

New Office of Children and Families in the Courts Created by Supreme Court of Pennsylvania

by L. Stuart Ditzen

The Supreme Court of Pennsylvania has created a new Office of Children and Families in the Courts (OCFC) within the AOPC to work with county family courts and child welfare officials to speed the placement into permanent homes of thousands of abused and neglected children. More than 20,000 such children throughout the state now live in foster care and other temporary residential settings.

Chief Justice of Pennsylvania **Ralph J. Cappy** said the goal of reuniting these children with their parents, placing them for adoption or placing them in other permanent homes, is part of a broad commitment the Supreme Court has undertaken to make family courts more responsive to the needs of children and families.

"It is of utmost concern to me and to my colleagues on the Supreme Court to see that our family courts do

everything possible to guide people through the troubles that have brought them into our legal system, and to set them on course toward better and more stable lives," Cappy said. "In each situation, the courts must act wisely and well. Nothing is more important than to restore stability to troubled families."

The principle goal of the OCFC is to minimize the length of time that dependent children, who have been removed from their parents under court order because of abuse or neglect, must spend in foster care or in other temporary living situations. They are called "dependent" children because they literally are dependent on the courts and the child welfare system for their protection.

Typically, a dependent child spends at least a year—and often much longer—in foster care or in a group home or a residential institution. It is widely agreed

(OCFC continued on page 12)

Justice Newman's Service to Philadelphia Courts Commemorated

by Art Heinz

Former Supreme Court Justice **Sandra Schultz Newman**, who retired at the end of December 2006, was presented with a portrait of the Supreme Court's chambers in Philadelphia to commemorate her years of involvement with the Philadelphia courts. The presentation before judges and staff was made by President



Judge **C. Darnell Jones II** during a First Judicial District (FJD) civil branch gathering. Justice Newman, who was the Supreme Court's liaison to the FJD and the first woman elected to the state's highest court, plans to remain active with the Philadelphia City Hall security initiative and the effort to build a new family court facility. She now works at the Philadelphia-based Cozen O'Connor law firm where she heads the appellate practice group and plans to start a dispute resolution unit.

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New to the Judicial Branch

Counties

Cheryl Leslie - Montgomery - deputy court administrator, family court

Janice Meadows - Blair - deputy court administrator

Daniel J. Nelson - Clearfield - district court administrator

Gail A. Slotterback - Columbia/Montour - assistant to the court administrator

AOPC

Jeffrey Beane - Judicial Automation - database analyst

Samedy Choun - Judicial Automation - LAN technician

Anthony Cibellis - Judicial Automation - LAN technician

Angela Coleman - Judicial Automation - LAN technician

Terry Crouthamel - Judicial Automation - systems trainer

Steven Donatucci - Judicial Automation - communications network manager

Jason Follweiler - Judicial Automation - database analyst

Linda Garisto - Judicial Automation - administrative assistant

Mary Gillette - Finance - assistant director

Heidi Haafke - Judicial Automation - management analyst

Andrea Hoffman Jelin - Judicial Programs - administrator, Office of Children and Families in the Courts

Shannon Mausteller - Judicial Automation - systems trainer

Brian Quinn - Judicial Automation - IT specialist

William Rahn - Judicial Automation - help desk operator

Jason Russo - Judicial Automation - IT specialist

Christine Sanchez - Judicial Automation - systems trainer

Andrew Simpson - Judicial Automation - systems trainer

Daniel Skotek - Judicial Automation - management analyst

Marci Smith - Judicial Education - administrative assistant

Christine Wilbern - Finance - administrative assistant

Other Job Changes

Appellate Courts/Committees

Michael F. Kimmel, Esq. - Minor Court Rules Committee - apptd. chief clerk of Commonwealth Court

Counties

Alan M. Black - Lehigh - elected president judge

Harry J. Bradley - Delaware - apptd. sr. Common Pleas Court judge

Mark A. Ciavarella Jr. - Luzerne - elected president judge

Robert J. Conway - Wayne - apptd. sr. Common Pleas Court judge

Horace Z. Davis - Delaware - apptd. sr. magisterial district judge

Michael A. Georgelis - Lancaster - apptd. sr. Common Pleas Court judge

Richard J. Hodgson - Montgomery - elected president judge

Anthony J. Mangan - Monroe - apptd. sr. magisterial district judge

(Transitions continued on page 9)

