

**PENNSYLVANIA BAR ASSOCIATION**  
**JUDICIAL EVALUATION COMMISSION**  
**PERSONAL DATA QUESTIONNAIRE FOR APPLICANTS**  
**CURRENTLY ON THE BENCH**

**ACKNOWLEDGMENT AND AUTHORIZATION**

As a candidate for the Pennsylvania Appellate Courts, I hereby acknowledge and authorize the procedures of the Pennsylvania Bar Association Judicial Evaluation Commission, including the following:

1. The Pennsylvania Bar Association Judicial Evaluation Commission will make available to the public the Questionnaire and my responses to it, except for the questions and responses which are acknowledged to be confidential, which information shall remain available only to the Commission and an investigative panel.
2. The rating assigned to me by the Commission will be publicly announced and will be accompanied by an explanation of reasons for the rating.
3. Should I receive a *Not Recommended* rating, the Commission will endeavor to notify me prior to a public announcement. If I withdraw from the race, the unfavorable recommendation will not be announced during this current election cycle.
4. I hereby authorize the Pennsylvania Judicial Conduct Board, the Disciplinary Board of the Supreme Court of Pennsylvania, and the Pennsylvania Board of Law Examiners to transmit my entire file and record, including confidential information contained therein, to the Pennsylvania Bar Association Judicial Evaluation Commission. I hereby specifically waive any confidentiality rights I may have in those records.
5. I hereby authorize the Judicial Conduct Board, the Disciplinary Board, and the Board of Law Examiners, or the equivalent, in any jurisdiction where I have practiced, been admitted to practice or have applied to either take a bar examination or for admission to the bar to transmit my entire file and record, including confidential information contained therein, to the Pennsylvania Bar Association Judicial Evaluation Commission. I hereby specifically waive any confidentiality rights I may have in those records.
6. The Pennsylvania Bar Association Judicial Evaluation Commission may change, during the course of my campaign for office, the original rating assigned to me for cause. Cause shall include a violation of the Judicial Campaign Advertising Guidelines. I acknowledge receipt of a copy of the Guidelines.

P. KEVIN BROBSON

Type or print name

Signature

DECEMBER 21, 2020

Date

## PERSONAL DATA QUESTIONNAIRE

1. State your full name: **Paul Kevin Brobson**

Have you ever been known by any other name? If so, please list. **No**

2. Office address (include zip code):

**Pennsylvania Judicial Center  
601 Commonwealth Avenue  
PO Box 69185  
Harrisburg, PA 17106-9185**

Office telephone (include area code): **(717) 255-1780**

Name of law firm, if associated: **n/a**

3. Date and place of birth: **1970 (month and day removed by PBA JEC), Williamsport, PA**

4. Are you a naturalized citizen? If so, give date and place of naturalization: **No.**

5. Family status:

- a) Are you married? If so, state the date of marriage and your spouse's full name, including maiden name, if applicable:

**I have been married to the former Lauren Cotter for 22 years. We were married on November 21, 1998. We have three (3) children.**

- b) Have you been divorced? **No.**

6. Have you had any military service? **No.**

7. List each college and law school you attended, including dates of attendance, and the degrees awarded and, if you left any institution without receiving a degree, the reason for leaving. List scholastic honors:

**Juris Doctor, May 1995 Class Rank: 2/205**

***Summa Cum Laude***

**Widener Commonwealth Law School, Harrisburg, PA**

**Attended Fall 1992 through Spring 1995**

- **Law Review, Internal Managing Editor**
- **Phi Kappa Phi - National Honor Society**
- **Outstanding Service Award**
- **Best Student Article 1994-95**
- **Academic Scholarship - awarded to the top three students in a class after first year is completed.**
- **Dean's Honor List**
- **Certificate of Achievement - Advanced Criminal Procedure - awarded to the highest final grade in the class.**
- **Who's Who Among Colleges and Universities 1994-95**

**Bachelor of Arts, May 1992**

***Magna Cum Laude***

**Double Major: Accounting and Economics**

**Lycoming College, Williamsport, PA**

**Attended Fall 1988 through Spring 1992**

- **Professor Logan A. Richmond Accounting Prize - for outstanding work in accounting and exceptional proficiency in writing.**
- **Omicron Delta Epsilon - National Economics Honor Society.**
- **Jack C. Buckle Memorial Award - given to an outstanding student in his or her junior year for dedication to the betterment of campus life.**
- **Dean's List**

8. List all jurisdictions in which you have applied to take a bar examination, have applied for admission or have been admitted to practice. Include dates of admissions and if not admitted, give application dates and explain the outcome.

