

The Importance of Local Government

Local government is the most accessible level of government. It makes communities strong and resilient through shared involvement. To understand the impact of local government, the League of Women Voters of Centre County (LWVCC) is providing a four-part series about local offices. The first focuses on the judicial system.

According to the Pennsylvania Judicial Center:

Justices serve on the Supreme Court and judges serve on the lower courts. Before either can hold their positions, they must meet certain requirements, including citizenship and residency. All but magisterial district judges must be members of the Pennsylvania Bar. All are subject to standards of conduct administered and supervised by the PA Supreme Court.

Judges are elected in odd-numbered years and serve an unlimited number of terms but they must step down when they reach 75 years old. They may continue to serve part-time as "senior judges" until they reach 78, the age of mandatory retirement.

The Supreme, Superior, Commonwealth and Common Pleas justices and judges are elected to 10-year terms. When their term expires, a statewide yes-or-no-vote for retention is conducted. Retention means another ten-year term. If not retained, the governor appoints a replacement, subject to Senate approval, until a special election can be held.

The **Supreme Court of PA** is the highest court in the Commonwealth. The Court exists to protect our rights and freedoms by upholding the Constitution and preventing legislative or executive branch overreach. For example, if the Court determines that a law is written in such a way that it is unconstitutional, the Court must strike it down. The legislature, which writes the laws, can choose to rewrite the law to meet the standards of the constitution, or propose a constitutional amendment. The executive branch enforces the laws. The Court meets in Harrisburg and chooses its cases, with the exception of mandatory death penalty appeals, and certain appeals from the Commonwealth Court. It has seven justices and receives over 3,000 cases annually but accepts only 100-150 cases.

The **Superior Court of PA** is based in Harrisburg and has 15 judges. It hears appeals in criminal, civil and family law cases. Most appeals are decided by written briefs; however, when the parties request oral argument, those sessions are usually heard by panels of three judges in Philadelphia, Harrisburg, or Pittsburgh.

The **Commonwealth Court of PA** is an appellate Court based in Harrisburg. It has jurisdiction over state and local governments and regulatory agencies. Nine judges preside over the Court and hear appeals from state agencies and certain cases from the Courts of Common Pleas. The Court may also function as a trial court in cases brought by or against the Commonwealth government and cases regarding elections.

The **Courts of Common Pleas** are trial Courts that hear civil, criminal and family law cases. The Courts receive cases plus appeals from local magistrates and state and local government agencies. The Courts are organized into 60 judicial districts. Each district has multiple judges elected to 10-year terms with a president judge and court administrator in each judicial district. The LWVCC thanks Court of Common Pleas Judge Katherine Oliver for her contributions to this article.

Magisterial District Court is where most people experience the judicial system for the first time. There are 500 judges who handle 2,000,000 cases/year, most of which are traffic violations, disorderly conduct, underage drinking, landlord disputes or property damage. MDJs determine if criminal cases go on to the Court of Common Pleas, perform marriage ceremonies,

set bail, issue protection from abuse and arrest orders. MDJs, who do not have to be attorneys, must take a monthlong certification class and pass a qualifying exam though attorneys elected as MDJs are exempt from this class and exam. MDJs are elected to a 6-year term. The LWVCC thanks retired MDJ Tom Jordan for his contributions to this article.

The next installments will focus on: county government offices; municipal, borough and township offices; and Boards of School Directors. The Municipal Election will be held on November 7, 2023. [Make sure your voter registration is current at www.centrecountyvotes.gov.](http://www.centrecountyvotes.gov)