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Should Pennsylvania Have a Constitutional Convention?

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This program has been approved by the Pennsylvania Continuing Legal Education Board for 2.5 hours of CLE credit in substantive law.



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Pa. General Assembly
Pa. Bar Association Constitutional Review
Commission



Hon. Dick L. Thornburgh
K&L Gates, Washington
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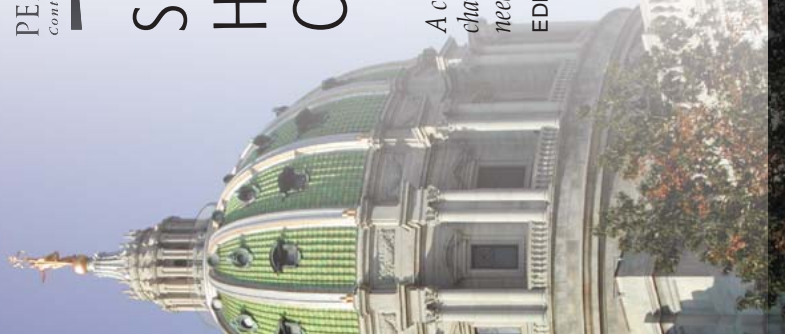


PENNSYLVANIA BAR INSTITUTE
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Should Pennsylvania Have a Constitutional Convention?

A constitutional convention is the best hope for significant change in Harrisburg. One catch, though - the legislature needs to approve the needed changes.

EDITORIAL, PHILADELPHIA INQUIRER, MAY 26, 2009





Calls for a constitutional convention in Pennsylvania are coming from the Governor, legislators, and various media and civic organizations. Subjects proposed for amendment include the budget process, merit selection of judges, redistricting, term limits, and governance generally, among others.

The Pennsylvania Constitution may be amended by the legislature or by constitutional convention, in either case with ratification by the public. The most recent large scale amendments were adopted by the convention process in 1967-68. Few lawyers can recall that convention, and there is little familiarity with that procedure for changing the constitution.

This CLE program will examine two topics:

- ▶ First, procedures for changing the state constitution, the pertinent judicial precedents, and the organization of a constitutional convention.
- ▶ Second, the panel will discuss concerns that a constitutional convention would be an invitation to mischief from special interest groups.

Program Sponsors:

- ▶ Jewish Social Policy Action Network
- ▶ Committee of Seventy
- ▶ League of Women Voters of Pennsylvania
- ▶ Pennsylvanians for Modern Courts

Dates & Locations ▶ 9:00 am to 11:30 pm; check-in begins at 8:30 am

<p>Philadelphia Tues., Sept. 21, 2010 The CLE Conference Center Wanamaker Building, 10th Fl. Suite 1010, Juniper St. entrance</p>	<p>Harrisburg Tues., Sept. 21, 2010 Pennsylvania Judicial Center En Banc Courtroom 601 Commonwealth Ave.</p>	<p>Pittsburgh Tues., Sept. 21, 2010 PBI Professional Development Conference Ctr. Heinz 57 Center 339 Sixth Ave., 7th Floor</p>
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The last time the state took a comprehensive look at its constitution, Ulysses Grant was in the White House, Queen Victoria reigned in Britain, the notorious 'Boss Tweed' was going on trial for corruption in New York, and the Wright Brothers' first flight was still three decades in the future. In short, Pennsylvania's constitution is a legal fossil ...

DR. G. TERRY MADONNA AND DR. MICHAEL YOUNG (FRANKLIN & MARSHALL 2007).

A constitutional convention is one of the rarest political events in Pennsylvania, with just three over the last 220 years. ... However, pro or con, a convention can be high risk if not properly planned or when strong leadership is lacking.

CITIZENS' GUIDE TO A MODERN CONSTITUTIONAL CONVENTION, KERRY MOYER, PH.D. AND MARK PODVIA, J.D. (2009).

The real question is, who would the delegates to a new constitutional convention be? The small business owner from Waymart, the farmer in Orson, the fireman from Honesdale? Or will it be a room full of lawyers and academics? What provisions will be overturned by an activist court? What about unforeseen consequences.

WAYNE INDEPENDENT, FEBRUARY 22, 2010.

Voters need to ask every legislative and state office candidate whether they would support a constitutional convention. If not, then what is the candidate's plan for reform?

EDITORIAL, HARRISBURG PATRIOT-NEWS, SUNDAY, DECEMBER 20, 2009.

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