



**2021 Pennsylvania Family Council  
Voter Guide Questionnaire for Judicial Candidates  
Reply Requested by March 31, 2021**

Candidate name Tom Capehart  
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1. Which of the following U.S. presidents best represents your political philosophy?

- **John F. Kennedy**
- **Ronald Reagan**      *Our nation's founders expected judges to rule on the law following the Constitution (and applicable precedent thereafter) without bias toward personal philosophy (political or otherwise). It is this approach I would follow as a member of the Court of Common Pleas.*
- **George Bush (former)**
- **Bill Clinton**
- **George W. Bush**
- **Barack Obama**

2. Which one of the recent justices of the U.S. Supreme Court most reflects your judicial philosophy?

- |                   |                 |                    |                    |
|-------------------|-----------------|--------------------|--------------------|
| • <b>Roberts</b>  | • <b>Kagan</b>  | • <b>Scalia</b>    | • <b>Gorsuch</b>   |
| • <b>Kennedy</b>  | • <b>Thomas</b> | • <b>Sotomayor</b> | • <b>Kavanaugh</b> |
| • <b>Ginsburg</b> | • <b>Breyer</b> | • <b>Alito</b>     | • <b>Barrett</b>   |

*I would not presume to compare myself to any Justice of the Supreme Court. That said, a Common Pleas Judge should rule based on the law and precedent.*

3. Rate your judicial philosophy on a scale of 1-10 with "living document" approach being a "1" and "strict construction" or "originalist" being a "10."

**1 2 3 4 5 6 7 8 9 10**      *Common Pleas judges rarely if ever rule on constitutional issues and are primarily bound to follow established legal precedent generally established by higher courts, which is how I would serve.*

4. Please list the five organizations in which you are most involved as a member, through contributions, and/or through volunteering.

1. Elder and Past President of Consistory at St. Johns Church
2. Board Member, Lehigh Conference of Churches
3. Board Member, Lazarus House - offers shared housing to adults reentering community after incarceration
4. Board Member, Past President and 25+ year member, Emmaus Lions Club
5. Board Member, Past President - East Penn Chamber of Commerce

5. Do you believe that *Roe v. Wade*, 410 U.S. 113 (1973), insofar as it recognizes a “right to privacy” that includes abortion under the United States Constitution, was correctly or incorrectly decided? (Circle One)

- Correctly Decided
- Incorrectly Decided
- Undecided
- Decline to answer (describe reason)–

*My personal or political opinion is irrelevant. If Roe v Wade is reversed at the federal level, future decisions may fall to the state courts and, very likely, to the Court of Common Pleas. As the Canon of Judicial Ethics do not allow comment on potential cases, I do not feel that I can answer this question.*

Signature Thomas A. Gubert Date 3-25-2021

*Thank you.*

**Please Sign and Reply by March 31, 2021 via Fax 717-545-8107  
or E-mail to [ekreps@pafamily.org](mailto:ekreps@pafamily.org)**

Or mail to: Pennsylvania Family Council 23 N. Front St. Harrisburg PA 17101