

Inquirer Judicial Candidate Questionnaire

Name: **Joel Bernbaum**

Running for: Judge, Court of Common
Pleas, Montgomery County

Political Party: Democrat

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Questions

1. Why are you qualified and well-suited to serve as judge on the court for which you are running?

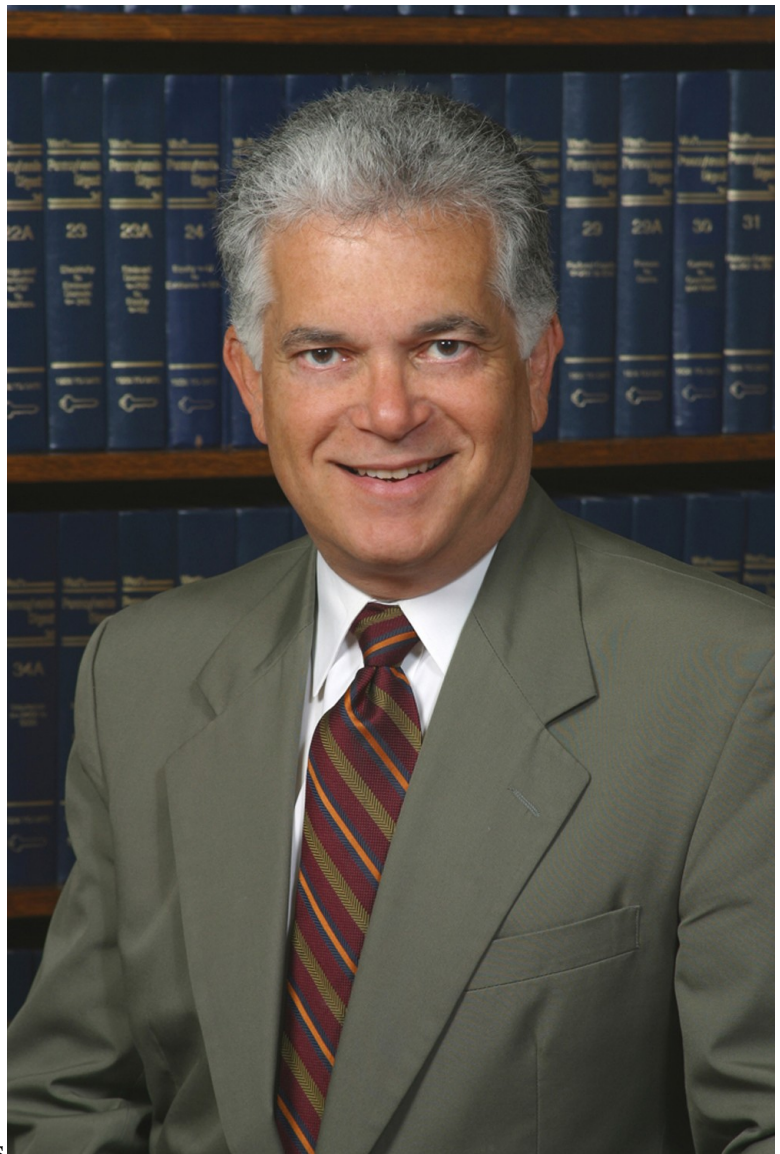
I believe the ability to listen and practice law with compassion and fairness are, ideally, the qualities that our Judges should possess. After more than 30 years of practicing Family Law, these qualities have helped me address the needs of families in crisis concerning child support, custody and divorce. This is in addition to my leadership in the PA and Montgomery Bar Association's Sections and Committees and frequent writing and lecturing for continuing legal education programs, business groups and community organizations. Finally, I bring my life's experiences, being married for 21 years, having a son in high school and active participation in youth athletics and charitable organizations.

2. Did you receive a rating of "recommended" or higher from the state or local bar association?

Yes

3. If you are an incumbent judge, what's a recent instance in which you acted to preserve your judicial independence? If you are an aspiring judge, how do you plan to remain independent if elected to the bench?

The obligation to be independent, impartial and to act with integrity is, unquestionably, at the foundation of the Code of Judicial Conduct which we as Judicial Candidates and, if elected, as Judges are sworn to uphold. Public confidence in our justice system, fairness and the lack of bias should be transparent, at all times. Since Judicial candidates and Judges must avoid even the appearance of



impropriety, a Judge has an obligation to disqualify himself or herself whenever his or her impartiality might reasonably be questioned, including when a substantial contributor may appear before the judge as an attorney or a party. Additionally, a Judge has a duty to review memberships in professional organizations and personal relationships that might reasonably cause the appearance of impropriety or impartiality.

4. A number of Pennsylvania judges have been sanctioned for campaign activities, ex parte dealings and other alleged misconduct. How can the state's judiciary prevent discipline scandals of the type seen recently?

In addition to the answer to the previous question, we must be realistic in understanding that Judges are human and we cannot completely prevent all judicial misconduct. However, I believe that Judges are the champions of our justice system and need to be diligent to prevent misconduct wherever and whenever it may occur. This includes reporting of wrongdoing to the proper authorities for appropriate action and making the findings public.

5. If you believe that gender, racial, ethnic, class or other forms of bias can infect the justice system, how will you work to keep your courtroom as bias-free as possible?

Being able to treat all litigants equally, fairly and without reference to their gender, race, culture or class is, without question, paramount in my decision to seek the position of Judge. Every Judge must continually remind themselves of the potential for bias and be open to review by his or her peers as well as the Appellate Courts and the appropriate Court of Judicial Discipline or Judicial Conduct Board. Again, the results of these inquiries or reviews should be made public.