

Quick, Timely Reads
Reading in the Time of Coronavirus

Domitrovich Broke Judicial Glass Ceiling

By: Dr. Judith Lynch
Jefferson Scholar-in-Residence
November 2020

ELECTED WOMEN

Following is the sixth in a series of articles about women elected leaders from Erie County written by Jefferson Scholar-in-Residence Judith Lynch. Jefferson Vice President Ben Spегgen will host an online interview with Dr. Lynch at noon each Wednesday featuring the leaders.

The 1980s had been a hallmark for women elected officials. Judy Lynch had taken office in 1982 as the second Erie County Executive. Joyce Savocchio had gained a seat on City Council in the same election. Also in that same election, Barbara Mack was elected to County Council. In 1984, Tracy Seyfert joined the roster of women elected officials when she was sworn in as a member of County Council. Despite this obvious gain in acceptance of women as elected officials, it was not the 1980s but the specific year, 1989, that would be heralded by the Erie Daily Times as the “year of the women.” One of the women who broke into a men-only universe was Stephanie Domitrovich, who became Erie County’s first elected Judge on the Erie County Court of Common Pleas.

Ed Wellejus, in an editorial in the Erie Daily Times on Wednesday, November 8, after the Tuesday election, indicated in a year of surprise election outcomes that Domitrovich’s election was “the biggest surprise of all.” He pointed out that Domitrovich won narrowly. That was not surprising because she started out as a political unknown. What was surprising is that she had won the election. She cross-filed as a Democratic candidate and a Republican candidate, as judges are allowed to do. Although she won the Democratic Primary against attorney Barry Drew, her opponent in the general election, attorney John Barber, was from a well-known family in Erie and appeared to have the clear edge from the beginning, “yet Domitrovich won. How did she do it?” asked Wellejus:

Well, one factor was an amazingly warm personality. If you met Stephanie, you liked her, and most people felt comfortable with the idea that this warm, engaging woman would be the first woman on the Erie County bench (Wellejus, *Erie Daily Times*, 11/8/1989).

When Domitrovich announced her intention to run for Erie County judge, she was 35 years old and little known. She had been born in Aliquippa, grew up in Rochester, Pennsylvania, a borough in Beaver County, and had moved to Erie after marrying her husband, Ron Susmarski. She became the assistant Erie County solicitor in the Lynch administration and also had her own practice in Millcreek with her husband .

Judge Domitrovich has a long list of credentials she has acquired during her many years in the legal field. She graduated summa cum laude from Carlow University. She earned a Juris Doctorate from the Duquesne University School of Law. She also received a Ph.D. in Judicial Studies from the University of Nevada at Reno. Domitrovich secured three master's degrees, a Master of Judicial Studies in the Trial Judge major at the National Judicial College, a second Master of Judicial Studies in the Juvenile and Family Court Judges major from the University of Nevada at Reno and another masters from the National Council of Juvenile and Family Court Judges. (eriecountypa.gov/elected-officials/judge).

Bozza, Domitrovich win court seats

By BILL MCKINNEY

Morning News staff reporter
Judge John Bozza won confirmation to the bench Tuesday, outdistancing the second winner, Stephanie Domitrovich, now the first woman who will sit as a judge in Erie County.

Bozza, who won a spot on both the Republican and Democratic tickets in the primary election, garnered a total of 60,179 votes — 35,216 as Democrats and 24,963 as Republicans.

Coming in second and winning the second available seat was Stephanie Domitrovich, who narrowly beat out her Republican opponent, John Barber.

Domitrovich garnered 37,471 votes to Barber's 36,799, winning by less than 700 votes countywide.

Bozza's immediate reaction was predictable.

"I'm relieved," he said. "My immediate priority is my family. We've been involved in this for so long. We need time to collect ourselves.

"I want to send a special thank you to my wife, Karen. Also to our three kids, Jennifer, Jessica and Alex. They've been very patient through a difficult, often trying, situation."

See DOMITROVICH on Page 8A



Morning News photo/Rich Forsgren

Stephanie Domitrovich is greeted at her campaign headquarters with flowers Tuesday night by a friend, Edith Blosssey.

Despite her academic prowess, when Domitrovich announced her candidacy for judge in the 1989 election, it appeared more than just a longshot. Few believed there was any way she could win. No woman had even been elected judge and the contenders in the 1989 election were all men, of course, and well known both in legal circles and in the community at large.

