



## JUDICIAL COMMITTEE

### 2023 QUESTIONNAIRE FOR JUDICIAL CANDIDATES

Candidate's Name: Peter J. Sala  
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1. Why are you seeking the position of Judge of the Court of Common Pleas?

The reasons for being a lawyer and seeking the position of Judge are attributable to my humble beginnings as a child. My father passed away when I was six (6) years old leaving my mother to raise three (3) children. I watched my widowed mother navigate parenthood and a career while providing us with a loving and stable home. I witnessed how hard work and loving relationships can positively influence people who experience difficult circumstances. Lawyers and Judges often see individuals who are experiencing challenging and life altering issues. During my twenty-eight (28) years as a lawyer, I have observed and assisted over one thousand clients with such issues in and outside the courtroom.

After traveling around Pennsylvania for years representing clients in various counties, I observed firsthand the need for good Judges who understand the plights of ordinary people. Good Judges understand the circumstances and issues that bring people before the Court. My life and legal experiences have properly prepared me for the position of Judge of the Court of Common Pleas.

2. Being careful to maintain client confidentiality as embodied in the Rule 1.6 of the Rules of Professional Conduct, describe the general character of your law practice, including areas of concentration and the most significant achievements of your legal career. Explain how your practice has prepared you for the position of Judge of the Court of Common Pleas.

I began my legal career as a law clerk for the Court of Common Pleas. That job exposed me to a voluminous civil caseload. Preliminary objections, summary judgment motions, discovery issues as well as trials dominated my first year (1994-95). Every opinion I assisted on was upheld, if appealed. The experience as a law clerk provided the basis for the fundamental practice of law. Once I transitioned into private practice, friends and family were my first clients. I represented them in all their legal affairs. They then referred me to their friends and families. Over the course of the last twenty-eight (28) years, I represented individuals and businesses from all walks of life. From divorce, custody, support, civil, criminal, real estate, estate and personal injury cases, no one I knew was denied access to competent legal representation. My first jury trial was in 1996 with the most recent occurring in June, 2022. In 1997, I

was asked to be the Erie County Sheriff Solicitor by Sheriff Bob Merski and have remained in that capacity. This position involves Sheriff Sales every month, Writs of Execution, Writs of Possession, Original Process, Levies, Property Claims, firearm permits, gun rights and the County Code among other matters. The Sheriff Solicitor position has exposed me to an area of law that I would never have experienced otherwise.

My practice has concentrated on criminal defense at times, especially during trial. I have represented hundreds of clients in criminal cases throughout Pennsylvania. I have argued successfully before every appellate court in Pennsylvania in civil and criminal matters. They include the Superior Court, Commonwealth Court and the Pennsylvania Supreme Court. In August, 2020, I had a jury trial amidst Covid-19 in Potter County that resulted in an acquittal. This was particularly challenging given the different rules of the County in the middle of a Pandemic. The most significant achievement of my legal career was receiving the decision by the Pennsylvania Supreme Court that reversed the practice of allowing only hearsay evidence to be presented at preliminary hearings. This seminal ruling on July 21, 2020 changed the way preliminary hearings were conducted throughout Pennsylvania and was based on Due Process grounds.

3. With respect to the last ten years:

- a) Did you appear in court regularly, occasionally, or not at all? If the frequency of your appearances in court has varied during this period, describe each such variance, giving the dates thereof:

I have appeared regularly in Court since 1995. This includes regular appearances in Centre County for almost six (6) years on a case in Centre County that has morphed from a criminal case into a civil case.

- b) What percentage of these appearances was in:

1. Federal courts: Approximately 1%
2. State courts of record: Approximately 95%
3. Other courts: Approximately 4%

- c) What percentage of your litigation was:

1. Civil: 20%
2. Criminal: 80%

- d) State the number of cases in courts of record you tried to verdict or judgment (rather than settled), indicating whether you were sole counsel, chief counsel or associate counsel:

Eight (8). Two (2) sole counsel, three (3) chief counsel and three (3) co-counsel.

- e) What percentage of these trials were:

1. Jury: 100%
2. Non-jury:

f) Describe other areas of practice: In addition to being the Sheriff's Solicitor, I have been the Solicitor for the Erie County Clerk of Records for the last five (5) years. This encompasses the offices of the Clerk of Courts, Prothonotary, Recorder of Deeds and Register of Wills. See also answer to question 2.

4. If a good amount of your practice has been before administrative boards, commissions or agencies during the past five years, identify the boards, commissions or agencies before which you have practiced and estimate percentages of practice time devoted thereto.

I have represented many clients since 1995 in unemployment compensation hearings, often pro bono. I have also represented clients before various professional boards (Disciplinary, Psychology, Medical and Cosmetology). A "good amount" of time was dedicated to these cases but the percentages are difficult to estimate.

5. Do you have experience with ADR? If so, give details.

I have participated in ADR a few times and it has been successful.

6. Which judges or justices do you most admire and why?

I admire Justices John Marshall and Earl Warren. Justice Marshall authored the opinion in *Marbury v. Madison* that established the framework upon which the judiciary is based. "It is emphatically the province and duty of the judicial department to say what the law is." Hence, it is the Courts that became the ultimate arbiters of the law and Constitution, not the legislative branch.