**Pennsylvania (Dec. 11, 1995)**

**New Jersey (Jan. 13, 1996)**

**District of Columbia (June 7, 2004)**

*Note:* I resigned both my membership in the Bar of New Jersey and my membership in the Bar of the District of Columbia upon assuming my judicial duties in 2010.

**Supreme Court of the United States (Oct. 30, 2000)**

**United States Court of Appeals for the Third (Aug. 9, 1996), Federal (June 11, 1998), and Ninth (Nov. 12, 1998) Circuits**

**United States District Court for the E.D. Pa. (Jan. 22, 1996), M.D. Pa. (Nov. 12, 1996), D.N.J. (April 1, 1996)**

9. Describe chronologically your law practice and experience after your graduation from law school and until you became a member of the judiciary, including:

- a) Whether you served as clerk to a judge and, if so, the name of the judge, the court, and the dates of the period you were a clerk:

**Honorable James McGirr Kelly**  
**United States District Court Judge for the Eastern District of**  
**Pennsylvania, Philadelphia, PA**  
**Judicial Clerk**                      **September 1995 - September 1996**

- b) Whether you practiced alone and, if so, the addresses and the dates: **n/a**

- c) The dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been connected and the nature of your connection with each:

**Buchanan Ingersoll & Rooney P.C., Harrisburg, PA**  
**Associate**                      **September 1996 - December 2003**  
**Shareholder**                      **January 2004-January**  
**2010**  
**Commercial Litigation Section**  
**Chair, Insurance & Reinsurance Group**

- d) Any other relevant particulars: **None.**

10. a) What was the general character of your practice, dividing it into periods with dates if its character changed over the years?

- **Practice included general commercial litigation in state and federal courts, appellate practice, and administrative practice and procedure.**
- **Emphasis on state administrative law and procedure, particularly in the areas of insurance, nonprofit and healthcare regulation, campaign finance and lobbying, and regulation of professional occupations.**
- **Litigated issues involving, but not limited to, insurance regulatory disputes, nonprofit corporations, procurement, products liability, employment law (*i.e.*, discrimination, restrictive covenants), environmental liability, commercial leases, computer software, patent infringement, corporate governance, and fundamental corporate transactions.**

- b) Describe your typical clients and mention the areas, if any, in which you concentrated your practice:

**Typical clients included regulated businesses and individuals or those doing business with or seeking to do business with the Commonwealth. As noted above, my private practice was particularly focused on state administrative law and procedure, particularly in the areas of insurance, nonprofit and healthcare regulation, campaign finance and lobbying, and regulation of professional occupations.**

11. What judicial office do you now hold? State whether you have been appointed or elected and the dates thereto. Describe the jurisdiction of such court and any limitations thereon. Have you ever held any other judicial office? If so, please state the offices, courts and the periods of such service. Please describe the jurisdiction of each of such courts, with any limitations upon the jurisdiction of each court:

**I was elected judge of the Commonwealth Court of Pennsylvania in November 2009 and commenced my first ten-year term on January 4, 2010. I was retained for a second ten-year term in the 2019 Municipal Election. In recommending me for retention, the PBA Judicial Evaluation Commission wrote:**

The candidate has served on the Commonwealth Court since 2010. The candidate is recognized by members of the bar and bench as an excellent jurist who is even tempered, fair and knowledgeable. The candidate's judicial opinions are well written, thorough and precise. He is currently the board chair of the Judicial Conduct Board of Pennsylvania. He exhibits his dedication to the profession through community service, including acting as the jurist-in-residence at Widener University Commonwealth Law School and providing pro bono legal service. The commission recommends the candidate's retention because of his consistent judicial excellence, even-keeled temperament, and commitment to the bar, bench and community at large.

