

Supreme Court of Pennsylvania

Installation Ceremony

FOR THE HONORABLE P. KEVIN BROBSON

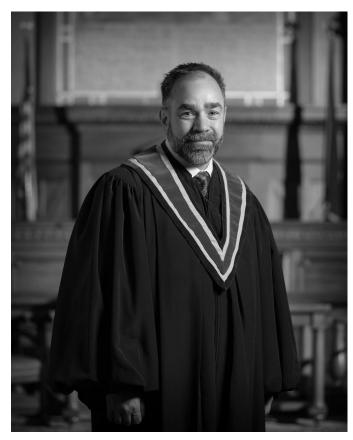
TO THE

Supreme Court of Pennsylvania

Supreme Court Justices:

Chief Justice Max Baer
Justice Debra Todd
Justice Christine Donohue
Justice Kevin M. Dougherty
Justice David N. Wecht
Justice Sally Updyke Mundy
Justice P. Kevin Brobson

The Pennsylvania State Museum 300 North Street Harrisburg, Pennsylvania 17120 Friday, March 11, 2022 at 3:00 P.M.



Honorable P. Kevin Brobson

Proceedings

THE COURT CRIER: All rise.

The Honorable Judges of the Superior Court of Pennsylvania.

The Honorable Judges of the Commonwealth Court of Pennsylvania.

The Honorable Chief Justice Max Baer and the Justices of the Supreme Court of Pennsylvania.

Oyez, oyez, oyez. All persons who have business before this Court may now appear and they shall be heard. God save the Commonwealth and this Honorable Court.

Please be seated.

CHIEF JUSTICE MAX BAER: Good early afternoon to all. Special greetings to our colleagues on the Superior Court, the Commonwealth Court, members of the executive and legislative branch. We all work for the good of Pennsylvania but in silence and we don't see each other enough. So it's lovely to have this event so when we're done with this ceremony we can break bread together.

Justice Donohue said to me as we were walking up, be succinct or she'll give me the signal and kick me under the table. My wife is not here to kick me. So I'll try. I will probably fail miserably, but I'll try.

It's the late 1670s. Admiral Penn, William Penn's father, has passed away. Prior to passing away, he made a substantial loan to King Charles, II. King Charles, II has two terrible problems. William Penn is a royal pain in the neck. He preaches everywhere for an independent judiciary, for a democracy. Well, obviously, if you're a real king, not an official king or a figurative king, you're not a great fan of democracy.

So he owes William Penn a large debt and he wouldn't mind getting rid of it. So what does he do? He puts two and

two together and he says, "Billy, I'm going to give you Pennsylvania. I'm going to give you what's now Delaware in the New World and you can go and set up your frame of government as you please. But my debt to you through your father is satisfied."

In 1681, William Penn gets on the boat and he comes to the New World pleased with the deal. In 1684 he starts the Provincial Court of Pennsylvania, the first organized systematized regular sitting court in the western hemisphere. London's on the eastern side of the Prime Meridian.

The years pass and in May 1722, the Pennsylvania Provincial Assembly wants an independent judiciary. The Provincial Governor wants a tax increase. Things don't change. As you may anticipate, a deal is made and on May 22nd, 1722 the Provincial Assembly passes the Judiciary Act of 1722 establishing the Supreme Court of Pennsylvania.

And incidentally, at that juncture, it had one chief justice and two justices. The Court also established Courts of Common Pleas in Bucks and Philadelphia County. You might ask, where was Harrisburg? I actually looked it up. It was incorporated in 1791, some 70 years later. Pittsburgh 1758; some 30 years. So there was nothing outside of Philadelphia and its environment. Oh, and Justice Mundy, Wellsboro was founded in 1830.

So in any event, we became the first Appellate Court in the western hemisphere. Whether we are the first court in the western hemisphere depends on whether you count us from 1684 or 1722.

JUSTICE DEBRA TODD: We are.

CHIEF JUSTICE MAX BAER: The Chief Justice of Massachusetts and I have some spirited fun finding the dates on this subject. I will tell you we are celebrating the 300th anniversary of the beginning of the Pennsylvania Supreme Court in May of this year as math will tell you from 1722 to 2022 and we made it.

With that, let's talk for one second about justices on our court. You would think that that's not controversial. Kevin, I checked, and you're either the 176th or 177th justice to join our court. How is there a controversy? The first justice was

Captain William Crispin. Named as the chief justice, he was the first chief justice, but named the justice while he lived in London. Immediately got on a boat to the New World to take his rightful place and died. It is lost in history whether he was sworn in London before he left, sworn in on the boat or never sworn in. Hence, Kevin is either the 176th or the 177th. In any event, he is most assuredly going to be sworn in today as one of our colleagues and we are thrilled with it.

With that brief ride through 300 plus years of history, our greetings, all of us, collegial and unified body to all of you, it's our pleasure and honor to join you.

We're going to have the posting of the colors by the Pennsylvania State Police ceremonial unit.

(Posting of the Colors by the Pennsylvania State Police Ceremonial Unit.)

(National Anthem sung by Amma Johnson.)

CHIEF JUSTICE MAX BAER: Justice Brobson's son, Will Brobson, will lead us in the Pledge of Allegiance.

(Pledge of Allegiance.)

CHIEF JUSTICE MAX BAER: Please be seated. We are honored that Bishop Ronald Gainer, the Eleventh Bishop of Harrisburg has joined us today to do our Invocation and our Benediction.

Bishop Gainer, thank you.

REVEREND RONALD W. GAINER: Join me as we invoke God's blessing on this installation ceremony.

Listen now to God's word to us taken from the Hebrew prophet Micah. "You have been told, oh man, what is good and what the Lord requires of you. Only to do justice and to love goodness and to walk humbly with your God."

God of Justice, Father of Goodness and Mercy, we lift up our hearts to you as we gather today for the inauguration of P. Kevin Brobson as the newest justice of the Pennsylvania Supreme Court. We praise you for your goodness and your love. Show us your vision for our lives. Remove any blindness that would prevent our seeing clearly the world as you will it. Come to us where we are, Gracious Lord, and guide us to where you would have us be.

