

PERSONAL DATA QUESTIONNAIRE

1. Write your full name.

Thomas G. Saylor

2. Date and place of birth:

December 14, 1946
Meyersdale, Pennsylvania

3. Family status:

a) Are you married? If so, state the date of marriage and your spouse's full name, including maiden name, if applicable:

Yes. June 19, 1971; Patricia Ruth (Edgell) Saylor.

b) Since assuming your current judicial position, have you been divorced? If so, state the date, the number of the case and the court:

No

4. Have you had any military service? If so,

a) Provide dates, branch of service, rank of rate, serial number and present status:

No

b) Have you ever been rejected or released from any of the armed services for reasons other than honorable? If so, please provide details:

No

5. List each college and law school you attended, including dates of attendance, and the degrees awarded.

University of Virginia	1965-1969	B.A. with Distinction
Columbia Law School	1969-1972	J.D.
U. Va. School of Law	Summers 2002-2003	LL.M.

By way of further explanation, the LL.M. degree is a Master of Laws in the Judicial Process through the University of Virginia School of Law's Graduate Program for Judges.

6. For the last five years or portion thereof during which you have held judicial office, please indicate:

a) The percentage of your time devoted to:

1. Civil: Approximately 45 percent

2. Criminal: Approximately 45 percent

3. Other:

4. Administrative responsibilities: Approximately 10 percent

b) Please identify ten (10) of the more significant opinions you have rendered and citations thereto if the cases were reported:

Significant majority opinions that I have authored over the past five years include the following ten decisions:

Commonwealth v. Bullock, 913 A.2d 207 (Pa. 2006) (upholding the fetal homicide law against constitutional challenge)

Cooper v. Schoffstall, 905 A.2d 482 (Pa. 2006) (setting the parameters for discovery of tax records from expert witnesses in civil litigation)

Pennsylvania Dep't of General Services v. U.S. Mineral Products Co., 898 A.2d 590 (Pa. 2006) (resolving challenges to a \$90 million verdict arising out of chemical contamination of the former Transportation and Safety Building on the Capitol Campus in Harrisburg)

Department of Public Welfare v. Presbyterian Med. Center of Oakmont, 877 A.2d 419 (Pa. 2005) (bringing to a conclusion a longstanding dispute concerning the jurisdiction of the Board of Claims in the medical assistance reimbursement context)

In re Barnes Foundation, 871 A.2d 792 (Pa. 2005) (addressing the standing of a non-party to appeal a *cy pres* decision concerning a major charitable institution in Pennsylvania)

Pratt v. St. Christopher's Hosp., 866 A.2d 313 (Pa. 2005) (establishing the proper application of the "no impeachment rule" governing the admissibility of post-verdict testimony by jurors)

Commonwealth v. Hughes, 865 A.2d 761 (Pa. 2004) (resolving multiple contested issues in death penalty litigation, including the admissibility of

evidence to rebut a capital defendant's case of mitigation in the penalty phase of trial)

Pioneer Commercial Funding Corp. v. American Financial Mortgage Corp., 855 A.2d 818 (Pa. 2004) (reviewing a civil conversion case that initially yielded a \$200 million punitive damages verdict against a banking institution in the common pleas court)

Commonwealth v. Williams, 832 A.2d 987 (Pa. 2003) (addressing multiple challenges to Pennsylvania's Megan's Law statute)

City of Philadelphia v. Commonwealth, 838 A.2d 566 (Pa. 2003) (invalidating legislation resulting in a state takeover of the Pennsylvania Convention Center as violative of the single subject requirement of Article III §3 of the Pennsylvania Constitution)

A few significant responsive opinions that I have authored over the last five years are:

Commonwealth v. Castillo, 888 A.2d 775, 780-83 (Pa. 2005) (Saylor, J., dissenting) (opposing the implementation of a strict waiver rule under Rule of Appellate Procedure 1925)

Commonwealth v. Schofield, 888 A.2d 771, 775 (Pa. 2005) (Saylor, J., dissenting) (same)

Phillips v. Cricket Lighters, 841 A.2d 1000, 1012-23 (Pa. 2003) (Saylor, J., concurring) (advocating changes to Pennsylvania jurisprudence concerning the application of strict-liability doctrine in design-defect cases)

Motorists Mut. Ins. Co. v. Pinkerton, 830 A.2d 958 (Pa. 2003) (Saylor, J. concurring) (representing the last of a series of cases, beginning with *Nationwide Mut. Ins. Co. v. Wickett*, 763 A.2d 813 (Pa. 2000), in which I took that position that Declaratory Judgment proceedings should not be placed on a separate track for appealability from other civil actions)

Gmerek v. State Ethics Commission, 807 A.2d 812, 822-27 (Pa. 2002) (Saylor, J., opinion in support of reversal) (advancing the position that the 1998 Lobbying Disclosure Act should have been upheld)

Burstein v. Prudential Property and Cas. Ins. Co., 809 A.2d 204, 210-34 (Pa. 2002) (Saylor, J., concurring and dissenting) (discussing incongruities in the

law governing uninsured and underinsured motorist coverage and proposing an alternative conceptual approach)

Finally, in 2003, I authored a law review article in the arena of state constitutional law. See Thomas G. Saylor, *Prophylaxis in Modern State Constitutionalism: New Judicial Federalism and the Acknowledged, Prophylactic Rule*, 59 N.Y.U. ANN. SURV. AM. L. 283 (2003).