**In December 2020, the commissioned judges of the Commonwealth Court elected me to serve as the court's next president judge, effective January 4, 2021.**

**From Administrative Office of Pennsylvania Court's web site ([www.pacourts.us](http://www.pacourts.us)):**

The Commonwealth Court was established in 1968 and is unique to Pennsylvania. It is one of Pennsylvania's two statewide intermediate appellate courts. The Commonwealth Court is primarily responsible for matters involving state and local governments and regulatory agencies. It also acts as a trial court when lawsuits are filed by or against the Commonwealth. Cases are generally heard by panels of three judges in Philadelphia, Harrisburg and Pittsburgh, although, on occasion, they may choose to hold court in other locations. Cases may also be heard by a single judge or by *en banc* panels of seven judges.

**Due to recusals, I was selected to serve by designation on the Pennsylvania Supreme Court in *Dougherty v. Heller*, 138 A.3d 611 (Pa. 2016), in which I authored a concurring and dissenting opinion (attached in electronic format).**

12. For the last five years or portions thereof during which you have held judicial office, indicate,

a) The nature of typical matters which came before you:

**Please see response to Question 11 above, regarding Commonwealth Court's original and appellate jurisdiction.**

b) The percentage of your time devoted to:

1. Civil: **90%**

2. Criminal: **1%**

3. Other: **Administrative 9%**

**As a judge, I have administrative responsibilities for my Chambers staff. I have also served on the Commonwealth Court's Internal Operating Procedures Committee and on *ad hoc* committees at the request of the president judge with respect to facilities and human resources.**

**This past year, the Pennsylvania Supreme Court appointed an *ad hoc* committee to review the current avenues by which Pennsylvania jurists can secure ethics advice. Pennsylvania Supreme Court Justice Thomas G. Saylor appointed me to chair that *ad hoc* committee.**

**In August 2015, the Pennsylvania Supreme Court appointed me to serve as the only appellate judge member of the Judicial Conduct Board of Pennsylvania (JCB). During my four-year term, the JCB members elected me to serve on the Executive Committee as Secretary and then Chair. As JCB Chair, I worked closely with the JCB's Chief Counsel to guide the organization in fulfilling its constitutional duties to investigate allegations of judicial misconduct and, where necessary, file charges in the Court of Judicial Discipline. In addition to managing Board meetings, the Chair has other responsibilities as delegated by the JCB members, including matters relating to, *inter alia*, budgeting and fiscal affairs, performance reviews, committee appointments, and media relations.**

c) The percentage of your time devoted to:

1. Jury: **0%**

2. Non-jury: **20%**

3. Appellate argument: **80%**

4. Other:

**The response above reflects the rough distribution of the Commonwealth Court's caseload between its original (trial court) and appellate court jurisdiction. Although the Commonwealth Court has conducted jury trials in the past, they are rare. While I have not presided over a jury trial in my eleven years on the bench, I have presided over many bench trials and hearings over the past eleven years, even during the COVID-19 pandemic.**

**In fact, I presided over the first virtual live-streamed (via YouTube) evidentiary proceeding in Pennsylvania history on April 28, 2020--*MFW Wine Co., LLC, A6 Wine Company, and GECC2 LLC d/b/a Bloomsday Café v. Pa Liquor Control Board* (25 MD 2020). See <http://www.pacourts.us/news-and-statistics/news?Article=1025>**

d) Five of the more significant opinions you have rendered and citations thereto if the cases were reported:

**The Commonwealth Court is specialized appellate court unique to Pennsylvania. The court has appellate and original (trial court) jurisdiction over civil actions that touch on state or local government action. In this regard, many of our decisions have an impact beyond the parties to the proceeding. We decide cases that affect how we care for our elderly, protect our historic and natural resources, educate our children, elect our public officials, compensate injured workers, support those who are unemployed through no fault of their own, and ensure that government, at all levels, follows the law.**

**I have authored many opinions in many different areas of the law over my eleven years as a trial court and appellate court judge on the Commonwealth Court—e.g., probation and parole, prison conditions, Megan's Law/SORNA, land use and zoning, driver's license suspensions, personal injury, trusts and estates, state and local taxation, professional and occupational licensing and discipline, worker's and unemployment compensation, environmental regulation and permitting, election regulation, right-to-know law, insurance company insolvency/receiverships, public education, discrimination, labor and employment disputes, and others.**

**The following are but five of what I would consider to be the more significant opinions I have authored for the court (also attached in electronic format). Should the committee require additional examples I would be happy to provide them.**

***MFW Wine Co., LLC v. Pa. Liquor Control Bd.*, 231 A.3d 50 (Pa. Cmwlth. 2020) (single judge) (appeal pending):** Granting summary declaratory and mandamus relief and directing the Pennsylvania Liquor Control Board to implement direct special-order wine shipment program consistent with Act 39 of 2016. First virtual live-streamed evidentiary proceeding in Pennsylvania.