This afternoon we confidently ask that your surpassing grace be upon all who serve us in public office, especially the members of our judiciary and particularly the members of our Commonwealth's highest Court and Justice Brobson as he takes the oath of office. Send your Holy Spirit to inspire and strengthen him, infuse his mind and heart so that he may do justice, love goodness, and walk humbly in your presence. Grant strength and comfort to his family and all his loved ones who support him in the work you have entrusted to his care.

Join all citizens of our Commonwealth together in understanding and working for a just society and preserve among us that unity and peace which the world alone cannot give.

In confident faith and sure hope we ask these things of you who are our Lord and God forever and ever. Amen.

CHIEF JUSTICE MAX BAER: Thank you, Bishop.

We have a couple speakers today who come either to honor or to roast Justice Brobson who looks forward to hearing them. The first is the Honorable Judge John McNally of Dauphin County. Your Honor.

HONORABLE JOHN J. McNALLY, III: May it please the Court. Ladies and Gentlemen. It is my distinct honor to introduce all the dignitaries that are here today. Now, we all know that everybody here is dignified. However, a judge once told me no souls are saved after 15 minutes, so we're going to limit the list of dignitaries to those provided. We have our Attorney Auditor General, Tim DeFoor, with us here today. Tim.

(Applause.)

HONORABLE JOHN J. McNALLY, III: We have State Representative, Sue Helm, with us today. Sue.

(Applause.)

HONORABLE JOHN J. McNALLY, III: Congressman Fred Keller is with us here today.

(Applause.)

HONORABLE JOHN J. McNALLY, III: State Representative, Tom Mehaffie.

(Applause.)

HONORABLE JOHN J. McNALLY, III: And Senator Judy Ward.

(Applause.)

HONORABLE JOHN J. McNALLY, III: Before I begin my remarks, I will ask everybody to honor the memory of one of our most recent judges here in our Court of Common Pleas of Dauphin County who passed away yesterday, Judge Bruce Bratton. Judge Bratton was a soldier who served his country proudly and a judge who served his county with distinction. Those from the Republican State Committee may also recall that Judge Bratton was a candidate for Superior Court of Pennsylvania. He is now in God's hands. So please take a moment of silence with me.

(Moment of silence in honor of Judge Bruce Bratton.)

HONORABLE JOHN J. McNALLY, III: Thank you.

Please also remember to keep his wife, Holly, who is a member of the family in your thoughts and prayers. She was his everything.

So, here I am, here we are. And when I walked in here today I was greeted by Kevin's mother who said, "You know, this is all your fault." Well there's some history to that and I hate to bore you all. Kevin asked me to make some remarks today and I said, "What do you want me to talk about?" And he said, "Speak from the heart." It's a dangerous thing to ask of a judge, but that's what I'm doing. So please bear with me and forgive me of any transgressions.

When I began to consider my remarks this morning, I started my day, as I start every day, and that is with scripture. And when I referenced the scripture of the day, it came from Proverbs. And I was reminded that crime leads to disgrace but with humility comes wisdom. So I thought, I can work with that. I can really work with that.

Then I got in the car and a song came on from Rush and it reminded me that the men who hold high places must be the ones to start to mold a new reality closer to the heart. And I decided to stick with Proverbs.

Today is a very proud moment for not only Kevin but his family. But in their proudness there is not pride. When I

think of pride, there are many proud moments and Kevin has worked very, very hard to get to where he is, to get to this day. His parents gave him an ambition that is relentless. But ambition for the sake of selfish reasons is pride. However, pride and ambition can live together when that ambition is to serve others and in Kevin we truly have a man with ambition, a man of pride.

His pride is in his family, his community, and the work that his staff does for him. He is in that regard a very humble man and I'm reminded of that although I wrote no notes down, I did bring up the 50th anniversary of the Commonwealth Court and I looked up what Brenda Gacki wrote about Kevin to learn a little bit about Kevin and then I also read the book because I'm kind of a geek that way and have all the Commonwealth Court judges sign it. I have enough sharpies, so stick around.

So where are we going? Where did this journey begin? Well, Kevin's mom was partly right. Because it was a couple of years ago when I was honored to serve on the Republican State Committee's Judicial Evaluation Committee. This was 2009. Now 2008, I was summoned to a lunch by Dan Beren, the patriarch, one of the patriarchs of Buchanan Ingersoll, and I met him at the Hilton and he had P. Kevin Brobson with him. Now I knew Kevin, knew of Kevin because Kevin's secretary just happened to be my sister-in-law, Tracey. So I had heard of him. Other than that, he was this guy that was always with Jack Stover and Jack's cadre of incredibly smart lawyers.

So we had met for lunch that day and it wasn't soon after we sat down that Dan had indicated that he wanted Kevin to be a candidate to the Commonwealth Court in 2011. So I said, okay, we can do that. Fast forward to State Committee 2009 when I sat on the Judicial Evaluation Committee and we had two spots for Commonwealth Court that year, one spot for Supreme Court, two spots for Commonwealth Court, only one person was on the list.

So I called Kevin and said, "Get your ass down here tomorrow." He said, "What?" So I went over, I met with him at Buchanan. We talked about it. He dragged me into Jack's office. It was like being dragged into the principal's office and explained to him. I said I think we can do this. Kevin showed up the next morning and gave his speech and blew

everyone away. So much so that Skip Brion leaned over to, I forget who was sitting next to him, and said, we should be running him for Supreme Court. That was 2009.

Kevin wins the race. So I'll take blame for that. However, I can't take the blame or the credit for this because when Kevin calls, he calls for a purpose. And it was early January, I think, of this year, or last year rather, Kevin called and said, "Can I meet with you?" Now usually when a judge wants to meet with a judge on an inferior court they refer to you as the learned judge and the judges all know that because whenever a judge on the Superior or Commonwealth Court or Supreme Court refers to the trial judge as a learned judge, you know you're about to be taken to task, gently I might add. It doesn't necessarily end well.

So Kevin came over with a box of cigars. We sat on the side porch. Now Kevin loves the Commonwealth Court. This was his destiny. He was born the same year as the Commonwealth Court, only turned 50. Now your Court turns 300, so I don't know how it turns out with your pension, but I think you might be able to work a better deal there.

