

Pennsylvania Coalition for Civil Justice Reform Judicial Candidate Questionnaire - 2019

CHRISTYLEE PECK

DATE: AUGUST 6, 2019

Candidate Name (Print)

Candidate Signature

JUDGE OF PA SUPERIOR COURT

Position Sought

1. Please describe your background and experiences that qualify you for this office. Also identify all membership organizations including bar associations, professional associations, professional societies, civic, community, charitable, religious, educational, social, political, and labor organizations to which you are or have been affiliated or have provided pro bono work. Please list any leadership positions held. (Feel free to attach a prepared resume or biography if all requested information is included.)

I am a Cumberland County Court of Common Pleas Judge, having served since 2012, handling all areas of law (civil, family, PFAs, criminal, dependency, appellate). Before that, I was a prosecutor handling major felonies and child abuse cases. I am on the PA Supreme Court Commission on Judicial Independence and the PA Court Appointed Special Advocates for Children Board. I am on the executive committee of the State Trial Judges Association. I am involved with several groups that improve the administration of justice statewide. I am the administrative judge for Adult Probation and Dependency Court in my county. I sit on the Prison Board. I teach Advocacy as an adjunct professor at the Dickinson School of Law of Penn State. I am a member of the PBA, the Cumberland County Bar Association and its Inn of Court. I am an avid lover of outside adventure and dogs.

2. What is your general judicial philosophy? In matters of constitutional interpretation, would you describe yourself as an originalist, textualist, pragmatist, or some other term that indicates how you approach constitutional interpretation?

I respect the law, apply it equally to all and as written. As a sitting judge, I treat all who come before me with respect. I ensure due process to everyone. I explain the process to any litigant who is self-represented. I search for the truth of any matter and decide cases in consideration that all come to court with their own set of hardships, tribulations and strengths in life.

3. Please identify the current U.S. Supreme Court Justice that you believe most closely reflects your judicial philosophy and explain why.

Justice Scalia – because he served with integrity, followed the Constitution and was always able to discuss intelligently differing points of view with his good friend Justice Ginsburg.

4. To what extent do you believe that a judge should or should not defer to the actions of the legislature?

The Constitution establishes the Courts as a co-equal branch of government to the Legislative and Executive branches. The Courts are charged with deciphering the Constitutionality of the actions taken by the other branches of government, thus ensuring the rights of its people are protected through careful review of enacted legislation and executive actions. It is not the Courts' role to make law, but rather to interpret the Constitution as it pertains to the case at hand and as written. It protects the Constitutional rights of all equally.

5. Do you believe our judicial system adequately deters and penalizes frivolous litigation? If not, what reforms would you like to see?

Our Constitutions and state legislature prescribe this issue. I follow the law as applicable here, as with all issues. Any changes to same would be done through the legislative process or through policy decisions made by the PA Supreme Court.

6. Do you think excessive damage awards are a problem in our courtrooms? Please explain your answer.

I follow the law as it pertains to damages. Frequently, issues regarding damages are raised through preliminary objections, motions for summary judgment and the like in civil cases over which I am presiding. As such, it would be a violation of judicial ethics for me to comment on same. I have always taken my judicial ethics seriously.

7. Do you support the equal representation of plaintiff and defense counsel on the Pennsylvania Supreme Court's Civil Procedural Rules Committee, Appellate Court Procedural Rules Committee, and Committee on Rules of Evidence?

Supreme Court committees are best served when there is a wide diversity of perspective on same. The Supreme Court notifies when a vacancy on a committee occurs, to open such vacancies to all applicants.

8. Venue:

A. Do you support the current venue rules for medical liability actions found in Pa.R.C.P. Nos. 1006, 2130, 2156 and 2179?

As a sitting Common Pleas Judge, I follow all applicable law and apply pertinent procedural rules.

B. Do you, and will you oppose all efforts to eliminate the current medical liability venue rules or otherwise broaden venue in medical liability cases?

The Superior Court is an error correcting court. They do not make policy decisions. The Supreme Court makes policy decisions as it pertains to the Courts and the Legislature makes laws. As a sitting Superior Court judge, my role would be to follow all applicable laws and precedent. As such, it would be inappropriate for me to comment here as cases involving such issues may come before me on appeal for review.

C. Do you support extending the current venue rule for medical liability cases in Pennsylvania Rule of Civil Procedure 1006(a.1) to cover all civil actions?

Same answer as set forth in B. above.

9. Do you support statewide standards governing the time within which judges and courts should issue an order, decision, or opinion or otherwise dispose of motions and cases?

While no two cases before a Judge are ever the same, and the timing needed to address legal issues can vary widely, it remains that the Courts should act with swiftness in its service to the public. I would welcome any proposal to increase judicial efficiency and better the administration of justice.

10. Would you support the imposition of reasonable limits on personal injury lawyer advertising?

Same answer as set forth in 8 B. above.

11. What is the proper role of stare decisis when deciding cases in the appellate courts? Do you agree that predictability in the law is important to maintain a healthy business and medical climate in Pennsylvania?

Each court, including me, must follow all binding precedent. It is not for me, as a trial court judge, to make the law but rather to follow it, with consistency. I took an oath to support, obey and defend the Constitution and do so every day. I understand that explaining my rationale in opinions better enables all litigants to understand and plan for the consequences of such decisions.

12. Is it ever proper for an intermediate appellate court of error to abrogate existing common law and create new common law? If so, when would that be appropriate?

The Superior Court must follow all binding precedent on it. At times there is an issue that comes before it that is an issue of first impression or does not have binding precedent that controls the outcome of the case.

13. Should appellate court judges be appointed or elected in Pennsylvania?

A. If you believe they should be appointed, what system should be implemented to accomplish this?

B. If you believe they should be elected, do you prefer the current state-wide election system or a system that would divide the Commonwealth into judicial districts?

Same answer as to both. Whether the judges should be appointed or elected is up to the legislature and the electorate. A Constitutional amendment would have to be voted on in the affirmative to change from elected to appointed. There are certainly great scholarly arguments made in favor of each. On a personal level, I have really enjoyed meeting so many people around the state in my current campaign for Superior Court. I also believe that any decision is better made when there are wide and diverse perspectives of the decisionmakers, including geographical diversity.

14. Please identify any endorsements your campaign has received.

- PA Statewide Fraternal Order of Police Endorsement and Keystone Lodge #41 of the FOP
- PA State Corrections Officers Association Endorsement
- Endorsed by the Pittsburgh Firefighters
- Endorsed by the PA Republican Party
- “Recommended” by the PA Bar Association as having a “broad array of experience...legal opinions that are thorough, logical and well-reasoned...hard working, approachable and fair in interaction with litigants and attorneys.”

