



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: **Judge Hilary Wheatley**

DATE: February 1, 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.

Staying fair and calm under pressure is a skill I have honed over the last three years presiding in my courtroom as a Magisterial District Judge (and in my personal life coaching soccer and raising a strong-willed and assertive son). Each week in my courtroom, I face difficult decisions that can have profound effects on the lives of those before me. While the stakes are often significant, I am grateful that, for most of my time on the bench, emotions remain manageable. Instances requiring de-escalation are rare, but when they do arise, I rely on active listening, taking a moment to pause and reflect, and exercising patience to ensure all parties feel heard before I render a decision.

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?

If such a request were made during a courtroom proceeding, I would immediately pause the proceeding, inform the parties of my need to recuse myself, and notify Court Administration to transfer the case to another court. If the request for special treatment occurred outside the presence of the opposing party, I would firmly explain to the friend or donor that the request is inappropriate, potentially unlawful, and a violation of the Code of Judicial Conduct. I would then notify Court Administration to reassign any cases involving that individual to a different court. Additionally, I would make it absolutely clear that I do not tolerate such requests and that my decisions are based solely on the facts and the law. In either situation, I would consult with colleagues, Court Administration, and, if necessary, the Judicial Ethics Advisory Board to determine any further appropriate actions.

a. Have you had this experience, and what was your response?

Fortunately, no.

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?

Each week, the vast majority of individuals appearing in my courtroom are unrepresented. As a result, I have extensive experience maintaining the delicate balance between ensuring all parties are heard and avoiding advocacy for those without legal representation. I recognize that making the courtroom accessible to self-represented litigants is essential to upholding justice. To achieve this, I clearly communicate, explain courtroom procedures in an understandable way, ask clarifying questions, guide participants through the next steps, and remain patient and neutral to encourage full participation. By prioritizing accessibility and fairness, I ensure that every individual—regardless of legal representation—has a meaningful opportunity to be heard.

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? Give examples of how you've dealt with this issue.

In 2019, I attended an intensive training session on implicit bias, which gave me tools and strategies to recognize and address it in my work and personal life. As a Magisterial District Judge, I use those tools and strategies. I regularly examine any potential biases that may influence my decisions, ensuring that my rulings are based solely on the facts and the law. Additionally, I actively seek feedback from colleagues and review my past decisions to identify patterns or discrepancies that might indicate bias, striving for fairness and impartiality in all cases for all participants.

For the past few years, I have participated in a Harvard study looking at racial disparities in judicial bail decisions. By participating in this study, I get frequent feedback on the bail decisions I make, evaluating various factors including race, recidivism, and appearance rate. Participating in this study allows me to identify patterns in my rulings and uncover any implicit biases that may influence my judgment. By analyzing data and receiving objective feedback, I can take informed steps to ensure fairness and uphold equal justice in my courtroom.

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.

Since taking the bench as a Magisterial District Judge in January 2022, I have presided over thousands of hearings. I have set bail for more than 1,000 individuals facing misdemeanor and felony charges and have overseen over a dozen preliminary hearings in homicide cases,

along with hundreds involving other serious criminal offenses. Additionally, I have ruled on dozens of Emergency Petitions for Emergency Protection from Abuse Orders, handled hundreds of civil disputes and landlord-tenant cases, and heard thousands of matters related to traffic violations, truancy, code enforcement, and summary criminal charges. My responsibilities have also included reviewing hundreds of search and arrest warrant requests.

Prior to taking the bench, I served as an arbitrator multiple times each year in the Allegheny County Court of Common Pleas Civil/Arbitration Division. In this role, I served on a 3-person panel and adjudicated landlord-tenant disputes on appeal from Magisterial District Judge rulings, as well as civil cases involving claims under \$35,000. These cases covered a range of issues, including personal injuries, medical malpractice, construction disputes, real estate matters, and conflicts between neighbors.

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.

Yes. The legal system has significant shortcomings; many require cultural or legislative action to correct. But, there is room for elected judges to address them too, without legislating from the bench. Everyday Americans face significant barriers on their path to justice, including long wait times, rising costs of or lack of access to legal representation, implicit bias, and a complex system that leads to inequitable and unequal outcomes.

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 to help make the Civil Division of the Court of Common Pleas more fair, more efficient, and less daunting for unrepresented litigants. The Civil Division is where people go to seek justice who have been injured in an auto collision, by the mistake of a physician, or by a defective product; who have been wronged by unscrupulous business practices; who have been lied to in a real estate transaction; or to defend meritless allegations of wrongdoing. Because litigants are not entitled to the appointment of free legal counsel if they cannot afford to hire an attorney in Civil Division cases, the path to justice can be long, complex, and exorbitantly expensive. The cost and complexity of the system can create unequal and inequitable outcomes.

If elected to the Court of Common Pleas, I would like to work with Court Administration to expand the availability of qualified and trained pro bono attorneys in the Civil Division beyond those currently available for eligible tenants in landlord-tenant cases. By expanding the availability of pro bono representation, more people would gain access to the legal support they need, helping to ensure that cases are decided on their merits rather than the financial means of the parties involved. Increased pro bono legal services can help level the playing field,

particularly for marginalized or vulnerable populations who may face systemic barriers to justice. This would lead to more equitable outcomes in the court system, as individuals who might otherwise be at a disadvantage, or who might refrain from pursuing claims altogether, would have representation to ensure their voices are heard and their rights are protected.

6. Judicial selection process

a. Do you believe state judges should be elected? Why/why not?

Yes. Judges should be elected by the voters they will serve, rather than appointed by partisan elected officials in exchange for political favors or due to friendship. See also: Brett Kavanaugh.

b. If not, what system do you believe should be used instead, and why?