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In PA, it's easier to become a judge than a cosmetologist

GARY JOSEPH WILSON, *PA INDEPENDENT*

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HARRISBURG — You need a law degree to practice law in Pennsylvania – that is, unless you're a judge.

In Pennsylvania that pesky law degree isn't needed for more than 500 judicial offices. Judges in several lower courts, including magisterial district judges and the soon-to-be-former Philadelphia Traffic Court, are not required to have law degrees.

The Pennsylvania Code proclaims ["limiting the practice of law to members of the bar protects the public against rendition of legal services by unqualified persons."](#) But that's just for lawyers. It doesn't apply to all judges.

Eric Epstein, a political activist with Rock the Capital, said it's crucial for district judges to receive education and training to prevent debacle that was the Philadelphia Traffic Court.

In January, [the feds indicted nine current and former judges of the Philadelphia Traffic Court—nearly enough people to field a prison softball team — on various corruption charges related to ticket-fixing.](#)

Three of those judges, Fortunato Perri Sr., H. Warren Hogeland and Kenneth Miller pleaded guilty. The other six entered not-guilty pleas and will be fighting the charges.

"It's important to make sure the referee is just as qualified as the combatants," Epstein said, referring to a judge's central role in dealing with well-educated and crafty lawyers, "because we're asking them to deal with important things."

Non-lawyer judges [have to complete a four-week training course](#), unlike lawyers who must complete four years of college, get a degree and then get through law school before taking the bar exam and winning a law license.

Penn State law professor and former federal judge Samuel Buford told PA Independent, "It'd be better" for judges to be lawyers because "if there are (legal) defenses, these judges have no training on how to evaluate" the validity of the defenses.

In addition, Buford said professional responsibility courses taught at all law schools "has made a substantial impact on the ethics of lawyers."

Non-lawyer judges have several responsibilities, including hearing non-jury criminal and civil cases, handling preliminary hearings and setting bail in the vast majority of criminal cases.

Information about the total number of judges without law degrees was not available from the Unified Judicial System online database. Searches with the Pennsylvania Bar Association in three counties showed 35 judges in Allegheny County, 13 judges in Chester County and 16 judges in Delaware County lack law degrees.

Training for non-lawyer judges is relatively simple: A four-week training course that meets five times a week for eight hours a day and ends with a final examination. Assuming a daily one-hour break, this works out to about 140 hours of instruction, not including study time or exam prep.

For comparison, getting a cosmetology license in Pennsylvania requires 1,250 hours of instruction. A license for a natural hair braider requires 300 hours of instruction. A licensed nail technician studies for 200 hours.

One recent attempt to require judges to have more education went nowhere.

State Rep. Michael McGeehan, D-Philadelphia, argued that real reform would come only from requiring district judges to have law degrees. It would boost their training and make them accountable to the state bar, he recently said on the House floor during debate over two bills to eliminate the Philadelphia Traffic Court.

It's not like there aren't enough lawyers in Pennsylvania. The state has seven law schools with more than 4,000 students enrolled. And, Buford said there is a "substantial supply of unemployed and underemployed lawyers" in the state.

Proponents of non-attorney judges wrap themselves in the fact the U.S. Constitution does not require members of the U.S. Supreme Court to hold law degrees. In 1941, Robert H. Jackson was the last justice to be appointed to the court without one.

Contact Gary Joseph Wilson at gary@paindependent.com