



## JUDICIAL COMMITTEE

### 2025 QUESTIONNAIRE FOR JUDICIAL CANDIDATES

Candidate's Name: Emily Mosco Merski

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1. Why are you seeking the position of Judge of the Court of Common Pleas?

I am running for judge because I believe that my diverse legal background, deep commitment to justice, and dedication to serving my community uniquely position me to be an effective member of the bench. Throughout my career, I have gained extensive experience across many areas of law, from criminal defense and civil litigation to family law and juvenile matters. This broad perspective has given me a well-rounded understanding of the legal system and its impact on lives and families.

As a public defender, I've had the privilege of advocating for individuals who are often marginalized and voiceless. I've seen firsthand the impact the justice system can have on people's lives, and I deeply understand the long-lasting consequences those experiences carry. This work has equipped me with essential qualities that are critical for the bench. Through the experiences of my clients, I know how important it is to listen attentively, grasp the complexities behind each case, and make decisions that are not only legally sound but also fair and compassionate. My commitment is driven by the desire to ensure that everyone who enters the courtroom is treated with fairness, dignity, and respect.

As a Judge in the Erie County Court of Common Pleas, I want to serve the community as a judge who not only upholds the law but also understands the needs of the people I serve. I am running for judge because I am passionate about making a positive difference in our community, ensuring that justice is accessible to all, and providing fair, thoughtful decisions that will have lasting, positive impacts.

2. Being careful to maintain client confidentiality as embodied in the Rule 1.6 of the Rules of Professional Conduct, describe the general character of your law practice, including areas of concentration and the most significant achievements of your legal career. Explain how your practice has prepared you for the position of Judge of the Court of Common Pleas.

After graduating from Penn State Dickinson School of Law, I returned to Erie to begin my legal career at the Knox Law Firm, where I joined the civil litigation group. As a litigation associate, I built a strong

foundation in legal research and writing, while gaining early experience in the courtroom. When I joined Vendetti & Vendetti, I have had the opportunity to broaden my practice and work across a wide range of legal areas. This diverse exposure has allowed me to take on numerous cases and hone my skills in multiple areas of the law.

In my practice, I have had the privilege of practicing in a wide range of legal areas, from civil litigation to criminal defense, family law, and representing victims of domestic violence. This diversity gives me, not only, a well-rounded understanding of the law, but has also allowed me to learn how to approach each case with the unique perspective necessary to make informed, fair decisions that is an essential quality on the bench.

My experience ranges from advocating for individuals in divorce and custody disputes to handling juvenile delinquency and dependency cases, which has provided me with a strong foundation in family law. Additionally, my work in representing clients in PFA court has given me a unique understanding of the intersection between legal and emotional needs in cases of domestic violence.

Most significantly, my service as a public defender has shaped my ability to understand and advocate for those who often lack the resources to navigate the legal system. Representing indigent clients has given me a understanding of the needs of our community and a commitment to ensuring that all individuals, regardless of background or financial means, receive fair and just treatment under the law. I believe this experience is invaluable in a judicial role, where impartiality, fairness, and the ability to see the humanity in people are essential.

In my appellate practice, I have written and argued more than 300 appeals, with several resulting in published opinions, some of which have set important legal precedents. Currently, I serve on the faculty of the Public Defender Association of Pennsylvania (PDAP), where I am recognized as the statewide appellate expert. Additionally, I have contributed to the Pennsylvania Association of Criminal Defense Lawyers (PACDL) magazine, further sharing my expertise in the field.

While I take great pride in my personal achievements, what truly matters most to me is the care and dedication I have consistently shown for my clients throughout my 13 years as a public defender and indigent defense attorney. This role has allowed me to meet people where they are, connect with individuals from diverse backgrounds, and gain a deep understanding of the unique struggles and significant challenges faced by those in our community.

Guiding individuals through the legal system has given me an understanding of what it means to be fair, impartial, and empathetic to those facing difficult personal circumstances. It has taught me the critical importance of listening—not just to the facts of a case, but to the underlying human experiences that shape those facts. Above all, it has demonstrated that a single decision can have life-altering consequences, highlighting the immense responsibility judges carry in shaping the futures of those they serve.