So, we talked. I said, Kevin loves his court. So we go through the same analysis, I think, Kevin and I. Faith, family, friends.

So I'm here to talk to you as the friend because I assume that when Kevin came over he had already passed the first two because the first time around we kind of got it backwards. I think we went with friend, family and then faith. Because I had the rare pleasure of telling Lauren on the way home that we found our candidate for Commonwealth Court as she described her willingness and eagerness to get back into the political arena.

So we talked, Kevin and I did, and I started with, do you love your job? Now keep in mind Kevin was poised to take over the job as President Judge of the Court he loved. This is his destiny. But he said he had been given an opportunity to be a candidate for Supreme Court. Again I asked, do you love your job?

He said, "I love the job." I said, "Then don't run."

He didn't listen. Once again, the learned judge was wrong.

But here we are. So my role, I guess, is to talk about Kevin the human. Because we have enough judges that will talk today about his jurisprudence.

But I'm here to tell you about the Kevin that I know. The Kevin that I know I really got to know not sitting in a court but standing next to a baseball diamond in the middle of nowhere, with the Boy Scouts in a cinderblock building, at the hospital. That is where I got to know the real Kevin. Because with Kevin, it follows that order that we go in making our decisions — faith, family and friends. He holds them most dear.

Over the years when I got jammed up, I would call Kevin for an off-the-record what-if response and Kevin would quite frankly many times say, "You can't do that." And sometimes I didn't; other times I did.

But I'm here to talk as a friend and it is with the utmost pride that you asked me to speak. So far this turned out okay. We haven't roasted you yet. That is for later. But I assure you, ladies and gentlemen, that in Kevin you are going to get a judge of not only the utmost intellect. I mean his resume speaks for itself, but the person, the human that you're going to have behind that robe is a person who every day will do much as I do when I take the bench to pray to God to give me the courage, the strength, and the wisdom to do his will. He's never let me down.

Now Commonwealth Court and Superior Court might disagree with some of the decisions I made, but I think I'm still going to get to Cooperstown based on that record and I hope to get another place. That's up to the commissioners now. So anyway, I was told I had five minutes. I've exceeded my five minutes. But I will tell you, in Kevin you are going to get a justice of faith, of honor, and integrity. Trust me. Trust Kevin. He's joining an austere and esteemed bench and he will bring nothing but pride to his faith, to his family, to his friends, and to the Supreme Court of the Commonwealth of Pennsylvania. Kevin, God speed.

Congratulations.

(Applause.)

CHIEF JUSTICE MAX BAER: Thank you, Judge McNally. Beautifully said.

Matter of personal privilege in the next introduction. I've already gone back 300 years and brought you forward. Well, going back 45 years, before the Office of Attorney General was elected, it was the Pennsylvania Department of Justice. And before the Matt Ryan Building was the Matt Ryan Building, it was the home of the Pennsylvania Department of Justice. The Department comprised probably 35 lawyers. And two of the very young lawyers that were there scrapping and working hard all those years ago are Yours Truly and our next speaker and here we are all of those years later at the twilight of our careers, but feisty as can be. So it's a personal honor and privilege and it's a great honor to hear from a great judge, a former president judge of the Commonwealth, Mary Hannah Leavitt.

THE HONORABLE MARY HANNAH LEAVITT: Thank you. Welcome everyone. Greetings to all of you on the separate courts, the esteemed members of the Supreme Court of Pennsylvania. And a special, special welcome to the Cotter-Brobson family. It's wonderful to see you all here today.

It's actually hard for me to know where to begin. Kevin and I have so many years together. We go all the way back to Kevin's summer clerkship at Buchanan Ingersoll and that was over 25 years ago.

After he joined the firm as an associate, he became my sidekick in the insurance regulatory section of the litigation department. And those of you who are experienced in reverse retrocessional reinsurance arrangements know that I do not exaggerate the thrill.

So with all these years to cover, I decided to take a cue from Chief Justice Baer. At Justice Wecht's installation to the Supreme Court, we learned that it was the chief who rescued Justice Wecht during his lonely bachelorhood by fixing him up with Valerie, the future Mrs. Wecht. Now, I can't take that much credit. Kevin found Lauren all by himself.

However, I do deserve some credit for the wedding. There was the day Kevin came to my office reporting that he had offended Lauren by criticizing her choice of wedding cake. Kevin didn't understand this because Lauren had assured him that she really wanted his input. I explained

that she didn't mean it. It was her wedding day and her mother's and Kevin had one job — get to the church with a good haircut. He did, and the world has been graced with the wonderful Cotter-Brobson family, which includes their three wonderful children and I'm sure you'll all enjoy talking to them later.

I can also take credit for introducing Kevin to sailing in the Chesapeake Bay and in Maine where we had many adventures whale sighting, engine conking out in a narrow strait between two rocky points and we even dared to barter for lobster. I will limit my sea yarns to one, Matinicus Island, 28 miles off the coast, and we discovered after we got there, beyond cell phone range. Now this was a problem because we had to instruct the next crew where to find us on the coast of Maine.

So, the so-called guidebook in the chartered sailboat we had assured us that there was a public phone at the post office. So we rowed onto shore, pulled our dingy up on the rocky beach and headed for the post office.

Now this meant walking down the rocky, long and unmarked roads, more or less in a direction of where we thought the post office was. The post office turned out to be the living room of the postmaster. She told us there was no phone at the post office, but she had heard that there was a phone at the airport. Now the airport was two miles in the opposite direction and consisted of a dirt landing strip where a plane came in three days a week with mail.

So we resumed our trek, getting grouchy in the hot sun, and what do you know, we came upon a little congregational church with a telephone symbol fixed above the door. It was not Sunday and I, being the only Protestant in the group, assured the rest of the crew that the church vestry would not object to a small trespass.

Sure enough, the church door was unlocked, the pay phone worked, and my son-in-law accepted the collect call. A maneuver he had only seen in movies. So, I guess I can take credit for teaching Kevin how to read an abstract symbol in the shape of a phone handle and to construe them as an invitation.

