



**Pennsylvania Coalition for Civil Justice Reform Judicial Candidate Questionnaire – 2021**

Megan Sullivan	04/23/2021
_____	_____
Candidate Name (Print)	Date
Megan Sullivan	Judge of the PA Superior Court
_____	_____
Candidate Signature	Position Sought

1. Please describe your background and experiences that qualify you for this office. Also identify all membership organizations including bar associations, legal associations, professional associations, professional societies, civic, community, charitable, religious, educational, social, political, and labor organizations to which you are or have been affiliated or have provided pro bono work. Please list any leadership positions held.

I am a veteran litigator with over twenty years of legal experience as both a criminal prosecutor and civil attorney. Over the course of my career, I have developed substantial trial experience as a Deputy Attorney General in the Pennsylvania Office of Attorney General, a litigation attorney in private practice, assistant general counsel for a West Chester University, and an assistant district attorney in Chester County. Through my background in both criminal and civil litigation, which includes arguing cases before both the Commonwealth and Superior Courts, I have accumulated extensive knowledge and experience that make me well prepared for an appellate court position.

I also worked for nearly a decade as an Assistant District Attorney and later as a Supervisory District Attorney in Chester County beginning in 2002. I departed the District Attorney's Office in 2012. Through my experience in the state Attorney General's Office and the District Attorney's Office, I handled all aspects of criminal prosecutions and prosecuted an extensive range of crimes, ranging from child abuse to white collar fraud. I also spent an extensive period of time in the appeals unit, drafting briefs and arguing appeals before the Superior Court.

I served as assistant general counsel to West Chester University. In this capacity, I negotiated contracts, litigated labor arbitrations, and advised various university department on federal regulatory law, state regulatory law, higher education law, and other legal matters.

I also spent several years in private practice representing businesses, municipalities, and educational institutions in a range of civil litigation. My work included defending various municipalities on legal matters including employment complaints, and civil claims. I also served as general counsel for various municipal and educational institutions.

In addition to my extensive legal experience, I been an active member of the Republican Party for over 20 years. I previously served as a member of Chester County's Executive Committee, an assistant solicitor to the county party, and vice-chair of my local Republican committee. I am also a proud member of the Anne Anstine Class of 2011, which allowed me to forge relationships with active political women from throughout the state.

I have been a member of the Chester County Bar Association from 2003 to the present. I have not held any officer positions but have been a member of the Criminal, Civil and Civil Rights section of the Bar Association.

In addition to my professional experience, I have been active in my local community as a member of the executive committee of my son's Boy Scout Troop; I support organizations that serve women and persons experiencing food and shelter insecurities, and I am a former committee member of my children's elementary school PTO. My children and I also regularly open our home to foster dogs awaiting permanent placement with new families. In addition, I am an active member of my church where I have volunteered for a range of programs and events to assist individuals in need.

2. In matters of constitutional interpretation, would you describe yourself as an originalist, textualist, pragmatist, or some other term that indicates how you approach constitutional interpretation?

I am hesitant to assign a label to myself, as different people define the terms originalist, pragmatist, and textualist in vastly different ways. I have a deep respect for the Constitution of the United States and Pennsylvania. I would interpret the law as written. I do not support the current trend of judicial activism, as I believe it oversteps the framework established in our Constitution which sought to clearly define the roles of the executive, judicial, and legislative branches in order to maintain a system of checks and balances. I have a deep respect for a justice system that shows respect, fairness, and knowledgeable decision making, and applies the law objectively.

3. Please identify the current U.S. Supreme Court Justice or Pennsylvania Supreme Court Justice that you believe most closely reflects your judicial philosophy and explain why.

Based on 7<sup>th</sup> circuit opinions and testimony before Congress I would say my judicial philosophy is similar to Justice Amy Coney Barrett.

4. To what extent do you believe that a judge should or should not defer to the actions of the legislature?

Judges should follow statutory law and apply the relevant facts to the law, provided those actions do not violate the U.S. or Pennsylvania Constitution.

5. Do you believe our judicial system adequately deters and penalizes frivolous litigation? If not, what reforms would you like to see?

Although I do not believe that directly responding to this question would affect my ability to be objective with regard to any issue or show prejudice for or against any parties that may come before the court, the possibility exists that the answer to this question may invite a request for recusal under the Rules of Judicial conduct. I generally believe that the rules of criminal and civil procedure currently provide several mechanisms to filter frivolous litigation. When those rules are applied properly by a trial court, I believe these mechanisms help filter frivolous litigation.

6.
  - a. Do you think excessive damage awards are a problem in our courtrooms?
  - b. Describe what you view as the hallmark elements of an 'excessive' verdict warranting "remittitur".

Although I do not believe that directly responding to this question would affect my ability to be objective with regard to any issue or show prejudice for or against any parties that may come before the court, the possibility exists that the answer to this question may invite a request for recusal under the Rules of Judicial conduct. While each case is unique, I believe it is appropriate for a judge to assess and compare the award to other similar cases as a guide to determine whether the award "shocks the conscience."

7. Do you support the equal representation of plaintiff and defense counsel on the Pennsylvania Supreme Court's Civil Procedural Rules Committee, Appellate Court Procedural Rules Committee, and Committee on Rules of Evidence?