3. With respect to the last ten years:

- a) Did you appear in court regularly, occasionally, or not at all? If the frequency of your appearances in court has varied during this period, describe each such variance, giving the dates thereof:

Since the beginning of my legal career, I have regularly appeared in court, handling a wide range of legal matters. Since 2012, I have been in court almost daily, addressing cases in civil, criminal, family, and juvenile law. My practice has spanned across Western Pennsylvania, including Erie, Crawford, Mercer, Potter, Venango, and Allegheny Counties. Additionally, I have argued before every appellate court in Pennsylvania.

b) What percentage of these appearances was in:

1. Federal courts: Approximately 1%
2. State courts of record: Approximately 90%
3. Other courts: Approximately 9%

c) What percentage of your litigation was:

1. Civil: Approximately 40%
2. Criminal: Approximately 60%

d) State the number of cases in courts of record you tried to verdict or judgment (rather than settled), indicating whether you were sole counsel, chief counsel or associate counsel:

My trial experience spans both Erie and Crawford Counties. I have served as the primary counsel in approximately 10 criminal jury trials and 10 to 15 criminal non-jury trials, all of which I took to verdict. In addition, I have been the associate counsel in approximately 5-7 trials, both jury and non-jury, including one homicide case. Early in my career, I was assigned to be associate counsel and trained by more experienced attorneys, and later, as associate counsel, I have mentored less experienced attorneys.

e) What percentage of these trials were:

1. Jury: Approximately 10-15
2. Non-jury: Approximately 10-15

f) Describe other areas of practice:

The diversity of my legal practice has given me experience in several areas of the law. Outside of my trial practice, a significant portion of my practice has focused on post-sentence matters, appeals, and PCRA's. Since 2012, I have written and argued over 300 appeals before all appellate courts in Pennsylvania. More than 20% of my appellate cases have been published in Superior Court Opinions, with several setting precedent in Pennsylvania case law. The Public Defender Association of Pennsylvania (PDAP) recognizes me as an appellate expert, and I am responsible for statewide appellate training and professional development.

Since 2016, I have volunteered as legal counsel for Erie County's voter protection efforts, working to ensure every voter's right to access and cast their ballot on Election Day. During the 2024 election, I served as co-chief counsel, overseeing legal matters related to voter access and election integrity.

From 2016 to 2023, I served as a Guardian *ad Litem* and later as a parent's attorney for Erie County. In this role, I worked closely with the Erie County Office of Children and Youth to attempt to reunify children with their families who had been separated due to issues such as parental neglect, mental health challenges, substance abuse, incarceration, and other factors.

In 2024, I began working as an attorney for SafeNet Erie representing victims of domestic violence in obtaining Protection From Abuse Orders from their abusers.

4. If a good amount of your practice has been before administrative boards, commissions or agencies during the past five years, identify the boards, commissions or agencies before which you have practiced and estimate percentages of practice time devoted thereto.

In my solo practice, I have represented clients before administrative boards in insurance defense disputes and settlement matters. Additionally, as a public defender, I have advocated for clients before the State Parole Board, handling state parole revocations and other hearings. I have also represented clients in mental health hearings, specifically in involuntary commitment proceedings, ensuring their rights are protected throughout the process. These diverse experiences have allowed me to navigate a range of legal issues and advocate effectively for individuals in complex, high-stakes situations.

5. Do you have experience with ADR? If so, give details.

I have gained extensive experience in various forms of alternative dispute resolution. For many years, Vendetti & Vendetti held a contract with the State Workers' Insurance Fund (SWIF), where mediation played a key role in the workers' compensation process. During this time, I participated in over 50 mediations bringing several cases to resolution in that manner.

I have also appeared before the arbitration panel for landlord/tenant issues and before the custody conciliator in both Erie and Crawford Counties for family law matters.

6. Which judges or justices do you most admire and why?

Without question, the jurist I admire most is the late Justice Ruth Bader Ginsburg. In studying her life and career, both as an advocate and as a jurist, she has been an incredible inspiration to the next generation of legal professionals. Beyond her unwavering commitment to justice and the rule of law, what I admire most about Justice Ginsburg was her exceptional ability to listen, understand, and foster unity on the High Court, transcending political divides in order to achieve decisions that served the greater good of the United States. Her courtroom demeanor and judicial temperament demonstrated that listening and understanding often leads to more powerful outcomes.