2/19	Presidents' Day	4/6	Good Friday	5/14-5/18	Supreme Court Session (Hbg.)
2/22-2/25	Trial Judges Mid-Annual Conference (Pgh.)	4/9-4/13	Commonwealth Court Session (Hbg.)	5/22-5/24	Superior Court Session (Phila., Hbg., Pgh.)
2/27-3/1	Superior Court Session (Pgh.)	4/10-4/12	Superior Court Session (Phila., Pgh.)	5/28	Memorial Day
3/5-3/9	Supreme Court Session (Pgh.)	4/16-4/20	Supreme Court Session (Phila.)	6/5-6/7	Superior Court Session (Phila.)
	Commonwealth Court Session (Phila.)	4/24-4/26	Superior Court Session (Pgh.)	6/6	Supreme Court Admin. Session (Pgh.)
3/6-3/8	Superior Court Session (Phila.)	5/1	Deadline for Financial Interest Statements	6/11-6/15	Commonwealth Court Session (Phila.)
3/13-3/15	Superior Court Session (Scranton, Pgh.)	5/1-5/3	Superior Court Session (Phila., Centre Cty.)	6/12-6/14	Superior Court Session (Pgh.)
3/27-3/29	Superior Court Session (Phila.)	5/7-5/11	Commonwealth Court Session (Pgh.)	6/26-6/28	Superior Court Session (Phila., Pgh.)

THANKS...

by Zig Pines

Gratitude... There is a proverb that says "Of all the virtues, gratitude has the shortest memory." As with most proverbs, such truths are confirmed by experience.

I am oftentimes complimented by others on the special work or achievements of our judicial system. My response is to always deflect the personal kindness and focus on the deserving recipient—the members of our support team who make our good work possible.

Thus, before we become too engrossed in all of the challenges and problems of 2007, memory chooses to look back to the special achievements of 2006 during which our staff tackled some difficult multi-year projects.

The area of information technology and public access is a particular source of pride. After almost three years of incredible effort and collaboration, our information technology team successfully completed the Common Pleas Case Management System (CPCMS), linking the criminal trial courts of our 60 judicial districts. This is truly a remarkable achievement that places our judicial system once again in the forefront nationally. With the cooperation of many stakeholders, particularly the counties' clerks of courts, the judicial system has created another super-highway for information. The beneficiaries are both the more "Unified Judicial System" and our citizens, who can now access public information on the Web—anytime and anywhere.

Integral to the technological achievement of CPCMS has been the recent adoption of our Electronic Case Records Public Access Policy. For the past several years, staff has diligently worked on crafting a policy that promotes broad public access while balancing the vital interests of privacy and personal security in a cyber world of immense complexity and potential danger. This work has been very difficult. After reviewing the public access policies of other states and providing multiple opportunities for public input, we came up with a policy that is sound and exemplary. Our Supreme Court agreed and adopted our recommendations.

Another area of notable achievement, in which Pennsylvania is a leader, has been court security. In 2006 the AOPC sought and received funding from the General Assembly for security enhancements for our Common Pleas (trial) Courts. The enhancements include wireless duress alarms, magnetometers, metal detectors/x-ray inspection machines and employee identification badges/cards. In addition, the AOPC's Office

of Judicial Security led regional training sessions for local court security committees on the topic of emergency planning. Last year we also took our security incident reporting system ("PAJIRS," currently in use at our 548 magisterial district judge offices) to the Common Pleas Courts for test piloting. Pennsylvania's electronic reporting of security incidents is one of the most sophisticated and comprehensive systems in the country and will serve as a model for other states.

On a related front, Pennsylvania has been in the vanguard nationally in pandemic planning. In 2006, the AOPC participated in a special session at the Pennsylvania Conference of State Trial Judges on the topic of pandemic flu planning, using the 1918 flu pandemic, Pennsylvania's Three Mile Island crisis of 1979 and the 2002-03 SARS outbreak in Canada as sobering backdrops. Panelists included former Governor Richard Thornburgh and Ontario Provincial Court Justice Ian Cowan, who was on the frontline of the outbreak in Canada.