After that, Kevin gets all the credit for his amazing and successful career in private practice and public service. He

developed into a brilliant and hard working lawyer as his clients know and a zealot advocate for them. He is a clear defender, a gifted writer, as you know, from his opinions. Most importantly, Kevin has profound respect for the rule of law and Pennsylvania's long history in that regard.

Twenty years ago I was involved as a judge in Commonwealth Court and had my installation ceremony right here and on that occasion I, too, spoke of the founder of our Commonwealth, William Penn. A man who owned these woods and yet gave up his absolute power to create a General Assembly to make the laws. He devised the Charter of Privileges that outlined the individual liberty of Pennsylvania and that charter lives on in Article I of the Pennsylvania Constitution. William Penn made a promise to those who followed him here "You shall live by laws of your own making and you will be free." This is our heritage and it is one that Justice Brobson dedicated to preserve and have the necessary skills and the grit to do so.

Kevin, I have practiced with no finer lawyer and I have served in the Pennsylvania judiciary with no finer judge. I thank you for the honor to speak today at your installation as an Associate Justice of the Supreme Court of Pennsylvania where you will continue your outstanding work as a jurist. And I wish you God speed in your continuing legal journey and your next call of duty.

(Applause.)

CHIEF JUSTICE MAX BAER: Hannah, I would have saved William Penn for you, but my ticket to the occasion 20 years ago must have gotten lost in the mail.

Thank you.

Again, I don't know if it's because age or the fact that Pennsylvania is just one happy family, but our next speaker is again a dear friend.

When I was running for the Court in 2003, I ran for the Democratic side. One of my great supporters was a true, true Republican, Justice Sandy Schultz Newman who was on the Court. So she would insist to save money, because when you're at least on the D side, Kevin, when you're running for the Supreme Court, every penny is absolutely precious. So she would insist that I would stay at her home.

But she wouldn't let me near the windows for fear one of her neighbors would see a Democrat in the house. I felt like Osama bin Laden. She moved heaven and earth and somehow I got here and you got here and asked her to speak. So it's just with great pride our mutual friend, our dear colleague and former great Justice of our Court, Sandy Newman. Sandy had a recent injury and is a trooper to be here and do this. Thank you, Sandy.

THE HONORABLE SANDRA SCHULTZ NEWMAN: Thank you all. And I just want you to know I had to call Kevin and tell him I wasn't aged, but I was doing yoga and I had broke my pelvis. So here I am. I'm walking again and talking again and I'm thrilled to be here.

Kevin, Lauren, Claire, Will and Gabe, what a wonderful family.

(Applause.)

THE HONORABLE SANDRA SCHULTZ NEWMAN: And I even know about Kevin's parents. Pat Saylor, who's here, was my campaign manager, we're always into the campaign. And one of the things Pat told me was how wonderful your parents were and how they were helping you and that impressed me because when I was sworn in, everybody was a Newman or a Schultz that spoke. So that is wonderful.

And I am proud that Kevin asked me to give this commission today and I say greetings and I want to tell you one other thing that everybody in this audience and the entire State of Pennsylvania is beyond lucky to have Kevin as the next Supreme Court Justice.

"Whereas, it appears by the certificates and returns made according to law of the election held on the second day of November, Anno Domini, two thousand and twenty one, that you have been duly elected Justice of the Supreme Court of Pennsylvania in the Commonwealth of Pennsylvania.

Therefore, Know Ye, that in conformity to the provisions of the Constitution and the Laws of the said Commonwealth, in such case made and provided, I do by these presents commission to you to be a Justice of the Supreme Court.

To Have and To Hold the said office, together with all the rights, powers and emoluments thereunto belonging or by law in anywise appertaining for the term of ten years to be computed from the first Monday of January, two thousand and twenty-two, if you shall so perform the duties required by law.

And I have to tell you all that Justice Castille read mine and he said "It's better than being Miss America, you're getting ten years." But it's signed by the Governor, Tom Wolf, and by the Acting Secretary of the Commonwealth, Veronica W. Degraffenreid.

And I just want to say one thing before I leave, this is the greatest Court in the world. I just spoke about the Provincial Court in my therapy group event and the 300th anniversary of the Court, but nothing could be better than this Court and I said that to them, I said the Provincial Court, they fought and they fought and they fought and they courts now we all get along. We have dinner during our sitting and everybody here. I congratulate you on having Kevin.

CHIEF JUSTICE MAX BAER: I'd ask Kevin to come up to this microphone where it's my high honor to swear him in. Lauren and the kids are coming, too. One of the best things about having Kevin is Lauren.

(Applause.)

CHIEF JUSTICE MAX BAER: Left hand on the Bible, right hand up. Repeat after me. I, P. Kevin Brobson.

JUDGE P. KEVIN BROBSON: I, P. Kevin Brobson.

CHIEF JUSTICE MAX BAER: Do swear or affirm.

JUDGE P. KEVIN BROBSON: Do swear or affirm.

CHIEF JUSTICE MAX BAER: That I will support, obey and defend.

JUDGE P. KEVIN BROBSON: That I will support, obey and defend.

CHIEF JUSTICE MAX BAER: The Constitution of the United States.

JUDGE P. KEVIN BROBSON: The Constitution of the United States.

CHIEF JUSTICE MAX BAER: And the Constitution of the Commonwealth of Pennsylvania.

JUDGE P. KEVIN BROBSON: And the Constitution of the Commonwealth of Pennsylvania.

CHIEF JUSTICE MAX BAER: And that I will perform the duties of my office.

JUDGE P. KEVIN BROBSON: And that I will perform the duties of my office.

CHIEF JUSTICE MAX BAER: With fidelity, so help me God .

JUDGE P. KEVIN BROBSON: With fidelity, so help me $\operatorname{\mathsf{God}}$.

CHIEF JUSTICE MAX BAER: Congratulations.

(Applause.)

CHIEF JUSTICE MAX BAER: Remain standing for me. Justice Brobson's parents are going to robe him below all of us and we'll watch with pride.

(Applause.)

(Justice P. Kevin Brobson was robed by his parents, PSP Lt. Robert C. Brobson and Patricia A. Brobson.)

CHIEF JUSTICE MAX BAER: Now you may be seated. We will hear from our newest Justice.