Justice Earl Warren presided over the Supreme Court during an era that gave us the landmark rulings in *Brown v. Board of Education*, *Brady v. Maryland*, *Gideon v. Wainwright* and many others. These rulings are now considered fundamental but were far from it at the time.

7. 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? If so, give details, including dates:

Yes, I co-own two (2) buildings other than my residence that are rented. The one parcel I have owned since 2001 and the other since 2004.

8. Describe your involvement in community activities.

I am a two-time Past-President and current Board Member of the Blessed Sacrament Ushers Society. We raise funds to offset the cost of students participating in sports while assisting the Priests of the Parish. Our family also participates in other fundraising that is used to award scholarships to students at Blessed Sacrament School. Similarly, I am also the Past-President and current Scholarship Chairman of the Erie Wolves Club which raises money (over 2,000,000.00) to award scholarships at the four (4) area universities: Gannon, Edinboro, Mercyhurst and Penn-State Behrend.

I have also coached basketball, football and baseball teams in Erie.

9. What do you consider a significant achievement in your life outside your profession? Describe it.

The most significant achievement in my life is easily being married to my wife Jennifer for almost twenty-eight (28) years and raising three (3) children together. From infants through adolescence into adulthood, children (and their friends) teach you more about life than you ever thought possible. The old adage that "The greatest aid to adult education is children" is very true.

10. Do any circumstances exist that would adversely affect your ability to perform the function of a Judge of the Court of Common Pleas or be able to fulfill your term of office? If so, please explain:

No.

11. Describe your involvement in Erie County Bar Association activities.

I have always been actively involved in the Erie County Bar Association. From the Young Lawyers Division and the softball game versus the "Old Lawyers" to former Chairman of the Scholarship Committee, active participation in the Bar Association has always been enjoyable and important to me. I also served as Chairman of the Criminal Practice Committee and attend the annual and mid-year meetings whenever possible. Currently, I am a member of the Solo Practitioner, Estates and Trusts, Criminal Practice, Family Law and AKT Committees.

12. How do you view the current relationship between the Bench and the Bar of Erie County? Do you think it can be improved? What would you do to maintain or improve relations between the Bench and the Bar if elected to the position of Judge of the Court of Common Pleas?

The current relationship between the Bench and Bar is good. Events like the Bench/Bar conference in Seven Springs this past September is vital. It gives everyone the chance to meet each other outside a courtroom or adversarial setting. It is also necessary to facilitate communication between the Bar members and the Judges that hear their cases. I have always been a proponent of inviting Judges to committee meetings and continuing legal education seminars whenever possible. Personally inviting Judges to many ECBA activities could improve relations between the Bench and the Bar. Judicial feedback is necessary and improves the practice of law. If elected, I would continue to attend as many Bar related activities and committee meetings as possible.

13. Do you believe it is important for a Judge to remain involved in Erie County Bar Association activities? Please explain:

Yes, a Judge should remain as actively involved in the Bar Association as possible. Active participation keeps the Judge aware of the positive and negative issues that are occurring. Otherwise, a Judge risks becoming isolated and detached from the practitioners who appear before it. Therefore, participation by the Bench in Bar Association activities is important to an efficient judicial system.

14. What do you envision to be your continuing role with the Erie County Bar Association should you be elected? Would you attend substantive and social gatherings of that Bar Association?

I envision my continuing role with the Erie County Bar Association being one of active involvement. I have always enjoyed my time in Bar Association activities and associating with the talented members of this Bar. I would continue to attend and look forward to substantive and social gatherings of the ECBA.

15. Have you ever been convicted of any misdemeanor or felony, court-martialed, been granted immunity from prosecution, or been the subject of a protection from abuse final order? If so, give details.

No.

16. Have you ever been the subject of formal discipline for a breach of professional ethics or unprofessional conduct? No.

17. Have you ever been found liable for legal malpractice? No.

18. In the last 10 years:

a) has a tax lien or other collection proceeding ever been instituted against you by federal, state, or local authorities? No.

b) has a judgment been entered against you? No.

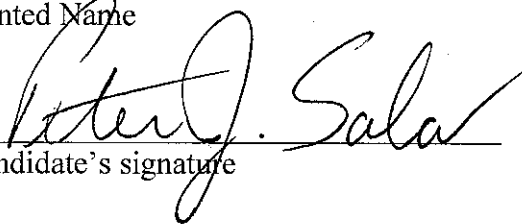
c) have you filed personal bankruptcy? No.

If you answer yes to any of these questions, give details.

19. Are there any other matters, not covered in these questions, that you consider relevant to members of the Erie County Bar Association and to voters evaluating your fitness for the judiciary? If so, describe.

Private practice as a true solo practitioner exposes a lawyer to a wide variety of legal issues that requires long hours and dedication. I have undertaken this practice for over twenty-seven (27) years. I did it to help people. That is the reward, not money. The experience I have gained has given me keen insight into the lives of people that qualifies me to Judge the circumstances that bring them before the Court.

Peter J. Sala  
Printed Name

  
Candidate's signature

February 10, 2023  
Date