

TO: All Senators
FROM: Senator Jay Costa
DATE: January 12, 2011
SUBJECT: Introduction of legislation
Re: Financial Interest Statements for Judicial Candidates

Please join me in sponsoring legislation introduced as S.B. 440 in the 2009-2010 legislative session by Senators COSTA, FONTANA, FOLMER, BOSCOLA, ORIE, ROBBINS, STOUT, BRUBAKER, RAFFERTY, ALLOWAY, O'PAKE, TARTAGLIONE, LOGAN, WAUGH, ERICKSON, BAKER, KASUNIC, WONDERLING, VANCE, EARLL, SMUCKER AND FERLO.

It has come to my attention that the Ethics, Standards and Financial Disclosure Act (65 Pa.C.S. Ch. 11) contains a loophole that excuses certain judicial candidates from filing Financial Interest Statements with the State Ethics Commission. Specifically, judicial candidates who currently hold a judicial office but seek election to a judicial office with a court other than the court on which they currently serve are not required to file such Financial Interest Statements.

This provision deviates from the requirement that persons who are candidates for judicial office for the first time—that is they are not seeking retention for the same office—are required to file such financial interest statements. Additionally, persons who are nominated to fill a vacancy for judicial office and subject to confirmation by the Senate are likewise required to file a Financial Interest Statement.

The legislation I am proposing will require the filing of such statements with nominating petitions pursuant to 65 Pa.C.S. § 1104 if the person currently holds a judicial office but is seeking election to a judicial office with a court other than the court on which the judicial officer currently serves.

I hope you will join me in sponsoring this legislation by contacting my office at 7-7683 or e-mailing Anne Griffin-Gray at aggray@pasenate.com. Thank you for your attention to this matter.