JUSTICE P. KEVIN BROBSON: If he can make it through his remarks, you will.

Mr. Chief Justice, my new colleagues on the Pennsylvania Supreme Court, Auditor General DeFoor, Commonwealth Court and Superior Court judges for being here today, thank you so much. Members of Congress, Common Pleas Courts, Magisterial District Courts, distinguished officials, honored guests, family and friends... all.

I want to thank Judge John McNally, particularly for not telling too many embarrassing stories, he has plenty of them, and President Judge Emerita Mary Hannah Leavitt for their kind words, most of all for their friendship. I want to thank Amma Johnson for that beautiful rendition of the National Anthem. Thank you very much.

(Applause.)

JUSTICE P. KEVIN BROBSON: And a personal thanks to the Pennsylvania State Police ceremonial unit.

Having them here today for this meant a lot to me because I know it meant a lot to my father who served in the Pennsylvania State Police.

(Applause.)

JUSTICE P. KEVIN BROBSON: And to Madam Justice Newman, it's been too long since we've had a Commonwealth Court Judge on the Supreme Court. So I am so honored to follow in your footsteps in that regard and thank you for your friendship, your guidance, for kicking me in the butt when I needed to be kicked in the butt this last year. But so much for being here, too. It means a lot to have you here.

(Applause.)

JUSTICE P. KEVIN BROBSON: So this is quite a moment for me. It's admittedly one I never really planned, not one I expected. When I first took the oath of office as a judge on the Commonwealth Court 12 years ago, I felt very fortunate to have the opportunity to serve the people of Pennsylvania on the Commonwealth Court. I had come a long way from my childhood home in Montoursville, Pennsylvania, but I felt at home. I was working once again with my mentor and friend, Hannah, in an area of the law on which I focused my legal career — ensuring that government follows the law and our constitutional rights are protected.

I also felt challenged, in the best way possible. In the Commonwealth Court judges decide cases that impact all Pennsylvanians. How we educate our children, how we care for our elderly, how we protect our historic and natural resources; and, yes, how we elect our public officials. The Court has a reputation of excellence, a tradition of collegiality. And I was determined to do my best, do my part to ensure that the Court remained the best version of itself.

And so I set out to become the best Commonwealth Court judge I could be. Ruling on cases as they came before me, without favor or bias, without concern for what may lie ahead of me, and without any aspiration for higher judicial

office. Toss in there a bit of the Brobson family mantra — keep your head down, your mouth shut, work hard. I guess I probably could have done a little bit better on the mouth shut part. But in any event, do that, and we believe the rest will take care of itself.

When my colleagues elected me to serve as the 10th president judge of the Commonwealth Court I was honored beyond all measure by their faith, their friendship and their trust. But sometimes God has a different plan for us. So did a lot of other people who encouraged me to step out of my comfort zone and run for the Pennsylvania Supreme Court.

I stand here in this new role again feeling fortunate, blessed, and humbled by the trust and faith that so many people have placed in me. I'm at home, again, as a central Pennsylvanian succeeding but never replacing another friend and true public servant, former Chief Justice Tom Saylor, with the opportunity to continue my work as a check and balance on government overreach on the state's highest court.

And I am ready to take on new challenges and begin a new chapter of the Supreme Court's 300th-year history. This chapter will no doubt have an interesting arch, as the Court, like our other branches of government must withstand the winds of disruption and move forward with courage so it, too, can be the best version of itself.

My commitment is to do all I can to make a positive impact for all Pennsylvanians on the Supreme Court. My hope is to take my life and professional experience and use it to build upon the experience and backgrounds of our current justices. And my professional true north will always be the law.

To my colleagues, I promise never to put myself above the Court, that I will listen and be open to different viewpoints, and, above all that I will be collegial. On this point, I am reminded, I threw this in here for Justice Wecht. I think you'll appreciate this. Something that Chief Judge Harry Edwards of the United States Court of Appeals for the D.C. Circuit once said:

"When I speak of a collegial court, I do not mean the members of the court never disagree on substantive issues. That would not be collegiality, but homogeneity or

conformity, which would make for a decidedly unhealthy judiciary. Instead, what I mean is that judges have a common interest as members of the judiciary, in getting the law right, and that as a result we are willing to listen, persuade, and be persuaded, all in an atmosphere of civility and respect. Collegiality is a process that helps to create the conditions for principled agreement, by allowing all points of view to be aired and considered."

All of us should embrace the idea that collegiality is the key to success in any shared endeavor — whether in the home, at work or in government. I know that I share these sentiments with all of you, and I look forward to sharing the collegial spirit that you all have developed working together over the years.

There are so many people and organizations that I need to thank. You all know who you are. There's too many of them to list today and you all have my love and my thanks. But there are some folks specifically that I do have to recognize.

A successful campaign, as anybody who knows who has run for office, takes the right team, a good team, and I had the best. Thank you, Bob Branstetter, my general campaign consultant, who did double duty as my therapist during the last several weeks of the campaign. To former U.S. Attorney, Dave Freed, thank you for serving as my campaign chairman.

My dear friend, Marie Conley, who kept all aspects of this campaign moving forward — strategy, scheduling and fundraising. Thank you, Marie.

My friend, former Superior Court Judge Bob Graci, thank you for serving as both my campaign treasurer and as one of my most trusted advisors. Derek Rocky, who joined our team after the primary, thank you for putting up with me for hours in the car. I enjoyed our talks, and I wish you great success in what I know will be a bright future. And Katie Sokolowski, who was so willing to help us with anything that we needed. Thank you, Katie.

To my campaign finance team, Doug Rickards, thank you for keeping me in good graces with the Department of State. My finance co-chairs, former Congressman Keith Rothfus and Alison Young, thank you for agreeing to take

leadership roles early in my campaign. We had a great fundraising team - Nan McLaughlin, Savannah Damon, Kristen Nash, Kristen Corrigan, and Carrie Siriani. A huge thanks to these talented women for all their hard work.

Of course, no campaign can be successful without a strong campaign manager. Tim Craine ran our campaign day to day. He kept me on schedule, he kept me on task, and in some of those tough moments that every campaign experiences, he kept me smiling. Tim, you will always be the little brother I never had and the victory of this campaign is just as much yours as it is mine.

