

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



Judge Stella Tsai, Candidate for Commonwealth Court, is on the ballot Tuesday, Nov 4.

Children First Action Fund invited all Commonwealth Court candidates and retention judge to sit for an interview with a panel of advocates, lawyers, and parents. Excerpts from our conversation with Judge Stella Tsai are below.

What role does Commonwealth Court play in the lives in children?

Almost [every issue that comes before the court] touches children. I do think in the past few years...there are very important decisions that have come down through the Supreme Court, through Commonwealth Court — particularly around education and the enforcement of the constitutional promise that the legislature is supposed to provide a thorough and efficient education.

There are other things too [that impact children]... We have the Environmental Rights Amendment which protects our resources and things for posterity... Decisions we make will last for generations, which is why it's so important [judges] make the right call.



Why are you running for Commonwealth Court?

I really care about [the Commonwealth Court].

I care very much about voting rights and free and fair elections. My parents came from Taiwan at a time that the country was controlled by a really repressive regime....My uncle Ted, when he arrived [to North America], he had been incarcerated for 18 years for promoting and producing plays that were critical of the government.



I remember being a child being told to shut up and be quiet because they were afraid what we were talking about was going to be reported to the authorities by the neighbors. Coming from that environment...you realize what we have here and how important it is.

I know we stand on the shoulders of some of the other people, like my parents would not be here but for Voting Rights Act...

It was so important for me to run [to protect our democratic values]. This is an opportunity of a lifetime.

How would you go about ensuring the interests of children are protected by the decisions of the Court?



In the Commonwealth Court...we certainly have to focus on the best interest of the child. When we're on panels and dealing with these issues, we have to engage with...other judges and make sure that our perspectives are shared.

I think that the more we talk with other judges about how to make these decisions... we remind each other that we have to keep our interests focused on the interests of the child.

Beyond the education clause, are there particular aspects of the PA Constitution you think really speak to kids?



I'd say one thing that we do have that the U.S. Constitution does not have is the Equal Rights Amendment. And I say... maybe to talk about from a broader perspective about gender equality in terms of healthcare, reproductive rights....It was unused before because it was dormant, but it has been revived. And I think that that's really kind of exciting. But [it is] probably one of my reasons why I think some people are looking at this race very critically...it's important.

Please share any legal articles, books or other items you've published that examine how the law can or should be practiced ensuring the interests of children are protected or advanced.

I believe in holistic admission for schools. I wrote an article about admissions...and the pressures on children to get into certain specific schools and how test scores don't necessarily correspond to somebody's capacity.

I never got that pressure to go to a certain [school]. I know there are a lot of kids who are really hurting because either they don't get in or they had to fight with each other. There are so many schools out there, so many great opportunities. And I know some people who are the most successful, did not go to an Ivy League.

Can you give an experience from your professional or personal life where you advocated for the interests of children?

I was on the board of the Women's Law Project... and we would pitch in on amicus briefs. And there was one that was particularly important to me.

There was woman, a girl had been raped in the parking lot of the Phillies stadium... It was civil case, and the judge allowed the consent defense to be used.

I thought it was very important to make sure that we got a good brief in there. The issue about brain science existed even then... kids can't give informed consent until later in life.

I love to write and put my writing skills to use...The Supreme Court aligned with my thinking and ended up finding that it was not an appropriate defense.



What award are you most proud of?



...the One Love award — it came from the Cambodian community. In the first Obama administration, there were a lot of issues around deportation of... people who came in as kids who suffered the trauma of the war in Cambodia, of “the killing fields.” I was able to help the community engage with the District Attorney's Office... to make sure they had an interface.

...Nobody wants people to get deported when they don't deserve to be deported, especially with things that happened 30 years ago... that work, which I'm proud of... is certainly the work of the people, the community... I'm very proud of that... it was very gratifying that I could use whatever connections I had to make their lives better. And that really was one that means a lot to me.

Make Your Plan to vote on November 4th.

Step 1: Visit our voting center to find your polling place, request a mail-in ballot, and more!

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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Background: Judicial Candidate Judge Stella Tsai

Current Role: Judge in Philadelphia Court of Common Pleas — Orphans' Court

Judicial Experience: Court of Common Pleas — Criminal, Civil, Orphans' Court, and Family Court Divisions

Volunteer Experience (past five years)

First Presbyterian Church of Philadelphia: Elder/Worship Committee/Personnel Committee
Judicial Council of the National Bar Association, Clifford Scott Green Chapter: Treasurer
Growing Judges & Carpe Diem (civics education for Juvenile Justice Center)
Pennsylvanians for Modern Courts: civics education instructor
Philadelphia Bar Association: mock trial judge
Penn Law Carey Law School: mock trial judge
Temple Law School: mock trial judge

Speaking Engagements (past five years)

Pennsylvania Bar Association
Philadelphia Bar Association
Pennsylvania Conference of State Trial Judges
Dickinson Law Review (Symposium on Women in the Judiciary)
Penn Law Inn of Court
U.S.D.C. E.D. of Pa.
U.S.D.C. D. of NJ.

Teaching Experience: Judge Tsai has taught Remedies & Litigation Strategy at the University of Pennsylvania Carey Law School.

Awards for Service or Accomplishments

Women Making a Difference: Hon. Blondell Reynolds Brown
Best Lawyers Under 40: National Asian Pacific American Bar Association
Super Lawyers of PA: Super Lawyers
Women of Distinction: Philadelphia Business Journal
Community Service Award - Civil Rights Advocacy: the Hon. Cherelle Parker, Urban Affairs Coalition
Penn Law Alumni Award of Merit: Penn Law
Sean Peretta Award: Philadelphia Bar Association
One Love Award: One Love Movement
Outstanding Scholar of the Year: Schreyer Honors of College of PSU
Community Champions of Zoning Reform: Phila. Association of Community Development Corps.
Diversity Attorney of the Year: The Legal Intelligencer
Most Powerful and Influential Women of the Year: Pennsylvania Diversity Council
Attorney of the Year: Asian Pacific American Bar Association of Pennsylvania
Howard Lesnick Pro Bono Award: Penn Law School Alumni Society
2017 Asian-Pacific American Heritage Celebration Honoree - 6 ABC WPVI
2022 Golden Crowbar Award: Pennsylvania Conference of State Trial Judges
Sandra Day O'Connor Award: Philadelphia Bar Association, Women in the Profession Committee.