice where we can truly say we are judged by a populous of our peers.

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