Congratulations and thank you. Who Dey. Nobody understands that but Tim and the other three Cincinnati Bengals fans.

Thanks to Matt Brouillette and Jeremy Baker and the entire team at Commonwealth Partners. My thanks as well as to the Republican Party of Pennsylvania, Chairman Lawrence Tabas, Vice Chair Bernie Comfort, the entire leadership team and staff, as well as the state committee members, county chairs, county committee people, who were so supportive throughout the campaign, many of you who are in the room today, so thank you so much. And to my running mates, Judges Meg Sullivan, Stacy Wallace, and Judge Drew Crompton, thank you for your friendship and for making me smile at exactly the right moments.

To the many other organizations, state and local, local elected officials, you know who you are. I'm just so grateful. And to the members of the bench, statewide and local, for encouraging me and for your words of support, thank you.

To my Commonwealth Court family, I miss you all. There is no finer Court in this country. There is no finer staff and finer group of judges, current and former, with whom I have had the honor to work with. All of you have made me a better judge and have helped me make this next step. Thank you.

I learned long ago to succeed you need to surround yourself by the best and the brightest people. So I want to thank my Chambers staff, current and former, who have helped me get to this point. I especially want to thank the two that were with me from the get-go, Brenda Gacki and Tracey McNally. I always refer them as "Trenda." I couldn't have done this without you.

Thanks to the senior staff at AOPC and the Supreme Court for your assistance in making this transition work. I'm sort of pretending that I'm just starting the job tomorrow. But we've been doing it for a couple of months but I couldn't have done it without the tremendous staff.

And my final thanks go to the most important people in my life — my family. Thanks to my brother and my sister and their families for their love and their support and for coming today to celebrate with me.

To my parents, Bob and Pat Brobson. Thank you for bringing me into this world, the sacrifices that you made so I could have the opportunities that I have, and for the unconditional love and support that you gave me throughout my life, even during those challenging times. I love you both.

My three children, Claire, Will and Gabe. Seems like yesterday you were only nine, six and two. Now Claire is about to graduate from Seton Hill University; Will is finishing his first year at George Washington University; and I'm saving for Gabe's college education. You probably don't remember a lot about the 2009 campaign, you were so young. But I'm sure you'll remember this one. And thank you for forgiving me my less than stellar father moments this past year. And thank you for your constant love and support. I love you more than life.

Finally, my wife Lauren. Know that I would not be here if you had not come into my life. Our 23 years of marriage have brought us many highs and lows. But through it all, my love for you never waived. Thank you just isn't enough. I love you doesn't just seem enough. But here it goes. Thank you for taking this journey with me through life. Thank you for our children and thank you for being my best friend. I love you.

(Applause.)

JUSTICE P. KEVIN BROBSON: And I'd like to close with this. Whenever I give remarks and find myself struggling with what to say, I go back to two questions — who am I and why am I here. I've answered the second question. I'm here because of all of you in the room and elsewhere today who believed in me and supported me in my personal and professional life.

As for who I am, that has never changed and never will. I am the grandson of a Philadelphia City police officer and factory workers without high school educations who worked hard, became small business owners, and helped to build a community. I'm the son of a retired Pennsylvania State Trooper and a woman who always put her children first in her life. I'm a husband of 23 years to Lauren, the love of my life. I'm a father to Claire, Will and Gabe, my proudest accomplishments. And I'm God's imperfect servant on this earth. With all that I am, I look forward to serving on this wonderful court, learning from and working with these fine jurists, and continuing to serve the people of Pennsylvania.

Thank you and God bless.

(Applause.)

CHIEF JUSTICE MAX BAER: Kevin, that was beautiful and meaningful and apropos of your quote from Judge Edwards of the D.C. Circuit. It is absolutely accurate that we remain collegial despite the stresses on us because when it comes to the most significant decisions I assure you we agree on nothing. It would be a dispute as to whether or not it is daylight outside. But it would be a good natured dispute.

All of my colleagues are brilliant, verbal, full of personality, full of wisdom and we would never want you all to think that they're potted plants.

So we have a tradition on our Court that I frankly love, which is that we individually take the opportunity to welcome, sometimes to say goodbye, to our newest colleague and we do everything in our Court by — it may not surprise you — a 300-year tradition. So in this regard the tradition is we do it from the most recently sworn in Justice to me as the most distantly sworn in Justice. The next time we do this, Kevin will go first.

But for today Justice Sallie Mundy.

JUSTICE SALLIE UPDYKE MUNDY: Justice Brobson, I am so delighted to have you as a member on this Court. And it's not because I got to know you and your wonderful family back in 2009, but I think you know why. And it's not because he's articulate and intelligent and witty, but I think you know why. And it's not because he's gained the respect

of all his peers on the Commonwealth Court to be elected to the president judge. But you know why. It's because he comes from the northern tier of Pennsylvania -Montoursville.

(Applause.)

JUSTICE SALLIE UPDYKE MUNDY: Thank you.

Kevin, welcome.

CHIEF JUSTICE MAX BAER: Justice Wecht.

JUSTICE DAVID N. WECHT: Thank you, Chief Justice.

Justice Brobson, sincere congratulations. It is a delight. It's already been a delight to work with you. As probably everybody in the room knows, we've all been working together now for better than two months and these events always post-date the actual commencement of a Justice's term. This one was a little more delayed than usual. But Justice Brobson has already distinguished himself in the work he's been doing.

Obviously he's distinguished himself for years on the Commonwealth Court. But in the last two and then some months, he's been doing exceptional work on our Court. And I know there are many people in the audience who are generally aware that the work of the Court, it's almost like an iceberg, you see the tip.

You don't see so much of the work that goes on, the daily communications between the Justices that will never see the light of day, the drafts that go back and forth, the exchanges about the law, the exchanges about ideas. And then all of the administrative work, all of the work related to the supervision of the court system in this Commonwealth and the superintendency of the legal profession in this Commonwealth, all of those things Justice Brobson has been hard at work on and it's been no surprise I think to any of us the exceptional skill and diligence he's brought to that task.