7. Are you now an officer or director or otherwise actively engaged in the management of any business enterprise? If so, please provide details, including the name of the business enterprise, the nature of the business, the title or other description of your position, the nature of your duties and the term of your service:

No.

8. Since assuming your current judicial position, have you been arrested, charged with or convicted of violating any federal law or regulation, state law or regulation, or county or municipal law, regulation or ordinance? If so, please provide details. Do not include summary traffic offenses:

In February 2005, I was assessed a civil penalty by the Transportation Security Administration because I attempted to board an airplane at Harrisburg International Airport with a one-and-one-half-inch keychain pocketknife. I paid the civil penalty of \$750 to conclude the matter.

9. Are you under any ongoing federal, state or local investigation for possible violation of a criminal statute? If so, please provide particulars:

No.

10. Since assuming your current judicial position, has a tax lien or other collection procedure been instituted against you by federal, state or local authorities? If so, please provide particulars:

No.

11. Since assuming your current judicial position, have you been a party to or otherwise been involved in any other legal proceedings? If so, please provide particulars. Do not list proceedings in which you were merely a guardian ad litem or stakeholder. Do include all legal proceedings in which you were a party in interest, a material witness, were named as co-conspirator or a co-respondent and any grand jury investigation in which you figured as a subject or in which you appeared as a witness:

During my tenure, I have not been a party to any litigation in my personal capacity. I have been named in my official capacity, along with other Justices and public officials, in various suits filed in federal court, typically by prisoners and other pro se litigants. These matters are handled by the Legal Services Department of the Administrative Office of Pennsylvania Courts, which can provide details if necessary. I do not maintain any independent records concerning these types of matters.

12. Since assuming your current judicial position, have you been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court administrative agency, bar association, disciplinary committee, or other professional group? If so, please provide particulars:

It is my understanding that a complaint was filed with the Judicial Conduct Board by a disbarred attorney concerning the incident at Harrisburg International Airport, and that this complaint was dismissed for lack of merit.

13. If you so desire, please list any honors, prizes, awards or other forms of recognition, which you have received (including any indication of academic distinction in college or law school).

Last year's (2006) Gideon Award from Temple University James E. Beasley School of Law was given in my honor. The Award is described in a University publication as follows:

Named for the landmark case, *Gideon v. Wainwright*, this award is given to a graduating student who will be working for the Defender Association of Philadelphia and who exhibits overall academic achievement. This year's award is in honor of the Honorable Thomas G. Saylor for adhering to the principle that the constitutional rights of all persons accused of crime should be respected and for achieving in his opinions a sensitive balance between the Bill of Rights and laws enacted by legislatures.

In 2002, I received an honorary Doctor of Laws degree from the Widener University School of Law.

14. In the space provided below, if desired, please provide any additional comments concerning your retention candidacy.

I came to the Court in 1998, as it was emerging from a controversial period in which a Justice had been impeached. There was already an ongoing, concerted effort to improve the Court's reputation. Since the lead role in many of the Court's administrative responsibilities resided in the Office of the Chief Justice,

as a Junior Justice, I thought that the Court's written opinions presented a good opportunity for me to contribute toward improvement.

I believe that the Supreme Court has made substantial progress with improving the quality of its opinions throughout my tenure. Although certainly not all of the opinions that I have authored have been unanimous, I believe that my majority opinions have generated a substantial amount of consensus, and, indeed, a number have settled areas of the law in which the Court was previously unable to achieve consensus. See, e.g., *Pratt v. St. Christopher's Hosp.*, 866 A.2d 313 (Pa. 2005) (establishing the proper application of the "no impeachment rule" governing the admissibility of post-verdict testimony by jurors); *Duchess v. Langston Corp.*, 769 A.2d 1131 (Pa. 2001) (resolving a decisional conflict concerning the admissibility of evidence of subsequent remedial measures in a strict-liability case); *Commonwealth v. Strickler*, 757 A.2d 884 (Pa. 2000) (settling the law of consent searches); *Commonwealth v. Blasioli*, 713 A.2d 1117 (Pa. 1998) (approving, for the first time, the use of core DNA science methodology in criminal proceedings).

As I am transitioning from the role of a Junior Justice to a Senior one, I intend to maintain a steady focus on the opinion work, since I continue to regard this as the core area of the Court's responsibilities.

15. Did you sign the PBA Judicial Campaign Advertising Guidelines? (Please return signed pledge with completed questionnaire.)

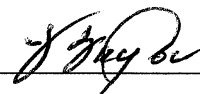
Yes

CERTIFICATION STATEMENT

The undersigned certifies that all of the statements made in this questionnaire are true, complete and correct to the best of his/her knowledge and belief and are made in good faith.

Thomas G. Saylor

Type or print name



Signature

Date

3/19/07