

Veto No. 1984-2

HB 1270

July 3, 1984

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania:

I have before me for action House Bill 1270, Printer's No.3167, which would eliminate the right of candidates for justice, judge, district justice and school director to "cross-file" as candidates in primary elections of any and all political parties of their choosing. This bill treats cross-filing in the same manner as Senate Bill 421, which I returned unsigned earlier this legislative session. For the reasons I expressed at that time, I am also herewith returning H.B.1270 without my signature.

I continue to believe that the goal of excellence and maintenance of public confidence in our courts and schools is best pursued by minimizing partisan political considerations in the selection process for our judicial officials and school directors.

In the instance of courts of common pleas, district justices and school board directors, I am persuaded that cross-filing has helped to do this. The candidates, their backgrounds, their views and their records are generally known to the electors in the geographical area they are seeking to serve.

Unlike candidates for county and local offices, those seeking Statewide office are generally not as well-known to the electorate. Factors such as name recognition, ballot position, regionalism and funds available for campaign advertising can unduly influence the selection process. I share the General Assembly's concern with this situation; however, I do not believe that the elimination of cross-filing is a preferred solution to the problem. I believe that the answer is a system providing for merit selection of Statewide judges.

The enormous costs and rigors of sustaining a Statewide election campaign have deterred many of our most capable attorneys from seeking appellate judgeships. The process of gaining political endorsements and raising campaign funds can endanger judicial independence and impartiality and adversely affect public confidence in the judiciary. The process has also impeded access to the appellate courts for women, minorities and those from rural areas.

I have submitted and supported passage of legislation that would replace the current system of electing justices and judges to our three Statewide courts with a system in which a bipartisan commission of lawyers and laypersons would screen and recommend for gubernatorial appointment interested candidates for appellate court office. I realize that major reform of this kind takes time and perseverance and I will continue to press forward in the public interest for its enactment.

This bill, which would inject more partisan politics into the judicial selection process, is, in my view, the wrong message to send at a time when we are

1560 Veto 1984-2

LAWS OF PENNSYLVANIA

so committed to securing reforms that would result in less partisan politics in
judicial selection.

DICK THORNBURGH