

Senate Judiciary Committee  
Thursday, June 27, 2013  
Remarks of Correale F. Stevens

Chairman Greenleaf, Chairman Leach, members of the committee:

I thank Governor Tom Corbett for nominating me to serve on the Pennsylvania Supreme Court.

And I thank you for the courtesy of allowing me to offer brief remarks.

I note that some of my best experiences in government — including meeting some lifelong friends — occurred during the eight years I served in the state House of Representatives.

And in the last several days, I have met senators, secretaries and staff who are professional and courteous in carrying out their responsibilities in the Senate of Pennsylvania.

I appreciate, and importantly, I understand and respect the legislative process.

Passing statutory law is an open process.

We have the Sunshine Law; we have the open records law.

We have public hearings, such as this; subcommittees; amendments; floor votes; and then it all starts all over again on the House of Representatives side of the capitol.

Our constituents as well as members of the news media can tweet, email, fax, write, call and personally visit with you and express their views on a particular bill or ask for your help on a problem with government.

Our constituents can contact the governor and ask him to veto or sign a bill.

It is an open process. Public input. Democracy.

And in accordance with the Constitution, the independence of the three branches of government, the courts are open also.

Our constituents can file lawsuits, observe trials and have their day in court.

The process is different, however.

The actual judicial decision-making, therefore, cannot be based on public opinion or the personal beliefs of the individual judge.

Rather, decisions must be made on the law and on the facts of record, in court testimony sworn to under oath and tested by cross-examination, and on other rules, to make sure that people have fair and impartial rulings.

While by necessity judges operate in a confidential setting, courts should not be secretive or mysterious to our constituents.

As president judge of the Superior Court, I have encouraged wider use of our Internet site by our constituents; held sessions in many of your senatorial districts; in the community; and on law school, college, and even high school campuses.

And I always am available to volunteer my services to legal education programs, especially the PA Bar Association mock trial program, which is an excellent way high school students in your senatorial districts truly learn about the legal process.

Our court now places all its written decisions online for the media and the public, not just selected opinions.

When I was in a law practice and went before the Superior Court, the names of the judges on the panel were kept secret until the day of court. Now the names of our judges on panels are placed on our court Internet site, and lawyers know in advance which Superior Court judges will hear their cases, allowing them to better serve their clients by researching previous decisions written by those very judges on similar facts.

All the judges on the Superior Court make themselves available on a volunteer basis for continuing legal education programs for lawyers and even for Pennsylvania trial judges.

And through the public service of Pennsylvania Cable Network, our nine judge *en banc* panels are broadcast on PCN.

We are a busy court, and that being said, it is important that I mention this for the record before you make a decision on how to vote today.

This appointment is to fill a vacancy for the next two and one-half years.

Please know now before you vote that it is not in my nature to be a seat-warmer on the Supreme Court.

It is not in my nature to sit idly by so that someday I can say I was on the Supreme Court.

No. Rather, if confirmed, I intend to be an active participant on the court.

I know and respect the sitting six Supreme Court justices and will seek consensus without giving up principle.

I will engage with them in careful analysis and deliberation in a collegial manner.

And I will continue to be active in the community and legal education programs, to the extent, of course, permitted under the judicial canons.

This must also be said: I do not intend to simply go on the Supreme Court to play the role of tiebreaker. That's not how I want my judicial career to be remembered.

Quite frankly, I think lawyers who suggest the Supreme Court decides cases along political party lines do a disservice to all judges in Pennsylvania.

I served on the Superior Court with Justice Tom Saylor, Justice Mike Eakin, Justice Debra Todd and Justice Seamus McCaffery before they were elected to the Supreme Court.

I have known Chief Justice Ron Castile and Justice Max Baer for many years and call all six Supreme Court justices my friends.

Never, ever did I hear any one of those justices — nor any other judge at any time in my 22 years as a judge — discuss a case along political party lines.

Just as you may not always agree with every other senator on every issue, judges have different viewpoints on how to read, analyze or apply a law.

In the final analysis, all I can promise is that I will be diligent; will research, reason and analyze carefully.

In short, I will do my best to carry out the duties and responsibilities of a justice on the Supreme Court of Pennsylvania.

In conclusion, I respect this process, and I ask you one favor. That is, if you vote to confirm me, please do not judge me during this term of appointment by any one particular decision. You will agree with some, and you will not agree with some. That is the nature of our democracy, and in every court case, someone wins, someone loses.

What is important is that people have their day in court and are treated fairly and impartially.

If, after the end of the two and one-half years of this appointment, you look back and say, "He was diligent, fair and impartial," then I will have earned your confirmation vote, and the people of Pennsylvania will have been properly served.

Thank you for our courtesies.

Correale Stevens  
President Judge, Superior Court of Pennsylvania