

Parents' Rights and Children's Futures Depend on Fair Judges



Supreme Court Justice Kevin Dougherty is on the ballot Tuesday, Nov 4.

Justice Dougherty's decisions on the state Supreme Court directly impact the lives of children.

Protecting Parent's Rights

Can both partners in a same-sex couple be legal parents when they bring a child into the world together through medical intervention? This matters because children need love and support from both parents, no matter if the parents are the same sex or if one is not the biological parent.

Justice Dougherty decided that if partners bring a child into the world using medical intervention, each has full parental rights, even if only one is biologically related.



In his own words: ““Parents who conceive using assisted reproduction show their stability and dedication to a child by going through a more rigorous, time-consuming, and expensive process to conceive a child than many parents who conceive through sexual intercourse.... The biological parent cannot reasonably expect to have sole parental rights when she and her partner plan to conceive and co-parent a child, and work together to bring that child into the world using ART.”

Citation: Glover v. Junior, 333 A.3d 323, 351 (Pa. 2025)

Free Speech in Schools

Can a student be jailed for making disturbing comments? This matters because schools must stay safe, but not every alarming comment should be treated as a crime.

Justice Dougherty ruled that while schools are well-within their rights to expel students for making disturbing statements, it is unlawful for the government to charge a student with a crime for their speech.

In his own words: “...there is a fine line between protected speech and speech that legitimately may be regulated, and courts have an unyielding duty to jealously guard the essential protections guaranteed by the First Amendment. Without question, the government is authorized to prosecute true threats — including in close-call cases like this one. However, when it pursues that extreme step, it must be prepared to present significantly more evidence than it did here.”

Citation: Int. of J.J.M., 670 Pa. 274, 265 A.3d 246 (2021)



Protecting Children from Abuse



Do children without citizenship status qualify for Special Immigrant Juvenile protection if the parent in their home country has a history of abuse — even though they live with a non-abusive parents in the U.S.? This matters because children that flee abuse from a parent to the United States may still need protection even if they are living safely with the non-abusive parent.

Justice Dougherty ruled that a child under the care of a non-abusive parent in the U.S. can qualify for Special Immigrant Juvenile status if returning to the home country and abusive parent would harm the child.

In his own words: “The operative question is not whether immigration to the United States is in Children’s best interest, but rather whether... reunification with Father is not viable due to abuse, neglect, abandonment, or a similar basis under state law, and that a return to Guatemala is not in Children’s best interest.”

Citation: Velasquez v. Miranda, 321 A.3d 876, 905–06 (Pa. 2024)

Regulating Shooting Ranges

Can towns stop people from having at-home gun ranges? This matters because families want safe neighborhoods, and gunfire near homes and schools can put kids at risk.

Justice Dougherty decided that while the U.S. Constitution protects owning and using guns, towns can set rules about where shooting ranges are allowed.

In his words: *“Our Nation is gripped by a level of deadly gun violence our founders never could have conceived, and, respectfully, some of the Court's actions in recent years have done little to quell the legitimate fears of the people. We hold the Second Amendment's plain text covers [the] conduct...which permits the confiscation of lawfully owned arms. Nonetheless, we further hold the government has met its burden to justify the discharge ordinance's shooting range exception by showing it is consistent with the Nation's historical tradition of firearm regulation.*

Citation: *Barris v. Stroud Twp.*, 310 A.3d 175 (Pa. 2024)



Safe Streets



Should a city be held responsible when unsafe streets cause injuries? This matters because families count on safe streets every day. If cities could avoid responsibility, damaged roads and sidewalks would continue to put children at risk.

Justice Dougherty ruled that cities cannot use legal waivers to escape responsibility for dangerous conditions. Cities must always keep public streets safe.

In his own words: *“There is a well-defined public interest in the maintenance and safe repair of dangerous conditions existing on government-owned streets, and the municipal*

owners are thus charged with a duty of public service to perform such maintenance and repairs as a matter of necessity to members of the public.”

Citation: *Degliomini v. ESM Prods., Inc.*, 666 Pa. 559, 589, 253 A.3d 226, 244 (2021)

Protecting Citizens' Right to Fight for Clean Air and Water

Should community groups be allowed to take legal action to stop harmful pollution? This matters because pollution puts kids at risk. Families depend on clean air and water to stay healthy.

Justice Dougherty ruled that environmental groups have the right to join lawsuits and defend rules that cut pollution from power plants.

In his own words: *"Nonprofits' significant evidentiary presentation demonstrating environmental, health, and quality-of-life harms to their individual members established such an interest."*



Citation: Shirley v. Pennsylvania Legislative Reference Bureau, 318 A.3d 832, 857 (Pa. 2024)

Make Your Plan to vote on November 4th.

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Step 2: Share this judicial election guide with friends and family before you vote.

Step 3: Cast a ballot — either in person or by-mail — in this important election!

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