

LIBERTY CITY LESBIAN, GAY, BISEXUAL AND TRANSGENDER DEMOCRATIC CLUB

2009 JUDICIAL PRIMARY ELECTION QUESTIONNAIRE

Name Judge Jimmy Lynn Office Sought Commonwealth Court Date April 4 2009

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

In the course of my 61 years (including 36 years as a practicing lawyer and a judge in Philadelphia), in the many community activities with which I have been involved, and in politics, I have certainly had personal and professional acquaintances that I know to be lesbian or gay.

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

Throughout my entire career, I have worked to strengthen my understanding of the human spirit, and, by being exposed to many diverse groups, I have learned to find value and personal dignity in all people. My work in these groups has strengthened my abilities and my commitment to ensure fairness to all people who come before the Court, and to ensure equal treatment to all under the law.

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

- a. Marriage?
- b. Civil Unions?
- c. Domestic Partnership?
- d. Second-parent adoption?
- e. Protection from workplace discrimination?
- f. Protection from housing discrimination?
- g. Protection from acts of violence based on their sexual orientation or gender identity?

Regarding the campaign conduct of Judges, particular sitting Judges such as myself, the Code of Judicial Conduct, including Canon 7, states the following:

“Candidates, including an incumbent judge, for a judicial office that is filled either by public election between competing candidates or on the basis of a merit system election: . . . should not make pledges or promises of conduct in office other than the faithful and impartial performance of the duties of the office; make statements that commit or appear to commit the candidate with respect to cases, controversies or issues that are likely to come before the court; or misrepresent their identity, qualifications, present position, or other fact.”

My record as a lawyer, prosecutor and a judge amply demonstrates that I do not, now, or will I in the future, tolerate violence or illegal discrimination against anyone because, clearly, that is against the law. I promise that I will be faithful to

and follow the law as stated by the General Assembly and our Supreme Court. I promise to be scrupulously impartial and fair to all who appear before me. I will examine every issue with fresh eyes and an open mind. I cannot make specific promises or statements regarding the important public policy issues presented in this question that either commit or appear to commit me with respect to these issues. They are political and are better answered by those in the legislative and executive branches of our government. The independent judicial branch must be virtuous in applying the law to the people who appear before it, blind to who they are; blind to where they come from; blind as to with whom they associate; and blind to their political views. A Judge should not have publicly stated political views because, in the end, the public rightly expects the Judge to follow the law regardless of the Judge's political views or personal feelings. They are irrelevant and should remain so if the public is to, ultimately, respect the decision of the court as being a decision that is not affected by the Judge's previously stated personal views. Public respect for judicial decisions is the mortar which holds together our society which is governed by laws and not the particular personal views of any one individual. Without such public respect, our social foundation crumbles and we are left with anarchy and confusion.

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

See answer to No. 2 above.

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

See answer to No. 2 above.

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?

See answer to No. 2 above.

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

See the attached answers to the Pennsylvania Bar Association Judicial Evaluation Commission questionnaire and also the resume attached thereto, which addresses this request in detail.

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.

In my 36 years as a lawyer and a Judge, I have handled 16 murder cases as a lawyer, saving at least 2 people from the gallows; numerous cases protecting hundreds of victims of crime (as a prosecutor and Judge), as well as children (as a Family Court Judge); and many others that are simply too numerous to describe here. See also Pennsylvania Bar Association Judicial Evaluation Commission questionnaire which also addresses is request in terms of several significant legal opinions I have authored as a Judge.

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.

Please see the attached answers to the Pennsylvania Bar Association Judicial Evaluation Commission questionnaire, which directly addresses this request.

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

We need qualified judges who have no agenda other than being true to the law and to their oath to follow the law. We need to ensure there is equal access to the courts and equal treatment of all who come before the Court.

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

**Democratic City Committee
Brehon Law Society
Hundreds of ordinary people who could not afford counsel**

Additionally, during my long life of public service, I have volunteered my time for numerous community and non-profit organizations and services, including as a volunteer on the ground helping the clean up efforts in New Orleans after Hurricane Katrina, and helping victims in New York City after the 911 terrorist attacks.

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

See answer to No. 2 above.

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?

I have been recommended by the *Pennsylvania Bar Association*. The Philadelphia Bar Association does not rate the appellate court candidates. See the attached statement of recommendation issued by the Pennsylvania Bar Association Judicial Evaluation Commission.

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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