Someone mentioned Chief Justice Emeritus Tom Saylor. I know he couldn't be with us today, but it is exceptionally fortunate, I think, for the people of Pennsylvania that the vacancy caused by Chief Justice Emeritus Saylor's retirement by reason of age is filled by a person here, who

like Justice Saylor, is a person of great intellect, great wisdom, great scholarship, great dedication to the rule of law and judicial independence and a person equipped to stand dedicated to those principles, notwithstanding all the storms that buffet the judiciary and pose constant challenges to judicial independence and the rule of law.

A couple of years ago now, it's been maybe more than couple of years ago, Justice Brobson was kind enough to send me a fine Law Review article he wrote in the Widener Law Review which I immediately began assigning to my Pitt students and these are undergraduates. So I often tell them if you want to curse somebody for having to read a Law Review article even though you're undergraduates, blame Judge, now Justice Brobson, because it is such an important piece of work that I felt it was important for these pre-law students to read it and read his contribution to thinking about the law in an area very obscure, non-controversial, something you've never heard or thought about, something called redistricting gerrymandering.

So I just want to say that it's a great honor and pleasure. And by the way, we just finished, as many of you are aware, we just, literally just finished a very jam-packed argument session here in Harrisburg with a lot of really interesting cases. And the thing about the work is, as Justice Brobson knows very well, the more you get into a case, the more that something that might not have seemed that interesting to begin with actually turns out to be really, really interesting. We have lots of those cases. And again, something the public will never see and never know about, are the tremendous discussions the seven of us have behind closed doors about those cases and about the legal ideas in them, something which all of you and all of the citizens of Pennsylvania can be absolutely sure Justice Brobson is a major intellectual and collegial contributor on.

So I am thrilled to be able to work with Justice Brobson luckily for a few years ahead, I hope, and it's just an honor to be able to serve alongside of him.

Congratulations, Kevin, and to your family.

(Applause.)

CHIEF JUSTICE MAX BAER: Justice Dougherty.

JUSTICE KEVIN M. DOUGHERTY: Let's start from one Kevin to another. First and foremost, the arduous trek of the campaign is over. You've won. Now what you're going to face is the opportunity to become part of the team.

The theme here today has been faith, family and friends. I can share with you on this Court with what we do you're going to depend on all three more than you know. Kevin, if I could ask you one thing it's look in this room, look at the first row, and make an indelible memory for you are truly blessed to have both your parents and your family present here. Talk about a gift from God. And you look further and see your family and friends and the people who truly believed in you and brought you to this journey. That's something that words cannot express, something that you just have to feel.

In our Court, as Justice Wecht has indicated, we don't always agree. But what we do is we treat each other with dignity and respect. And what you have taken is an oath to not only uphold the constitution, but to join sometimes a dysfunctional family.

All joking aside, in your short period of time you have contributed amazingly to changing my mind on certain issues just sitting, sharing and swapping stories about our families, things that are important that are not legally related. That's the importance of our work. It's the development of our faith through our family and our friends.

So, to my new buddy, welcome aboard. I'm looking forward to a great journey with you.

CHIEF JUSTICE MAX BAER: Justice Donohue.

JUSTICE CHRISTINE DONOHUE: I think I've already ceded some of my time to Justice Wecht. In other words, I must be brief.

Kevin, you know, these events are always just so heartwarming and I know that you, this is something you'll remember forever. Just looking out at your family, I'm jealous. Your parents are here. Your lovely, wonderful wife and kids. And the one thing that's just so obvious from what I've seen today is just the love that surrounds you and you are a very fortunate man and I commend you for the life that you've lived to date. Because obviously, your friends are many and their support is great.

I look forward to working with you. I look forward to sparring with you, as we already have. And so far you haven't changed my mind on anything. But our time together is short so far. Truly, honestly, I mean it. I'm just looking forward to the delight of serving with you and really welcome to our family and it really is not all that dysfunctional. We have become friends and I embrace you as a new friend on our Court. And good luck to you.

(Applause.)

CHIEF JUSTICE MAX BAER: Kevin, you have survived a great deal in your life. But if you can change Justice Donohue's mind on anything, I will nominate you for the Nobel.

JUSTICE CHRISTINE DONOHUE: I take it as compliment.

CHIEF JUSTICE MAX BAER: The disadvantage of generally speaking without notes, in fact always speaking without notes — oh, I'm sorry. Actually, I wanted to say something about this. In ten months I will step down and our Constitution requires that. And Madam Justice Todd, who will speak eloquently as soon as I shut up, will be the first woman Chief Justice in the history of Pennsylvania and will be a great one.

So, I apologize.

JUSTICE DEBRA TODD: No worries. Thank you, Mr. Chief Justice, and thank you for mentioning that. God willing, that will come to pass.

Kevin, before I express my joy of having you on the Court and welcoming you, I'd like to ask you to share the limelight for just a moment with another person who has already been introduced, but not sufficiently in my view, when Chief Justice Baer talked eloquently about the rich history of the Pennsylvania Supreme Court and the fact that we are celebrating our 300-year anniversary this year, we will have a big celebration in Philadelphia in May as the Chief Justice mentioned. We were formally organized as the Supreme Court of Pennsylvania pursuant to the Judiciary Act of 1722, thus our 300-year anniversary. What he did not mention is in that entire period from 1722, it was not until 1995 that the first woman was elected to our Supreme

Court. And we are blessed to have had her service on this Court and we are blessed to have her here with us today. That is Justice Sandra Schultz Newman.

(Applause.)

JUSTICE DEBRA TODD: Talk about a history maker. Thank you, Justice Newman.

Now, back to the newest history maker. Kevin, I can't tell you what a pleasure it is to have you on the Court, and we're not welcoming you as someone new at this point because, as has been mentioned, we have had the opportunity for the past, a little over two months, to work with you and to engage with you in our debates, in our discussion and I am so impressed. I already knew you were a great writer and a great Commonwealth Court Judge and I knew of your intellect because I had heard about it, but getting to see it and experience it and be on the other side of some of the debates with it, I am in awe and I believe you are a tremendous addition into the brain trust of the Supreme Court. So thank you for bringing that to us.

I did want to mention two things that I thought you might want to work on now that you're with us.