In my experience, I have had the privilege of appearing before judges at both the trial and appellate levels, whose wisdom, intelligence, and ability to recognize humanity in people have greatly inspired me. These judges have shown remarkable skill in helping individuals navigate some of the most challenging and stressful times of their lives.

I believe the most significant role a judge plays in any case is that of the "what happens next" person. When I decided to become a lawyer, particularly an indigent defense attorney, part of my motivation was the opportunity to help others and make a positive impact on their lives. A judge has the ability to be immediately impactful, guiding individuals through the next steps in a way that serves their best interests. Whether the matter is criminal, juvenile, civil, or family law-related, a judge's involvement in the "what happens next" process allows them to play a crucial role in helping individuals move forward.

I believe I possess the qualities, character, and temperament necessary to serve effectively in the vital role of a judge. If elected as the next addition to the Erie County bench, I would be honored to work alongside our sitting judges to serve the community with integrity and compassion.

7. Have you ever been engaged in any occupation, business or profession other than the practice of law or the holding of judicial or other public office? If so, give details, including dates:

In 2012, I began lecturing as an adjunct professor of law at Mercyhurst University, a role I held until 2017. During my time as a professor, I consistently received above-average student and peer reviews for my work and dedication to student success.

Additionally, I currently lecture on a statewide level for the Public Defender Association of Pennsylvania (PDAP), where I facilitate and lecture on topics relevant to appellate attorneys.

8. Describe your involvement in community activities.

At the core of my family's values has always been the importance of giving back to the community that has given so much to us. I am deeply passionate about serving the members of our community, and it is for this reason that I hold community involvement and service in the highest regard, second only to my professional work.

Presently, I serve as a director and member of the executive committee for Erie Homes for Children and Adults (ECHA) (2023-present), I am a trustee for the Mercy Center for Women Board of Trustees (2019 to present), a director for the Mercyhurst University Institute for Arts and Culture (MIAC) (2014-present), a director and immediate past president for the Mercyhurst University Alumni Board of Directors (2011-present), and a trustee and past vice president for the Mercy Center of the Arts(2012-2017, 2020-present).

In the past, I have served as an *ex officio* trustee on the Mercyhurst University Board of Trustees (2020-2024), a director on the Mercyhurst Prep Board of Governors (2013-2019), the Chairperson for the Perry Square Alliance Erie Downtown Partnership (2013-2014), a director on the Young Erie Professionals Board of Directors (2011-2014), a committee person for the Inner City Neighborhood Art House Development Committee (2013-2019), and a chairperson and host for SafeNet Erie's Big Backyard Party (2015).

9. What do you consider a significant achievement in your life outside your profession? Describe it.

Certainly, my most significant achievement outside of my profession, is being the mother of my two children, Robert (10) and Marielle (4). The life of a lawyer, full-time working mother, and dedicated community advocate can be hectic, and finding a work-life balance is not always easy. However, as the daughter of a woman who balanced a successful career with a strong commitment to community service, I had an excellent role model for what a strong, capable woman looks like in both her career and her personal life.

As a mother, I believe it is my responsibility not only to raise my children but to teach them the value of hard work and commitment. I strive to show them the importance of being dedicated to one's family and career, instilling in them the understanding that both can coexist, and each is an integral part of a fulfilling life.

10. Do any circumstances exist that would adversely affect your ability to perform the function of a Judge of the Court of Common Pleas or be able to fulfill your term of office? If so, please explain:

No.

11. Describe your involvement in Erie County Bar Association activities.

I have been an active Erie County Bar Association member since I joined ECBA in 2011. I have recently become more engaged in ECBA's activities, attending meetings and social events for the Women's Division, Young Lawyer's Division and the Criminal Defense Division. I have also enjoyed various CLE presentations, participating as a spectator in the Beer, Bocce and Bites Tournament, attending the Bench/Bar Conference, and the

12. How do you view the current relationship between the Bench and the Bar of Erie County? Do you think it can be improved? What would you do to maintain or improve relations between the Bench and the Bar if elected to the position of Judge of the Court of Common Pleas?