Yes, I believe there should be equal representation.

8. Venue:
  - a. Do you support the current venue rules for medical liability actions found in Pa.R.C.P. Nos. 1006, 2130, 2156 and 2179?

Yes, I support the current law and I would apply the current law to every individual case brought before me.

- b. Do you, and will you oppose all efforts to eliminate the current medical liability venue rules or otherwise broaden venue in medical liability cases?

I support the current rules related to medical liability venue as they are currently written and as established by the legislature.

- c. Do you support extending the current venue rule for medical liability cases in Pennsylvania Rule of Civil Procedure 1006(a.1) to cover all civil actions?

It is my understanding that the legislature is currently considering an extension of the venue rule to cover all civil actions and I believe this issue would appropriately fall under the purview of the legislature. I am hesitant to comment on the topic, as there is the potential that a case related to this matter could appear before me in my capacity as a member of the Superior Court. If I were to comment on the issue at this time, it may result in my inability to hear the case.

9. Do you support statewide standards governing the time within which judges and courts should issue an order, decision, or opinion or otherwise dispose of motions and cases?

I would not oppose the adoption of guidelines that provide a framework for timelines in issuing order, decisions, or opinions, etc., however I would be reticent to establish a hard timetable because each case is unique. That said, I believe general guidelines that establish goals could be useful for all parties, provided that there is an acknowledgement and recognition that some circumstances of a case may require flexibility and a longer timeline.

10. Would you support the imposition of reasonable limits on personal injury lawyer advertising?

Although I do not believe that directly responding to this question would affect my ability to be objective with regard to any issue or show prejudice for or against any parties that may come before the court, the possibility exists that the answer to this question may invite a request for recusal under the Rules of Judicial conduct.

11. What is the proper role of stare decisis when deciding cases in the appellate courts? Do you agree that predictability in the law is important to maintain a healthy business and medical climate in Pennsylvania?

I believe in the principle of stare decisis, and believe legal precedent should be respected in order to provide consistency for practitioners and parties.

12. Recent appellate decisions have weakened protections provided by the Peer Review Protection Act (PRPA) which provides an absolute privilege for certain designated health care providers to discuss negative patient events to ensure that they do not occur again. As a jurist, would you support the PRPA's intent and allow health care providers to police themselves without fear that their findings will be used against them in a subsequent malpractice case?

Although I do not believe that directly responding to this question would affect my ability to be objective with regard to any issue or show prejudice for or against any parties that may come before the court the possibility exists that the answer to this question may invite a request for recusal under the Rules of Judicial conduct.

13. Has your campaign committee received any campaign contributions from any political action committee (PAC), PAC Board, or other entity affiliated with Pennsylvania's plaintiffs' lawyer community, including but not limited to:
- a. LawPac, Fund for Change, the Committee for a Better Tomorrow, Pennsylvanians for the Disabled, Fairness PA, or PA Alliance Action?  
  
No.
  - b. If your answer is "Yes", please list the PAC(s).  
  
Not applicable.
  - c. Is your campaign planning on soliciting or accepting any funding from PACs listed in (a) between now and Election Day in November?

Under the judicial canons I cannot solicit donations and I do not intend on violating these rules. To the best of my knowledge, my campaign team has not solicited donations from the above mentioned entities

14. Should appellate court judges be appointed or elected in Pennsylvania?
- a. If you believe they should be appointed, what system should be implemented to accomplish this?
  - b. If you believe they should be elected, do you prefer the current state-wide election system or a system that would divide the Commonwealth into judicial districts?

I do not believe it is appropriate for a judicial candidate to opine on this, as it is a matter in the purview of the legislature.

15. Please identify any endorsements your campaign has received.

I am pleased to be “Recommended” by the Pennsylvania Bar Association’s Judicial Evaluation Commission. In issuing its rating of my candidacy, the Judicial Evaluation Commission stated the following:

*“The candidate’s legal experience includes 19 years devoted to criminal and civil litigation practice. From 2002 through 2008, the candidate served as an assistant district attorney in Chester County and, thereafter, served for nearly four years as a supervisory district attorney in that office. Her responsibilities ranged from handling and overseeing all aspects of pre-trial criminal practice to trying cases as a line prosecutor. Before serving most recently as a Pennsylvania deputy attorney general with the Civil and Criminal Litigation Divisions of that office, the candidate served for three years as general legal counsel to West Chester University advising and representing the university on a variety of topics, including regulatory compliance, contract and arbitration matters. The candidate serves her community by supporting organizations that serve women and persons experiencing food and shelter insecurities. The candidate provided well-written samples of her work, and she is very well regarded by her peers being described as well-prepared, open and honest, and collegial. For these reasons, the commission recommends her candidacy for the Superior Court of Pennsylvania.”*

I am currently in the process of seeking the endorsement of a number of organization and as a result, a number of endorsements are still pending at this time. However, at this time I am pleased to also be endorsed by the Republican Party of Pennsylvania, Pennsylvania State Trooper Association (PSTA), the Pennsylvania Pro-Life Federation, and Firearm Owners Against Crime.