During 2006 a task force of judges, staff and experts (from academia and government) collaborated on a public health bench book, which will be published in early 2007. Only a handful of states have systematically addressed the challenging and somewhat arcane area of public health law. This work will be followed up later in the year with the development of a continuity of operations plan (COOP) template for general use by our president judges and district court administrators. That task force is using the exemplary work of the National Center for State Courts as its foundation.

For all of this impressive work in promoting good government, we are immensely grateful. No particular individual will be singled out because these achievements (and many others not mentioned) would not have been possible were it not for the dedication and hard work of the many staff members who participated in these projects. Thus, through the vehicle of this marvelous and always informative newsletter, the gratitude can be made more public.

Memory may be fleeting, but your good work lives on to benefit many.

[Zygmunt A. Pines, Esq., is Court Administrator of Pennsylvania.]

Memory may be fleeting,
but your good work lives on
to benefit many.

Pennsylvania: A National Leader in Judicial Automation

CPCMS Completes Statewide Automation of All Criminal Courts

by Steve Schell

Mission accomplished! It was six years in the making, beginning in mid-2000 with the gathering of high level functional project requirements, followed by two years of detailed planning, design and testing in close consultation with court staff in 22 counties. By 2003, it was ready to be rolled out on a county-by-county implementation plan. Finally, in late 2006, it was installed in Philadelphia, the state's largest judicial district. The achievement—the completion of the Common Pleas Case Management System (CPCMS)—has made Pennsylvania one of only a handful of states in the country to automate all its criminal courts on a statewide computer system.

"CPCMS is a critical link to improving overall court efficiency," said Chief Justice of Pennsylvania **Ralph J. Cappy**. "The system serves as a central data warehouse, enabling, for the first time, personnel in 67 Common Pleas Courts to electronically share case information and associated data, not only between county courts, but also with the state's 548 magisterial district courts and appellate courts." In addition, by linking with Pennsylvania's Criminal Justice Network (JNET)—an integrated public safety network developed by the executive branch—CPCMS is able to expeditiously exchange critical court information with local, other-state and federal authorities, and executive branch agencies such as the Pennsylvania State Police, Department of Transportation, Department of Corrections and Board of Probation and Parole.

The ability to quickly access the most current court information throughout the state—information including prior convictions, bail history, pending charges and outstanding warrants—is invaluable to judges, law enforcement officers and other criminal justice agencies.

The state's automation efforts have reduced the need to transfer some court data via paper files, thus eliminating delays and the chance that the data would get lost and possibly never be forwarded to the appropriate law enforcement authorities. Moreover, statewide automation provides one consistent format for court data, making it easier to transfer and share quickly. For example, Director of Judicial Automation **Amy Ceraso** explained, when a court official logs a warrant on CPCMS in Erie, it can be viewed immediately by court officials in every other county in the state. Within minutes, local, other states' and federal law enforcement officials can be alerted to the Erie warrant by accessing

the AOPC's warrant database made available through JNET.

It is this ability to share court data that has earned CPCMS recognition from Pennsylvania's criminal justice and law enforcement officials.

Phil Tomassini, executive director of JNET, said, "The implementation of the Common Pleas Case Management System in all 67 counties of the Commonwealth provides tremendous value to criminal



Administrative Specialist Andrea Anne Ferlaino, Deputy Court Administrator David D. Wasson and Court Administrative Officer John A. Gallagher shown with the first check printed using CPCMS in the First Judicial District.

justice and public safety officials throughout the Commonwealth. Through a completely integrated judicial system, authorized JNET users now have access to reliable and accurate court information through one system, which has dramatically increased investigators' productivity as well as improved officer safety."