***Pa. Manufacturers' Assoc. Ins. Co. v. Johnson Matthey, Inc.*, \_\_\_ A.3d \_\_\_, No. 330 M.D. 2015 (Pa. Cmwlth. Nov. 19, 2020):** Ruling on issue of first impression in Pennsylvania, adopted methodology for allocating costs related to environmental contamination between defense and indemnity components of general commercial liability insurance policy.

***EQT Prod. Co. v. Commonwealth, Dep't of Env'tl. Protection*, 193 A.3d 1137 (Pa. Cmwlth. 2018) (en banc):** Affirming Environmental Hearing Board's imposition of \$1.14 million civil penalty for groundwater contamination.

***League of Women Voters v. Commonwealth*, No. 261 M.D. 2017, Recommended Findings of Fact and Conclusions of Law to Pennsylvania Supreme Court (Pa. Cmwlth. Dec. 29, 2017):** Upon Pennsylvania Supreme Court's exercise of extraordinary jurisdiction over action in Commonwealth Court's original jurisdiction challenging constitutionality of Pennsylvania congressional districts, President Judge Mary Hannah Leavitt appointed me to preside over expedited bench trial and to issue recommended findings of fact and conclusions of law to Supreme Court. In its decision on the merits, the Supreme Court noted:

The Commonwealth Court, by the Honorable P. Kevin Brobson, responded with commendable speed, thoroughness, and efficiency, conducting a nonjury trial from December 11 through 15, and submitting to us its recommended findings of fact and conclusions of law on December 29, 2017, two days prior to our deadline.

*League of Women Voters v. Commonwealth*, 178 A.3d 737, 767 (Pa. 2018).

***Costa v. Cortes*, 142 A.3d 1004 (Pa. Cmwlth.), *aff'd*, 145 A.3d 721 (Pa. 2016); *Costa v. Cortes*, 143 A.3d 430 (Pa. Cmwlth. 2016) (single judge):** Reported single judge opinion denying application for preliminary injunction to enjoin concurrent resolution of Pennsylvania House and Senate that directed removal of a ballot question on a proposed amendment to the Pennsylvania Constitution to raise mandatory retirement age for judges to 75 from the April 2016 General Primary Election ballot and placement of the question, instead, on the November 2016 General Election ballot. Later reported panel decision of the Court on the merits ruled against the petitioners.



13. If a substantial portion of your practice had been before administrative boards, commissions or agencies during the five years before you became a member of the judiciary, identify the boards, commissions or agencies before which you practiced and estimate percentages of practice time devoted thereto:

**While in private practice, I represented clients in regulatory and adjudicatory matters before the Pennsylvania Insurance Department, the Pennsylvania Gaming Control Board, the Pennsylvania Department of Revenue, the Pennsylvania Department of State, the State Ethics Commission, and the State Board of Private Licensed Schools. In all, I estimate that my practice before administrative agencies, commissions, and boards comprised approximately 30% to 40% of my practice. Because my primary area of practice was in the area of insurance, most of my administrative practice related to matters that fell under the jurisdiction of the Pennsylvania Insurance Department.**

14. If a substantial portion of your practice had been before Appellate courts during the five years before you became a member of the judiciary, identify the Appellate Courts before which you have practiced and estimate percentages of practice time devoted thereto:

**I appeared in the Pennsylvania Supreme Court, the Pennsylvania Commonwealth Court (original and appellate jurisdiction), and the Pennsylvania Superior Court. I also appeared in the Illinois Court of Appeals and the Illinois Supreme Court. I also served as co-counsel in an appeal before the United States Court of Appeals for the Ninth Circuit and co-authored a brief submitted to the United States Supreme Court in opposition to a writ of certiorari. In all, I estimate that my practice before these courts comprised approximately 30% to 40% of my practice, with the majority before the Pennsylvania Commonwealth Court.**

15. Have you ever held public office other than judicial office? If so, give details, including the office involved, whether elected or appointed, and the length of your services, giving dates:

**I served as a member of the Middle Paxton Township Planning Commission. I was appointed by the Board of Supervisors to fill a vacancy on the Commission in February 2008. I resigned from the Commission upon my election to the Commonwealth Court.**

16. Have you ever been an unsuccessful candidate for elective, judicial, or other public office? **No.**
17. Have you ever been engaged in any occupation, business or profession other than the practice of law or the holding of judicial or other public office? **Not since graduating from law school, no.**

18. Are you now an officer or director or otherwise engaged in the management of any business enterprise? **No.**
19. Have you ever been arrested, charged with or convicted of violating any federal law or regulation, state law or regulation, or county or municipal law, regulation or ordinance? **No.**
20. Are you under any ongoing federal, state or local investigation or indictment for possible violation of a criminal statute? **No.**
21. Has a tax lien or other collection procedure been instituted against you by federal, state or local authorities? **No.**
22. If requested, will you submit certified copies of your latest tax returns (including Federal Income Tax)? **Yes.**
23. Prior to taking the bench, were you ever sued by a client? **No.**
24. Have you ever been a party or otherwise involved in any other legal proceedings? If so, give the particulars. Do not list proceedings in which you were merely a guardian ad litem or stakeholder. Include all legal proceedings in which you were a party in interest, a material witness, were named as co-conspirator or a co-respondent and any grand jury investigation in which you figured as a subject or in which you appeared as a witness:
- I have not been a party to any litigation in my personal capacity. Like most judges, I have been named in litigation initiated by disgruntled litigants. At this time, I can recall only one or two such instances in the last eleven years. The Administrative Office of Pennsylvania Courts handled the litigation.**
25. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct or has any complaint against you been filed with the Court of Judicial Discipline? **No.**
26. What is the present state of your health? (If any medical condition or issue exists, you may be requested to execute a medical record authorization form as part of the interview process.)

**I am controlled Type 1 diabetic in excellent health.**

27. Do any circumstances exist that would affect your ability to perform the function of the position you seek or fulfill the term of office? **No.**
28. Furnish at least five examples of legal articles, law review articles, briefs, or other legal writings which reflect your personal work. If briefs are submitted, indicate the degree to which they represent your personal work:

**Please see accompanying opinions in response to Question 12(d).**

**In addition, I have authored an article that will appear in a volume of the Widener Commonwealth Law Review commemorating the 50<sup>th</sup> anniversary of the Commonwealth Court. The article addresses partisan gerrymandering of congressional districts. An excerpt of the article is attached in electronic format.**

29. List all bar associations and professional societies of which you are a member and give the titles and dates of any offices which you have held in such groups. List chairmanships of any committees in bar associations and professional societies and memberships on any committees which you believe to be of particular significance (e.g., judicial selection committee, disciplinary committee, grievance committee).

**Dauphin County Bar Association (1996-current)**

**Dauphin County Bar Association Public Services Committee (2008-2009)**

**Chair, Steering Committee for the Dauphin County Bar Association Nonprofit Initiative (2006-2009)**

**Pennsylvania Bar Association (1996-current)**

**Member, Appellate Advocacy Committee (2013-present)**

**Allegheny County Bar Association (2018-present)**

**American Bar Association (2010-current)**

**American Inns of Court, James S. Bowman Chapter (1998-current)**

**American Inns of Court, Honorable William W. Lipsitt Chapter (2011-2012)**

**St. Thomas More Society of Central Pennsylvania (2013-present)**

**Board of Governors (2015-2020)**

**Brehon Law Society (2010-2011)**

30. List your experiences in teaching and lecturing, including law school, continuing legal education, both for the legal community and the judiciary, and to non-legal audiences.

**From 2017 to 2019, I was honored to serve a two-year appointment as the Jurist in Residence at Widener Commonwealth Law School as part of the law school's Law and Government Institute. During the academic year, I taught and upper level course on the right to privacy and government transparency. In addition, I**

presented an annual public lecture on a topic related to government or constitutional law.