Pennsylvania law allows judges to cross-file. This means that judges, regardless of party registration, need not run with any party label and their names appear on both the Democrat and Republican ballots. This encourages the appearance of the nonpolitical nature of the judiciary.

Domitrovich's main opposition on the Democratic ballot was City of Erie attorney Drew. When the candidates were to select their ballot position in the primary, Lu Ann Karns, a staff writer, selected by lot the ballot position for Domitrovich. Karns

drew the first position on both the Republican and Democratic ballots. A police officer then selected the Democratic and Republican ballot positions for Drew. The police officer drew last position on both ballots. Position on the ballot is significant because voters may not hold judicial positions as important as other elected offices and, with many offices and candidates on the ballot, the voter must make a concerted effort to find the name of their candidate.

With her personal style of campaigning and her top ballot position, Domitrovich won the Democratic primary for judge while on the Republican ballot, attorney Barber won. Thus, in the general election, Domitrovich, the Democratic nominee, was opposed by Barber, the Republican nominee. Domitrovich won by less than 700 votes and thereby was elected the first woman to serve as a judge of the Erie County Court of Common Pleas.


Also helpful to the candidacy of Domitrovich was the Democratic Women's Council announcement on October 1, 1989, shortly before the election. The council named Domitrovich and Rhea Weindorf as Democratic Women of the Year. The Erie Times-News, on October 1, 1989, indicated that:

Domitrovich was selected because of her overall contributions and public service to various women's and charitable organizations of Erie County ... and because of her positive influence and accomplishments as a role model for young women in Erie County (*Erie PA., Times-News*, 10/1/89).

Despite her obvious credentials and support among women's groups, Domitrovich had to handle a hard and, at times, contentious campaign. Barber charged that Domitrovich was not qualified for the position of judge. Barber asserted that Domitrovich had not handled sufficiently difficult cases to provide the legal experience to be a judge. Ed Wellejus, Editorial Page editor of the Erie Daily Times and Times-News, wrote in the newspaper's endorsement of Domitrovich:

Domitrovich never panicked in a campaign where her own qualifications became the principal issue. She seemingly never got angry, never lashed out, remaining instead, at least in public, the pleasant engaging woman she had been from the beginning. In the end it proved to be enough to win (Wellejus, *Erie Daily Times*, 11/8/1989).

If he wanted the information all he had to do was ASK!



Stephanie Domitrovich has a public record of legal experience.

- Six years as Assistant County Solicitor
- Six years as educator at Penn State-Behrend
- Counsel for cases on file at the Pennsylvania Supreme Court, Western and Middle District Courts of PA, and the U.S. Supreme Court
- Nine years building private law practice in Millcreek

JAY STUART NEDELL
Attorney at Law
1908 MARKET STREET, SUITE 200
MILLCREEK, PENNSYLVANIA 15206

September 21, 1989

Ms. Stephanie Domitrovich
420 West Lake Road
Erie, Pennsylvania 16505

Dear Stephanie,


This letter is to confirm that you have served as co-counsel with me in a number of cases, both civil and criminal, during the time I was practicing law in Erie Pennsylvania.

An co-counsel in criminal cases, you were most helpful in preparing for preliminary hearings, jury selection, interviewing witnesses, preparing affidavits, and participating in all other phases of these trials.

I always found that you were very professional and your insight always helped me work as hard as you do, and seemed to work for the people who represented. I think you would be a fine addition to the bench in any jurisdiction.

Very truly yours,
Jay S. Nedell

The Team/Walk Chairperson Structure Chart



Stephanie Domitrovich's opponent spent thousands of dollars to hire a private detective ... all he had to do was check the record.

- The MARCH OF DIMES WALKATHON Chairperson Chart lists Stephanie Domitrovich by name.
- Jay S. Nedell says, "as co-counsel in criminal cases ... Stephanie Domitrovich helped prepare for preliminary hearings, jury selection, interviewing witnesses ... and all other phases of these trials."
- The U.S. Supreme Court confirms Stephanie Domitrovich took two cases to their court.

