

LIBERTY CITY LESBIAN, GAY, BISEXUAL AND TRANSGENDER DEMOCRATIC CLUB

2009 JUDICIAL PRIMARY ELECTION QUESTIONNAIRE

Name Elinore O'Neill Kolodner Office Sought Judge- Court of Common Pleas Date 4/1/2009

1) What is your experience with the LGBT community both generally and/or professionally?

I have represented gay and transgendered clients in estate, tax, and family law matters and as general counsel in my 32 years of practice.

2) How have you advanced, through professional and personal achievements, the rights of the LGBT community, racial and ethnic minorities, and persons with disabilities?

Through fighting for property and personal rights particularly in the area of estates including health care decision-making issues for all of my clients including same-sex couples, minority and disabled clients I have advanced the LGBT community.

2) Do you support the rights of LGBT people to the following:

- a. Marriage? **Yes, particularly because my gay clients are the subject of discrimination under the current inheritance and estate tax laws**
- b. Civil Unions? **Yes**
- c. Domestic Partnership? **Yes**
- d. Second-parent adoption? **Yes**
- e. Protection from workplace discrimination? **Yes**
- f. Protection from housing discrimination? **Yes**
- g. Protection from acts of violence based on their sexual orientation or gender identity? **Yes**

3) Do you consider transgender rights a civil rights issue? Explain your answer.

No one should be treated differently for any reason so of course unequal treatment is a civil rights issue.

4) How should a judge support public accommodations for transgender individuals appearing before them or otherwise within the criminal justice system?

Transgendered individuals need private, separate holding areas while awaiting trial. I regard providing appropriate restroom facilities as particularly important for transgendered witnesses and clients in civil and criminal court. I recognized this issue several years ago when one of my principal witnesses in an Orphans' Court case was a transgendered individual. Court personnel should be assigned to ensure privacy for the individual

5) LGBT youth sometimes act out because of harassment at school or in the home due to their gender/sex identity. When ADAs prosecute cases against these members of our community, what will you do to prepare your staff to be sensitive to their issues? Additionally, LGBT youth who spend time in juvenile detention facilities face many dangers. What alternative sentences might you seek in their cases?

I would treat these individuals as I would any youth with special circumstances and treat

them compassionately and assure the security of these youngsters. My sentencing recommendations would include sensitivity to the youngsters' safety and well-being. I would require my staff to treat everyone with respect.

6) What has been the general nature of your practice and particular areas of concentration? Please describe any changes throughout the years?

Estates and trusts, including Orphans Court litigation and estate planning, and family law. Regarding changes in the law, I am frustrated by the tax penalty imposed on my same-sex couples at death by our current laws.

7) Describe a few of the most significant cases you have litigated. Please give a summary of the substance of the cases, the citations if available, and why you believe they were significant.

I am a family Court and Orphans' Court litigator. My cases are "significant" only for the relief they bring to my clients. For publicized cases, I am trial counsel for Mascaro v. Mascaro, CASE NO. 069830, PASCES NO. 474001992, which established the formula for spousal support in high income cases in PA.

8) State briefly why you are seeking the Democratic nomination to be a judge in Philadelphia, and what qualities you believe you possess that would serve you especially well if you were elected to the Court.

I am seeking the nomination because it is time for me to serve Philadelphia. The system needs experienced attorneys behind the bench. I am a life-long Philadelphian, representing average Philadelphians and have a reputation for fairness to all.

9) What are the most pressing needs of reform in our judicial system in your opinion?

Courts need to begin on time and stop wasting the time of litigants who are paying hourly rates to sit and wait for court to begin. The dockets are often not run smoothly or efficiently.

10) For what organizations have you done pro-bono work?

IBE (International Ballet Exchange) which promotes interaction of dancers from the Ukraine with City public school students; Germantown Cricket Club, which has one of the few same-sex Partnership memberships available in this area; VIP in the area of Estates and Trusts; Eagle Camp, South Hero, VT vacation camp for all.

11) Do you support a woman's right to choose?

I will uphold the law on this matter.

12) Have you ever been sanctioned for any alleged breach of ethics or professional conduct by any court, administrative agency, bar association, disciplinary committee, judicial conduct committee, or other professional group? If so, please explain the nature of the sanction.

No.

13) Have you been recommended by the Philadelphia Bar Association?

Recommendation is pending.

Please return by Friday April 3rd via e-mail to matt@libertycity.org

Or via mail to:

Liberty City Lesbian and Gay Democratic Club

C/o Matthew Woodcock

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