The following is a list of my other speaking/teaching engagements over the course of my judicial career:

**Speech—Installation Ceremony—1/6/2010 (Pa. Judicial Center)**

**Speech—New Student Convocation, Lycoming College – 8/27/10**

**PBI Seminar - Preserving Issues and Avoiding Waiver at Trial and on Appeal – 10/21/2010**

**Guest Speaker for John's Gedid's Government Law Colloquium class at Widener University School of Law – 10/26/10**

**PBI Seminar - Unemployment Compensation – 4/1/2011**

**PBI Seminar – 15 Annual Insurance Institute, Role of Courts in Regulations (Who Gets the Final Say) – 4/7/2011**

**PBI Seminar - Public Utility Law – 6/1/2011**

**Speech - Musings of a Commonwealth Court Judge, Lycoming College – 10/5/2011**

**Academy of Trial Lawyers of Allegheny County Appellate Court Program, Inside the Minds of the Appellate Courts – 11/3/2011**

**PBI Seminar - Appellate Advocacy at the Movies – 5/22/2012**

**Speech - Remarks Upon Administration of Oath of Professionalism, Widener Commonwealth Law School—8/14/2012**

**PBI Seminar - Utility Law Conference – 5/30/2013**

**Pa. Defense Institute Seminar - Effective Appellate Advocacy – 7/19/2013**

**OGC University Panel - Right to Know Law – 9/12/2013**

**PBI Seminar - Appellate Advocacy and Right to Know Law – 9/12/2013**

**Remarks at St. Thomas More Society Annual Dinner—11/6/2013**

**PBI Seminar - Administrative Due Process – 12/19/2013**

**PBI Seminar - Public Contracting with the Commonwealth – 1/14/2014**

**Remarks to Delegation from Argentina on Pa. Judicial System—2/18/14**

**PBI Seminar - Commonwealth Court Practicum: Policies, Procedures and Perspectives from the Bench – 3/11/2014**

**Panel Presentation to John E. Stively Inn of Court, Chester County, Pa.—Appellate Practice—April 22, 2015 (West Chester, PA)**

**PBI Seminar – Unemployment Compensation, “Decisionmakers’ Perspective” – 4/16/2015 (Mechanicsburg)**

**Pa. Bar Ass’n Appellate Advocacy Committee, “Argument in Commonwealth Court: Lessons Live from the Bench” – 9/21/2015, Pa. Judicial Center, Harrisburg, PA**

**Remarks at Central Pa. Paralegal Association Luncheon—10/12/16**

**Delaware County Bar Ass’n Breakfast CLE, “Municipality Duty of ‘Good Faith’ in Land Use Applications,” October 21, 2016 (Media, PA)**

**OGC University Panel -- “Communications to the Court, the Client, and OGC”—9/8/2016 (Camp Hill, PA)**

**Remarks Upon Administration of Oath of Professionalism, Widener Commonwealth Law School—8/17/17**

**OGC University Panel – “GRAPP”—9/7/2017 (Camp Hill, PA)**

**Allegheny County Bench/Bar Conference—Motions Practice in Appellate Courts—6/15/2018**

**Rotary Club of Hershey Luncheon, Hershey, PA – July 16, 2018**

**Pennsylvania Office of General Counsel, Skills Course – August 8, 2018**

**Pa. Federalist Statewide Conference—Panel, “Hot Topics in Pennsylvania Courts”—October 19, 2018 (Philadelphia, PA)**

**PBA Solo & Small Firm Section Conference—Panel, “COVID-19 and the Courts”—July 31, 2020 (via Zoom)**

31. List all organizations other than bar associations, professional associations or societies of which you are or have been a member, including civic, charitable, religious, educational, social and fraternal organizations:

**Cathedral Parish of St. Patrick, Harrisburg, PA (1997-2002)**

**St. Catherine Laboure Church, Harrisburg, PA (2002-present)**

**Legatus (2020-present)**

**Commonwealth Court Historical Society (2009-present)**

***In Lincoln’s Footsteps*—scholarship contest commemorating the 150th anniversary of the Gettysburg Address  
Chief Judge (November 2012-November 2013)**

**The Four Diamonds Fund Advisory Board at the Penn State Children’s Hospital**

**Member (2010-2016)**

**Chair (January 2012-December 2013)**

**National Rifle Association (member since 2009)**

**Blue Ridge Sportsman's Club (2014-present)**

**County Club of Harrisburg (2013-present)**

**(Note: We were previously members of this club around 2001-2003.  
We then joined Colonial Country Club around 2003-2005.)**