Supreme Court of the United States
OFFICE OF THE CLERK
WASHINGTON, D. C. 20543

October 19, 1989

Ms. Stephanie Domitrovich
420 West Lake Road
Erie, PA 16505

Dear Ms. Domitrovich:

In I enclosed to you on the September 21st meeting, a copy of a letter from the Clerk of the Court, dated September 19, 1989, regarding your application for admission to the bar of the Supreme Court of the United States. The letter also enclosed a copy of the rules of the Court.

You had you been given an admit number. I do confirm that in the case of Stephanie A. Domitrovich, Ms. Domitrovich, your application for admission to the bar of the Supreme Court of the United States is complete. In addition, there is no objection to the rule of admission. Sincerely yours,
William H. Rehnquist

Stephanie Domitrovich

Qualified to be OUR Judge

LEVER 8A Paid for by the Donorship for Judge Committee

Oct. 29, 1989

Domitrovich's election victory was a win for women. Judge Domitrovich, when she was sworn in on January 3, 1990, acknowledged that she had "opened the door for other female judges. ... I'm happy to be a woman, mother and wife, and now a judge" (*Erie Daily Times*, 11/8/1989).



Judge Stephanie Domitrovich

I hope that I have opened the door for other women to become judges. I'd like to see more women on the bench someday. ... Domitrovich said she would encourage other women to get involved in government (*Guerriero, Erie Morning News*, 1/3/1990).

Since Judge Stephanie Domitrovich's initial election in 1989, two other women have been elected judge of the Erie County Court of Common Pleas. The judiciary was no longer a men's club.

Domitrovich, who was assigned to family court by President Judge Jess Jiuliante, said her top priority would be children in the cases that come before her (Guerriero, *Erie Morning News*, 1/3/90). Judge Domitrovich has now served 30 years on the court. She won her elections for retention for another 10-year term in 1999, 2009, and again in 2019.

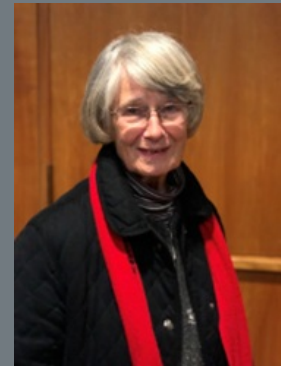
Despite her warm distinctive manner and numerous credentials, Domitrovich's tenure on the bench has been mired in controversy. In February 2020, Erie County President Judge John J. Trucilla issued an 84-page opinion admonishing Domitrovich for handling petitions brought before the court by her son, an attorney for Lake Erie College of Osteopathic Medicine (LECOM). This opinion was immediately appealed by Domitrovich. At issue was the signature of Domitrovich on more than a dozen petitions from her son acting as an attorney for LECOM. For the most part, these petitions requested the appointment of individuals as police officers for LECOM. This is necessary because the police have the right to arrest citizens, carry arms, and use lethal force if necessary. Judge Trucilla, in his opinion, indicated that Domitrovich's conduct had created an appearance of agency relationship with LECOM. The opinion has been appealed to Commonwealth Court (*Erie Times-News*, 2/27/2020).

No matter what the final decision of the Commonwealth Court is, Stephanie Domitrovich has helped pave a pathway for women into elected office.

Sources: Erie Daily Times, Erie Times News,

ABOUT THE AUTHOR

Judy Lynch, Ph.D., is a Scholar in Residence at the Jefferson Educational Society. She was named the Jefferson's Decadean Scholar in 2018. She continues to serve on the Jefferson's Board of Trustees and was its first chairwoman. From 2004 to 2017, she served as Associate Professor of Political Science and History at Mercyhurst University. From 2002 to 2004, Dr. Lynch taught at Allegheny College and was part of the Civic Engagement Institute. Prior, she worked as an analyst for the CIA and served for 20 years as Erie County Executive. She received her Doctorate With Distinction in Political Science in 2001 from the University of Pittsburgh and her M.A. in Social Studies from Gannon University. Her undergraduate degree, a B.A. in History and Political Science, is from George Washington University.



In Case You Missed It

[William Butler Yeats: 'The Second Coming'](#) written by Jefferson Scholar-in-Residence, Dr. Andrew Roth.

[Cascade Creek Restoration](#) written by prolific author, historian, and Jefferson presenter, Dr. David Frew.

[More Barriers Tumbled as Savocchio Became Erie Mayor](#) written by