JUSTICE P. KEVIN BROBSON: Do we have to do that here?

JUSTICE DEBRA TODD: Yes. One is your confidence. You know, Kevin, it's okay, you're going to be fine, and you can stand up with the best of them and I just want you to work on building up that confidence and we're going to work on it with you. That was a joke. He's extremely confident.

The second thing was, I know that in the Harrisburg area there are some seminars offered on assertiveness training. And I thought maybe that was another thing that you could pursue because I think you are a little too shy.

In all seriousness, Kevin, it's a joy to have you join our Court and we are an independent judiciary. We are not a partisan court despite what the press may portray us as. I am not a Democrat Justice, you are not a Republican Justice. We are Justices of the Supreme Court of Pennsylvania. Congratulations.

CHIEF JUSTICE MAX BAER: I started to say prematurely, and I apologize privately again, that I have a

sign in my office and it says "I look forward to when I start speaking because I'm as anxious as all of you to hear what I'm about to say." And the disadvantage of speaking without notes is sometimes you forget.

So I thank all my colleagues for remembering Tom Saylor. I spoke to him on the way here. Kevin, he hated to miss it, but not enough to leave sunny Florida where he planted himself on January 1st and where he remains. And those of us who work at this Court daily can admire and have empathy for that. He sent you his very, very best congratulations. He's thrilled for you.

And I want to tell you a story you do not know. I asked you to chair a committee that had to do with judicial ethics. You chaired it, you turned in a report. I had to come to Harrisburg to swear in the Pennsylvania electoral college and while I was here somebody handed me a note that Kevin wanted to have a meeting with me before I left. And I thought that meeting had to do with that report that had been recently turned in, and I didn't want to have that meeting because I didn't like the report and I was trying to figure out what I wanted to do about it.

I sent back word I could not, but I always return my calls, take my calls, that I would call you on the way home. So to my great chagrin, I called Kevin on the way home and he tells me that he's considering running for the Supreme Court. I felt terrible, Kevin, about not taking the meeting and giving you a hug and telling you to run, we would love to have you.

But Kevin said, "Will I be accepted, would I be, would the Court be receptive and collegial to me? " And I said, absolutely. I guarantee it. And I said, I appreciate that we're Democratic heavy, but as Justice Todd said, once we take this oath of office, we're not Democrats, we're not Republicans, we're judges and we honor and revere fine judges, great judges joining us, and that's what we got today. So congratulations, Kevin.

We have an Appellate Court education conference every June in Bedford Springs. Superior Court, the Commonwealth Court, our court all get together and it's wonderful. I think you gravitate to people that you like. And nine years ago, ten years ago my wife, Beth, of 46 years, my

younger son, Andy, who's a lieutenant colonial in the Air Force as we speak he is in Turkey for a year. And his wife needed some help with their seven and four-year-old. So Beth would like to have been here today, but she's helping with the kids while Andy serves our country.

But we gravitated, for whatever reason, to Lauren and Kevin and we sat down at a table for four outside the golf club and had a lovely dinner. And I'm just so glad that from the beginning, to there, to here that we're going to be even closer colleagues and Beth is, too. She just sends her absolute best.

The 300th has been mentioned several times. And recently we all, Justice Newman today, have sat and been interviewed by some members of our staff who are going to put together some sort of a video for the 300th and they asked me to provide a quote from a former Justice. And I said you got to ask Justice Wecht or you could have asked Tom Saylor. You'd have to ask me for a quote from Gandalf or Dumbledore or any one of the thousand wonderful fantasy characters.

In fact, Kevin, I thought and quickly rejected the idea, of knighting you with the language that Jaime Lannister used when he knighted Brienne of Tarth in the last Game of Thrones. If you want me to recreate that later, I would be glad to, but I think that would be wrong for this audience.

But apropos of my event, I'm not going to quote a justice. To Mr. and Mrs. Brobson, to Claire, to Will, to Gabe, to Lauren, and to Kevin, may you all live long and prosper.

(Applause.)

CHIEF JUSTICE MAX BAER: A little of bit of audience participation required. We are first going to do the Benediction. We would typically then adjourn. But subsequent to the Benediction, we're going to do the retiring of the colors. So I'd ask you all after the Benediction to remain seated and call again on Bishop Gainer to deliver the Benediction.

REVEREND RONALD W. GAINER: As we conclude the installation ceremony, let us listen to this charge taken from the Letter of St. Paul to the Philippians.

"Finally, whatever is true, whatever is honorable, whatever is just, whatever is pure, whatever is lovely,

whatever is gracious, if there is any excellence and if there is anything worthy of praise, think about these things. Keep on doing what you have learned and received and heard and seen. Then the God of peace will be with you."

May the God of justice, the Father of Mercy bless and support Justice Brobson and all the Justices of the Supreme Court of our Commonwealth. May their hearts and minds be ever focused on whatever is just, whatever is true, so that they fulfill their weighty responsibilities with wisdom and courage.

As our highest court commemorates the 300th anniversary of its establishment, may the Glorious Son of God, the Just Judge before whom we must all stand, be the model for whatever is honorable, whatever is excellent as these Justices make final decisions interpreting Pennsylvania's laws and Constitution and cases of immediate public importance.

May the Holy Spirit of God inspire and strengthen all who offer themselves for public service in our Commonwealth so that their hunger for whatever is true, whatever is just, whatever is pure will urge them to serve the common good with sincere and undivided hearts. And may the God of Peace be with you all who have gathered today for this joyous event.

The Father, and the Son, and the Holy Spirit. Amen.

CHIEF JUSTICE MAX BAER: We thank you again, Bishop. We'll have the retiring of the colors.

Would you all stand, please.

(Retiring of the Colors by the Pennsylvania State Police Ceremonial Unit)

CHIEF JUSTICE MAX BAER: Before we bring this joyous ceremonial session of the Pennsylvania Supreme Court to conclusion, please remember that upstairs on the second floor there's going to be a reception in celebration of Justice Brobson to give us all the opportunity to wish him and his wonderful family the best as we proceed.

Brian, would you call this matter to a close.

THE COURT CRIER: This special ceremonial session of the Supreme Court of Pennsylvania is hereby adjourned.