**The Hill Society (2015-present)**

**For the Future Campaign Cabinet/Penn State Hershey Medical Center  
(January 2012-December 2013)**

**Jump Street (nonprofit regional arts organization)**

**Member of Board of Directors (2001-2008)**

**Chair (Jan. 2007-Dec. 2008)**

**Vice Chair (Jan. 2006-Dec. 2007)**

**Chair, Marketing Committee (2002-2005)**

**Chair, Nominating Committee (2003-2005)**

**Capital Area Soccer Association**

**Volunteer coach (2010-2014)**

**Linglestown Baseball Association**

**Volunteer coach (2011-2018)**

**While in private practice, I also held memberships in the National Risk Retention Association and the Pennsylvania Association of Government Relations. I do not recall specifically the time periods of my affiliations with either of these organizations.**

32. List any honors, prizes, awards or other forms of recognition which you have received (including any indication of academic distinction in college or law school) other than those mentioned in answers to the foregoing questions.

**"Recommended" rating from the Pennsylvania Bar Association Judicial Evaluation Commission for Commonwealth Court (2009)**

**"Recommended" for retention as a judge on the Commonwealth Court of Pennsylvania by the Pennsylvania Bar Association Judicial Evaluation Commission (2019)**

**Widener Univ. Sch. of Law Pro Bono Service Provider Award (2014)**

**Diamond of Honesty Award, Penn State THON (2013)**

**The Best Lawyers in America 2009 (Insurance Law)**

**2008 Pennsylvania Bar Association Pro Bono Award Winner**

**2008 Dauphin County Pro Bono Lawyer of the Year**

**Central Penn Business Journal 2005 "Forty Under 40" Honoree**

**American Lawyer Media-PA 2005 "Lawyer on the Fast Track" Honoree**

**Graduate Degree—**

- **Phi Kappa Phi - National Honor Society**
- **Outstanding Service Award**
- **Best Student Article 1994-95**
- **Academic Scholarship**
- **Dean's Honor List**
- **Certificate of Achievement - Advanced Criminal Procedure**

**Undergraduate Degree—**

- **Professor Logan A. Richmond Accounting Prize - for outstanding work in accounting and exceptional proficiency in writing.**
- **Omicron Delta Epsilon - National Economics Honor Society.**
- **Jack C. Buckle Memorial Award - given to an outstanding student in his or her**
- **junior year for dedication to the betterment of campus life.**
- **Dean's List**

33. State any other information which may reflect positively or adversely on you or which you believe should be disclosed in connection with consideration of you for an election/retention to an Appellate Court of Pennsylvania.

**The Commonwealth Court of Pennsylvania is currently celebrating its 50<sup>th</sup> anniversary. Over the course of its fifty-year history, only a few of the court's judges have served on the Pennsylvania Supreme Court. One of the Commonwealth Court's original judges, the late Honorable Alexander F. Barbieri, was appointed to fill a vacancy on the Supreme Court but served only one year until the vacancy was filled in the next municipal election. Another original, the late Honorable Louis L. Manderino, served as a Supreme Court justice from 1972 until his death in 1979. In 1981, Governor Thornburg looked to the Commonwealth Court again to fill a vacancy on the Supreme Court, appointing the late Honorable Roy Wilkinson Jr. Like Justice Barbieri, however, Justice Wilkinson's tenure on the Supreme Court was brief.**

**The fourth Commonwealth Court judge to serve on the Pennsylvania Supreme Court was the Honorable Sandra Schultz Newman, who was also the first female justice elected to the Pennsylvania Supreme Court. She was also the last Commonwealth Court judge to serve on the state's highest court, stepping down in 2006. Since Justice Newman's election to the Supreme Court, 9 of the 15 subsequent justices were judges on the Pennsylvania Superior Court. Since Justice Newman's retirement, 7 out of 11 justices came from the Pennsylvania Superior Court. Currently, 5 of the 7 justices on the Pennsylvania Supreme Court are former Superior Court judges—the other two being former court of common pleas judges. Thus, none of the current justices on the Pennsylvania Supreme Court has the experience of a Commonwealth Court judge.**

Although the Pennsylvania Supreme Court has discretionary review over most decisions that Pennsylvania's two intermediate appellate courts issue, the Commonwealth Court, unlike the Superior Court, is also a trial court. Decisions rendered in the Commonwealth Court's original jurisdiction are appealable by right to the Pennsylvania Supreme Court, because the Pennsylvania Constitution guarantees such a right of appeal from a trial court. Pa. Const. art. V, § 9. Many of the cases of public interest decided by the Pennsylvania Supreme Court over the past several years have emanated from the Commonwealth Court's specialized jurisdiction, whether related to the administration of elections, public education funding, environmental rights and remedies, and taxation, just to name a few. A justice with Commonwealth Court experience would add an important perspective relative to the Commonwealth Court's specialized jurisdiction.

