

To: The Honorable Chief Justice of Pennsylvania and Honorable Justices of the Supreme Court of Pennsylvania and to the Citizens of the Commonwealth

I am pleased to present this Report of the Administrative Office of Pennsylvania Courts (AOPC) for 2003. This general reference document reflects the hard work and dedicated service of the boards and committees of the Supreme Court of Pennsylvania and the AOPC.

Contained in this report is an outline of the many programs and services that provide the framework of the Commonwealth's state court system. This report also serves to highlight noteworthy accomplishments in the administration of justice that took place during what was both a very busy and productive year that featured increasing intergovernmental collaboration.

The year began with a change at the very top of the judiciary when Justice Ralph J. Cappy was sworn in as Chief Justice of Pennsylvania. He succeeded Justice Stephen A. Zappala, who agreed to continue to serve the Supreme Court in an administrative role as Chief Justice Emeritus.

Since the early 1980s, Chief Justice Emeritus Zappala has guided development of Pennsylvania's ground-breaking Judicial Computer System. With extensive collaboration from the executive and legislative branches of state and local governments, a comprehensive case management system has successfully operated in Pennsylvania's more than 550 magisterial courts for more than a decade. A newly developed case management and docketing system for the appellate courts was implemented in 2000 and automation of Pennsylvania's Common Pleas Courts is underway.

The year in review also was one that saw complex medical malpractice issues come to the forefront in debates on national and statewide levels. Guided by Chief Justice Cappy, the Supreme Court of Pennsylvania was mindful of the concerns when it took action in response to recommendations in a plan for medical malpractice liability reform issued by Gov. Edward G. Rendell.

Preface
from the
Court
Administrator

**Preface
from the
Court
Administrator,
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Chief Justice Cappy announced three steps to advance thoughtful consideration and implementation of the various judicial branch-related issues in the governor’s plan.

First, the Chief Justice appointed outgoing Justice William H. Lamb to develop an implementation plan for a voluntary medical malpractice mediation program. Second, Allegheny County Judge R. Stanton Wettick, chair of the Supreme Court’s Civil Procedural Rules Committee, was named to lead an ad hoc “think tank” comprised of four prominent attorneys, two plaintiff’s practitioners and two defense practitioners to review recommendations contained in the governor’s plan. The group was asked to make recommendations to the Supreme Court to help solve problems identified in the governor’s report. The Chief Justice also directed AOPC’s Policy and Research Department to work with and assist relevant governmental agencies and others in developing an efficient means of collecting medical malpractice statistics described in the governor’s plan.

A new Supreme Court rule regarding lawyers who act as lobbyists was issued during the year to clarify the stringent standards that guide a lawyer’s professional and ethical conduct. The move helped foster collaboration with other branches of government toward a common goal in the public’s interest. The changes required lawyers acting as lobbyists to comply with registration and disclosure laws, regulations or rules enacted by the executive or legislative branches of state government and emphasizes the long-standing and fundamental expectation that lawyers, as individuals, must, in the public interest, adhere to strict ethical standards and must take personal responsibility for their conduct in meeting those standards.

New civil procedural rules were issued in the latter part of the year to further unify the Commonwealth’s judicial process by allowing litigants to more easily obtain details of a local trial court’s practices, procedures and rules. The new rules were created under the auspices of the Committee on Statewide Rules of the Supreme Court’s Judicial Council, chaired by Supreme Court Justice Sandra Schultz Newman, and in collaboration with the Civil Procedural Rules Committee of the Supreme Court and its chair Judge Wettick. The new rules created a clear system that allow attorneys to understand local practices and specify a single location – the state judiciary’s Web site – for the updated posting of those practices.

As another commitment to the fair and efficient adjudication of cases brought before the court system, the Supreme Court created a special committee to study the legal representation of defendants charged with first-degree murder. The Chief Justice appointed Justices Russell M. Nigro and J. Michael Eakin as facilitators, with Justice Nigro serving as chair of the Capital Case Standards Committee. Members appointed to the committee included judges, prosecutors and public

defenders from across Pennsylvania. The committee was charged with studying select first-degree murder cases from around the state with an eye toward identifying any systematic deficiencies, and recommending ways to solve any recognized shortcomings.

The committee's creation was just one of a series of efforts during the year by the Supreme Court to both assure equity of process as well as the public's perception that processes are equitable in the Commonwealth's justice system.

In a similar vein, the Court earlier in the year announced the establishment of two task groups to carefully study and recommend the means of implementing provisions of a 2003 report by the Committee on Racial and Gender Bias.

Under the direction of the Chief Justice and the Supreme Court, the AOPC will continue to serve the courts for the benefit of all Pennsylvanians by advancing efficiency and excellence in the administration of justice. The combined efforts of the courts and the other branches of government seen in this report continue to provide a guide for helping shape the vision of the state court system's future in addressing the challenges that still lie ahead.

Sincerely,



ZYGMONT A. PINES

Court Administrator of Pennsylvania

Preface
from the
Court
Administrator,
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