

# THE PENNSYLVANIA EXPERIENCE: Some Tips for Handling an Assault on the Judiciary During a Judiciary Retention Election Year

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1. **Identify and form a rapid response team** of knowledgeable and accessible individuals who are willing to write editorial replies and appear on radio and TV if necessary. These individuals need to be media savvy and committed to the independence of the judiciary; a logical group is local bar presidents. Periodic meetings of this group are helpful to keep everyone on message.
2. **Develop a coherent message** using such tactics as speaking in sound bites. Time must be devoted to developing a clear and concise message that is simple to understand and persuasive. Once the message is established, priority needs to be given to make sure those delivering the message stay on message.
3. **Create a judicial evaluation committee** that is capable of issuing a thoughtful and informative evaluation of the judge's individual record of judicial service, judicial philosophy and temperament so that voters can consider the judge fairly. Most states and many localities already have such a committee. The National Center for State Courts is a good resource for this information nationwide. The rapid response team needs to have a fundamental understanding of the basic process in place in a given state.
4. **Understand your state system** for judicial selection/election and how it compares to other states. Part of the message must draw on the need to consider the judges fairly based on their individual records of service. Part of the communication process is fully understanding your own election system and logic of that system.
5. **Consider using radio and television Public Service Announcements (PSAs)** to inform the public of the importance of judicial retention elections and the fair evaluation of judicial candidates.
6. **Provide the public with credible resources** such as a dedicated Web site. In Pennsylvania we use [www.pavotesmart.com](http://www.pavotesmart.com) for information on judges.
7. **Communicate and partner with good government groups** such as the League of Women Voters and Common Cause.
8. **Respond to the media attacks in the same news cycle.** Care needs to be given to make sure that the adversary's message is not being reinforced in efforts to respond to attacks. Thus, when the Institution is attacked, the response should be in the same news cycle and should not repeat the negative message of the attacker.
9. **Visit editorial boards** to educate the press on judicial retention. Editors want valid information about the judicial system, the judicial selection process and any Bar Association evaluation process. Additionally, messages relating to why an independent judiciary is essential to the proper functioning of our courts need to be articulated and reinforced.
10. **Develop a media kit** for use by local bar leaders to include sample Op-Ed pieces, speeches and Letters to the Editor.
11. **Use internal Bar communication vehicles** such as publications, Web site and electronic news special alerts to keep full membership informed of issues.