I believe strongly that having a diverse judiciary reflective of the entire Commonwealth furthers the strong public interest in a fair and impartial judiciary. I believe strongly that diversity of experience is also important for a collaborative decision-making process among appellate court judges, with a shared goal of reaching the correct decision under the facts and the law. As the saying goes, if we all believed the same thing, only one of us would be relevant.

Should I be fortunate enough to be elected to the Pennsylvania Supreme Court, I will listen to and value the experience of my colleagues. I believe that they, in turn, will benefit from my experiences as a Commonwealth Court judge.

34. Why do you wish to become a Justice or Judge? What special strengths do you feel you possess that would particularly well qualify you for the position of Justice or Judge?

In addition to my response to question 33 above, I offer the following.

For the last eleven years, it has been an honor to serve on the Commonwealth Court. Every day when I come to work at the Pennsylvania Judicial Center in Harrisburg, two thoughts come to mind. First, I think about how fortunate I am to be entrusted to serve the people of this Commonwealth in this elected office. Second, I think of the tremendous responsibility that comes with it. I strive every day to render timely decisions that are fair, compassionate, and in accordance with the law. I work hard to write clear and easily understood opinions. I have remained faithful to my oath of office to support, obey, and defend the United States Constitution and the Pennsylvania Constitution.

As much as I cherish my service and my colleagues on the Commonwealth Court, justices set the example and the tone for the entire judicial system. Pennsylvanians deserve a judicial system that is thoughtful, unbiased, just, and ethical. I love the law, and I view the role of judge/justice in our judicial system as its fair and impartial guardian. I have not shied away from controversial cases. I have endeavored each day to treat lawyers and litigants with the respect that they



deserve. My paramount goal is to instill in Pennsylvanians the confidence in our judicial system that they expect and that they deserve. I remain active in the broader legal community, through teaching/lecturing and professional memberships, as I believe that such service is part of the responsibility of any judge.

I also have a demonstrated commitment to judicial ethics. The Pennsylvania Supreme Court honored me with an appointment to the Judicial Conduct Board of Pennsylvania. During my four-year term, my fellow board members elected me to serve on the board's executive committee as Secretary and then Chair, reflecting the confidence that they had in my ability to lead such an important part of our constitutional judicial discipline system.

With respect to administration, and in addition to my leadership of the Judicial Conduct Board noted above, I have served on various committees at the designation of the Commonwealth Court's president judge. Pennsylvania Supreme Court Chief Justice Thomas G. Saylor appointed me to chair an *ad hoc* committee examining the mechanisms by which judges secure judicial ethics advice in Pennsylvania. Most recently, my colleagues on the Commonwealth Court chose me to serve as the court's next president judge. By doing so, this diverse group of respected judges from both political parties entrusted me to oversee the Commonwealth Court's operations and budget for a five-year term, with an initial focus on leading the court through the remainder of a global pandemic.

In short, the strengths I would bring to the Pennsylvania Supreme Court would be my commitment to a fair and impartial application of the law from the perspective of an experienced Commonwealth Court judge, my intellectual curiosity for the law, an even-keeled temperament, a solid work ethic, a demonstrated history of collegiality, and strong writing ability.

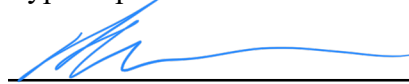
35. Did you sign the PBA Judicial Campaign Advertising Guidelines? (Please return signed pledge with completed questionnaire.) **Yes.**

## CERTIFICATION STATEMENT

The undersigned certifies that all of the statements made in this questionnaire are true, complete and correct to the best of his/her knowledge and belief and are made in good faith.

P. Kevin Brabson

Type or print name



Signature

12/21/2020

Date