



## **FOX CHAPEL DEMOCRATIC COMMITTEE 2025 JUDICIAL CANDIDATE QUESTIONNAIRE**

### **PART 1:     INTRODUCTION**

As you know, there are a large number of candidates for an unusually high number of judicial vacancies within the Allegheny County Court of Common Pleas in 2025. The Fox Chapel Democratic Committee (FCDC) believes that citizens of Fox Chapel and those of surrounding communities as well voters within Allegheny County in general would benefit from learning more about the candidates, so that their choices in upcoming elections can be as informed as possible. Therefore, FCDC has developed a Judicial Candidate Questionnaire and is asking each judicial candidate to complete and return it, so that your responses can be distributed as widely as possible.

FCDC intends to:

- Share your responses with Democratic committees of other communities in our region;
- Share your responses with the citizens of Fox Chapel and to individuals within Fox Chapel School District, and encourage other area committees to do so;
- Publish your responses on FCDC’s website and seek to have them published on the Allegheny County Democratic Committee’s website as well;
- Publish them on FCDC’s social media pages.

### **PART 2:     INSTRUCTIONS**

Please respond to the questions on the following page and return your written responses to *foxchapedems@gmail.com* on or before **Friday, February 14, 2025**.

This form is in Word format, so responses may be typed directly under each question.

Please answer each question, including subparts, as completely as possible; however, please keep responses clear and reasonably concise so they are understandable and useful to individuals who may not have a background in law.

## QUESTIONNAIRE

CANDIDATE NAME: \_\_\_\_\_ Michele Santicola \_\_\_\_\_

DATE: \_\_\_\_\_ February 17, 2025 \_\_\_\_\_

### **1. Judicial Philosophy and Temperament**

Judges make decisions in high-stakes and emotional situations. How do you stay fair and calm under pressure? Share an example from your career. As a sitting Magisterial District Judge, I am often faced with situations that require me to remain calm under pressure. I am one of the Magisterial District Judges who regularly volunteers to preside over Homicide preliminary hearings at the Pittsburgh Municipal Court. No situation is more high-stakes and emotional than a Homicide case. Balancing the rights of the defendant and the high emotion of the victim's family is difficult but critically important. I take care to remember my job is to be calm, fair and respectful of all parties, witnesses and observers. As with any case, I try to put myself in the shoes of both sides and treat people the way I would want to be treated. As a prosecutor, I represented the Commonwealth in high stakes cases, and I thought I knew what pressure was. It was not until I became a defense attorney that I really understood high stakes. Representing an innocent client is the most stressful job a lawyer can face. As all defense lawyers have, I also represented guilty clients and always did so zealously. As an MDJ, I handle Landlord Tenant cases every week. This type of case is the second most emotional and high stakes as folks are facing the loss of their homes. I give litigants a lot of grace at these hearings. I have been told on multiple occasions that I could and should hold people in contempt for outbursts. I do not. I always keep in the front of my mind that anyone who comes to court is likely facing one of – if not the—worst day of his/her/their life, and I know it is my job, not theirs, to remain calm.

### **2. Commitment to Judicial Ethics**

Judges must avoid conflicts of interest and undue influence. How would you handle a situation where a friend or campaign donor asks for special treatment in your courtroom? I would immediately recuse myself and have the case assigned to another judge.

a. Have you had this experience, and what was your response? I have not had anyone ask for special treatment, but I have voluntarily recused myself from cases involving donors and friends.

b. Did you disclose it to an ethics body or to law enforcement? Why or why not? N/A.

### 3. **Accessibility and Fairness**

a. Judges must ensure everyone can participate in the legal process. How will you make your courtroom accessible to people without lawyers? In the minor judiciary, many litigants are unrepresented. If it's a case where I believe the person needs to be represented and/or his/her/their case will suffer greatly without at least talking to an attorney, I will suggest a call to Neighborhood Legal Services, the Bar Association or the Public Defender's Office. At the end of the day, I understand that hiring an attorney is extremely expensive and out of reach for many. I am very cognizant of the fact that our courts are the people's courts, and they should be able to appear and present their cases. I take great care to guide the unrepresented through the process.

