

SUPREME COURT OF PENNSYLVANIA

In re Appointment to Fill a Vacancy in the Office of County Commissioner

No. 51 MAP 2025 (Pa. Oct. 20 2025) · No. 51 MAP 2025; J-100-2025 · Decided October 20, 2025

SUMMARY

The Supreme Court of Pennsylvania held that Lackawanna County Home Rule Charter § 1-2.206, which directs the court of common pleas to select a temporary county commissioner from three candidates submitted by the relevant party committee, does not conflict with Pa.R.J.A. 1908. The Court further concluded that the Charter provision does not impermissibly intrude on the Pennsylvania Supreme Court's constitutional authority to regulate judicial procedure and supervise the judiciary. The Court affirmed the Commonwealth Court's decision.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Justice McCaffery; Chief Justice Todd; Justice Donohue; Justice Dougherty; Justice Wecht; Justice Mundy; Justice Brobson
JURISDICTION	Supreme Court of Pennsylvania
DECIDED	October 20, 2025
DOCKET	51 MAP 2025; J-100-2025
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Commonwealth Court's order affirming the Lackawanna County Court of Common Pleas' decision concerning the procedure for filling a county commissioner vacancy.
STANDARD OF REVIEW	De novo review of statutory and rule interpretation and constitutional separation-of-powers questions.
PRECEDENTIAL VALUE	Published opinion of the Supreme Court of Pennsylvania; precedential.
PARTIES	William Gaughan v. Lackawanna County, Lackawanna County Democratic Committee

TOPICS

- home rule
- municipal law
- statutory interpretation
- separation of powers
- appellate procedure

PRACTICE AREAS

municipal law

constitutional law

appellate procedure

statutory interpretation

QUESTIONS PRESENTED

1. Whether section 1-2.206 of the Lackawanna County Home Rule Charter conflicts with Pa.R.J.A. 1908.
2. Whether, if a conflict exists, section 1-2.206 impermissibly intrudes on the Pennsylvania Supreme Court's constitutional authority to regulate judicial procedure and supervise the judiciary.

HOLDINGS

1. Section 1-2.206 does not conflict with Pa.R.J.A. 1908. The charter provision defines the eligible candidate pool by requiring the appropriate party executive committee to submit three candidates, while Rule 1908 supplies general procedures for the court's selection from the pool.
2. Section 1-2.206 does not impermissibly intrude on the Pennsylvania Supreme Court's constitutional authority to regulate judicial procedure and supervise the judiciary, even assuming a conflict with Rule 1908.

KEY QUOTATIONS

“Far from revealing an intent to override the provisions of such triggering statutes, Rule 1908 was crafted to accommodate their various procedures and requirements to the greatest extent possible.” (8)

“In other words, the procedure for filling vacancies in elected County offices is, at its core, a legislative, not judicial, function.” (10)

“It cannot reasonably be argued that the charter, in delegating the duty to make the decision, nevertheless lacked the power to direct the manner in which the decision is to be made.” (10)

FACTUAL BACKGROUND

Lackawanna County Commissioner Matt McGloin resigned on March 5, 2025. The Lackawanna County Court of Common Pleas followed the county Home Rule Charter, requiring the Democratic Committee to submit three names from which the court would select a temporary replacement. Commissioner William Gaughan objected, arguing that Pa.R.J.A. 1908 required the court to consider applications from any interested candidate and displaced the charter procedure.

PROCEDURAL HISTORY

After Lackawanna County Commissioner Matt McGloin resigned, the Lackawanna County Court of Common Pleas ordered that the vacancy be filled under section 1-2.206 of the Lackawanna County Home Rule Charter, which required the county Democratic Committee to submit three candidates. Commissioner William Gaughan objected and sought application of Pa.R.J.A. 1908, which he argued required consideration of any interested candidate. A divided trial court rejected his challenge, and the Commonwealth Court affirmed. The Pennsylvania Supreme Court granted review on whether a home rule charter may supplant Rule 1908 and affirmed.

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Baker, 690 A.2d 164, 167 (Pa. 1997)
- In re District Attorney, 756 A.2d 711 (Pa. Cmwlth. 2000)
- In re Addison, 122 A.2d 272, 276 (Pa. 1956)
- Commonwealth v. Lockridge, 810 A.2d 1191, 1194-1195 (Pa. 2002)
- Commonwealth ex rel. King v. King, 85 Pa. 103, 110-111 (Pa. 1877)
- In re Appointment to Fill a Vacancy in Off. of Cnty. Comm'r, 653 & 697 C.D. 2025 (Pa. Cmwlth. July 18, 2025) (unreported)

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