Having worked in several counties across Western Pennsylvania, I can confidently say that the Erie County Bench is by far the most accessible and transparent. The importance of access to the members of the Bench often depends on the type of law you practice and how frequently you appear in the courtroom; however, as an attorney who regularly practices in the Erie County Courthouse, I believe that the accessibility of the judges fosters a sense of community and mutual respect. In contrast, in other counties where I have practiced, judges tend to be far more inaccessible, with limited or no contact with attorneys outside of courtroom interactions. Certainly, there is always room for improvement; and while there is no one-size-fits-all approach, I truly value the relationships I have developed with the our judges.

13. Do you believe it is important for a Judge to remain involved in Erie County Bar Association activities? Please explain:

I firmly believe that it is essential for a judge to remain engaged in ECBA activities for several key reasons. As previously mentioned, Bench/Bar participation helps foster a collegial environment, enabling professionals to build personal relationships outside of the courtroom. Furthermore, judges did not start their careers as judges—they began as attorneys. Maintaining strong Bench/Bar relationships benefits both parties. Attorneys gain valuable access to County Judges outside the courtroom, while judges have the opportunity to see attorneys in a different context, which helps them stay connected to the legal profession and the practice of law.

14. What do you envision to be your continuing role with the Erie County Bar Association should you be elected? Would you attend substantive and social gatherings of that Bar Association?

If elected, I look forward to engaging with the legal community through events like the Bench/Bar Conference and social gatherings. These opportunities will allow me to further build and nurture strong connections with members of the Bar. While I believe it would be inappropriate for a judge to participate in division meetings unless specifically invited, I would gladly accept such invitations to stay connected with my colleagues and to ensure an environment where attorneys feel heard and their concerns addressed.

As a judge, the day-to-day interactions with the profession become more limited. However, I believe that maintaining these connections is essential for staying grounded and understanding the issues attorneys face. This ongoing connection fosters a more informed and responsive judicial approach, ensuring that I am attuned to the needs and concerns of the Bar. It is not enough for a judge to simply know how to interact effectively with those who appear before them; it is equally important to maintain strong relationships with the attorneys themselves.

15. Have you ever been convicted of any misdemeanor or felony, court-martialed, been granted immunity from prosecution, or been the subject of a protection from abuse final order? If so, give details.

No.

16. Have you ever been the subject of formal discipline for a breach of professional ethics or unprofessional conduct?

No.

17. Have you ever been found liable for legal malpractice?

No.

18. In the last 10 years:

a) has a tax lien or other collection proceeding ever been instituted against you by federal, state, or local authorities?

No.

b) has a judgment been entered against you?

No.

c) have you filed personal bankruptcy?

No.

If you answer yes to any of these questions, give details.

19. Are there any other matters, not covered in these questions, that you consider relevant to members of the Erie County Bar Association and to voters evaluating your fitness for the judiciary? If so, describe.


I believe that one of the most essential qualities a judge should possess is the ability to truly listen to all parties involved in a case, making decisions grounded in the law, fairness, and the best interests of the community. Beyond my qualifications and diverse legal practice, I possess the temperament, character and qualities necessary to be the next Judge of the Erie County Court of Common Pleas. As a judge, I am committed to fostering respect, transparency, and accessibility in the courtroom and my goal is to create an environment where everyone feels heard and where the law is applied impartially and consistently.

I also believe that a judge must remain open to learning and growth, both professionally and personally. The law is ever-evolving, and it's crucial for judges to stay informed about changes in legal precedents and issues that affect the community they serve. I have always valued professional development and will continue to seek opportunities to learn, engage, and improve as a judge, not only in the academic sense, but by maintaining and fostering positive relationships with my colleagues in the Bar.

Lastly, I am committed to ensuring that my decisions not only reflect the law but also the humanity of those involved in the judicial process. As an advocate for the past 15 years, particularly an advocate for the indigent population, I recognize the unique needs and challenges of the members of our community and the impact a judge's decisions can have on individuals and families.

Emily M. Merski

Printed Name

A handwritten signature in black ink, appearing to read 'Emily M. Merski', written over a horizontal line.

Candidate's signature

March 10, 2025

Date