b. Every person has conscious and/or unconscious biases. How do you recognize and suppress those biases in yourself, so that you can deal with all parties fairly and dispassionately? I learned early in my career about unconscious biases I was harboring. As a young Deputy Attorney General, my mentor and I were working on a Homicide case. He pulled me aside a few days after jury selection began and admonished me for having a negative attitude about the defendants in the case. He reminded me that every person walks a different path in life. I did not have money growing up, but I had stability and love and structure. The defendants grew up in broken homes with absent parents and were guided by the wrong people. They committed a terrible crime, and our job was to bring justice to the victim, and we did; however, I needed to learn right then and there about my preconceived notions about criminal defendants and to look not only at the what of a crime but the why and the how they got there. That lecture changed my life and my career, and I say to this day it was one of the best lessons I've ever learned. Give examples of how you've dealt with this issue. A year and a half ago, there was a student at my son's school who appeared and began attending classes. After a time, it was learned that he lived with an elderly grandmother because his parents were not involved in his life. The school learned that his grandmother was driving him to school from another district because she wanted him to go to a better school. The district was going to kick him out. My husband and I heard the story and decided to offer to take custody and guardianship. He is now our son, and he is thriving. My children consider him their brother. I am certain that my mentor's advice and my change of heart led me to this life changing decision, and I could not be happier. I also learn even more every day about biases. There is no better teacher on this subject than watching how people treat my black son.

### 4. **Describe the types of cases you've tried/presided over**

List 3-5 examples of cases (anonymously) in which you've been involved as counsel or judge, and that you believe inform or enhance your ability to serve as a judge. Include why/how these experiences influenced you.

1. I represented a young man who was accused of date rape. His family had the money to hire me and investigators and a forensic computer and cell phone analyst. Only because of this, I was able to prove he was innocent. Text messages uncovered by the forensic

examination of the cell phone caused the prosecutor to withdraw the charges. I learned a lesson that has really stuck with me. Having means can really change the outcome of a case and a life.

2. I was a Hearing Examiner for the Liquor Control Board for four years. During that time, I presided over many cases. The case with the widest ranging impact was the one which allows convenience stores to sell alcohol. I wrote an opinion almost 200 pages in length supporting my findings. It was adopted by the Board and upheld in the Courts.
3. I represented Pennsylvania consumers who had been defrauded by a Texas company selling what they claimed to be valuable gold coins. In reality, people were spending their life savings on worthless baubles. I was able to convince the Court to stop them from doing business in Pennsylvania. The case was complex because it involved an out of state company, and the Commonwealth Court had original jurisdiction.
4. As a sitting judge, I regularly rule on issues of admissibility of evidence, credibility of witnesses and whether parties have met their burdens. The most complex and serious cases are the many homicide cases I have presided over. I believe those experiences have prepared me well for the next level.

#### 5. **Improvements to the courts**

Courts are in the business of serving the public by providing the fair, efficient and prompt administration of justice.

a. Do you perceive shortcomings in our current court system? Please provide examples. I do. I was fortunate to have appeared in 23 counties throughout Western Pennsylvania. I appreciated the more efficient functioning of courts in other counties. So often, in Allegheny County, cases are scheduled too close together, and parties and witnesses are forced to wait for hours for their cases to be called. It is also a regular practice that witnesses and litigants appear, and cases are postponed. This does not happen in other counties. It is a huge waste of time for people and often takes an emotional toll on the parties.

b. If elected, how would you go about correcting these problems? What specific steps would you take to improve the quality and delivery of results to litigants and the public? I would like the last-minute postponements to end. Unless there is a true emergency, there is no reason why a case should be postponed on the day of trial. I have accompanied victims to court and watched them suffer needlessly because they were not informed that one side was not ready to go. I have presided over hearings where it is clear that the parties knew in advance that they would not be ready to proceed, yet they did not inform the witnesses who did show up. Parking is expensive. Transportation downtown is often inconvenient. Folks are missing work. Most importantly, litigants have an emotional stake in the process, and the highs and lows are unnecessarily tough on them.

## 6. **Judicial selection process**

a. Do you believe state judges should be elected? Why/why not? I see value in both systems. It is frustrating to be rated HIGHLY RECOMMENDED by my peers in the Bar Association (which I am) and then hear on the campaign trail, “No one cares about that. It doesn’t matter.” I believe it should. It is a rigorous process to be rated, and the Bar Association Judiciary Committee members take their jobs seriously and are chosen because they are best equipped to evaluate candidates. If candidates were appointed, elected officials would be more likely to take ratings and qualifications and experience into consideration. However, on the other hand, by changing to a non-democratic process, candidates who do not have political connections are eliminated from consideration. Another problem with either system is favors owed in exchange for support – both real and perceived – that taints the appearance of an independent judiciary.

b. If not, what system do you believe should be used instead, and why? At the end of the day, I believe leaving this important decision in the hands of voters is the best way to do it. I do not have all the political connections, but my peers believe I have what it takes to be a good judge. I am hopeful that the voters will, too.