Col. **Jeffrey B. Miller**, Commissioner of the Pennsylvania State Police, said, "Judicial automation at the state level has vastly improved our ability to obtain consistent, accurate and detailed court data on a timely

(CPCMS continued on page 13)

New Public Access Policy Goes into Effect

by **Andrea B. Tuominen**

The Unified Judicial System rang in the new year with a new public access policy governing the availability of electronic case record data in the judiciary's automated case management systems. Adopted by the Supreme Court, the "Electronic Case Records Public Access Policy of the Unified Judicial System of Pennsylvania" underscores the judiciary's commitment to open and accessible courts as well as data integrity in this information age.

Effective January 1, 2007, the policy is the product of several years of study by an AOPC committee. The original policy proposal was published for public comment in September 2005. Six months later the AOPC sought additional input via a public hearing, over which Chief Justice Emeritus **Stephen A. Zappala** presided.

As a result of the public commentary, the proposed policy was revised and submitted to the Supreme Court for its consideration. The Court approved all of the revisions, the most significant being:

- expanding the provisions related to correction of data errors (Section 6.00) by specifying procedures and forms that an individual may use to request that a court or office correct an alleged error in an electronic case record; and
- removing the restriction on accessing full date of birth (Section 3.00) in order to ensure that the "right" party is matched with the "right" case.

The scope of the policy covers all electronic case records, defined as information or data created, collected, received, produced or maintained in one of the UJS' three case management systems—the Pennsylvania Appellate Court Case Management System, the Common Pleas Case Management System and the Magisterial District Judge System.

The policy does not apply to the official case files—the paper files maintained in the court (or filing office) with jurisdiction over the matter; therefore, the practice of making court records open for inspection and copying at court offices remains in place, unless records are sealed by a court or restricted pursuant to law.

Generally, electronic case record information is available via the public Web docket sheets located at <http://ujsportal.pacourts.us>, through public terminals located at designated courthouse locations and through bulk record distribution in compliance with Section 3.10 of the policy.

The policy addresses what and how electronic case record information will be available to the public. Specific electronic case record information is restricted from access. For instance, social security numbers, street addresses, victim/witness/juror information and financial account numbers will not be released to public requestors.

The policy standardizes how requests for access are to be handled by establishing timeframes for responding to written requests for electronic case records and requirements for adopting local fee schedules.

Recognizing that issues may arise as the technological and legal landscape changes, the AOPC is committed to monitoring and reviewing matters concerning public access, privacy and security to ensure that the appropriate balance is reached among these important principles.

The complete explanatory report to the policy, public access forms and other related information can be found at www.courts.state.pa.us/index/PublicAccessPolicy/default.asp.

[Andrea Tuominen is Assistant Court Administrator of Pennsylvania.]

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Supreme Court of Pennsylvania

Ralph J. Cappy
Chief Justice

Ronald D. Castille
Justice

Thomas G. Saylor
Justice

J. Michael Eakin
Justice

Max Baer
Justice

Cynthia A. Baldwin
Justice

Zygmunt A. Pines
Court Administrator
of Pennsylvania

A Day When Judges and Journalists Traded Places

by L. Stuart Ditzen

Picture this: 20 Pennsylvania judges and 20 journalists thrown together in a big room for a day and told to reverse roles and see the world from the other guy's point of view.

Suddenly, everyone is wearing a different hat. You have a reporter sitting as a judge, banging a gavel and ordering silence as he "passes sentence" in a mock abuse case. You have a Common Pleas Court president judge in the role of a TV reporter doing a stand-up report on the sentencing and telling "viewers" to call the station to register their views on whether the sentence was too harsh or too light.

This was a first for everyone.

The AOPC and the Pennsylvania Newspaper Association collaborated in presenting this prototype workshop for judges and journalists at the Hershey Lodge on Dec. 14.

It started out a little awkwardly. No one knew what to expect. As the day progressed, the participants, including president judges of Superior, Commonwealth and several Common Pleas courts, played their assigned roles in good spirits and with good humor. The journalists did the same. There were laughs on both sides. And the consensus at the end of the day-long session was that the workshop was fruitful—and fun—for participants on both sides.

The goal of the workshop, which was held at the urging of Chief Justice **Ralph J. Cappy**, was to do exactly what Grezlak's headline suggested—to foster a better understanding between judges and journalists whose jobs often intersect, but who rarely talk to each other.



Chief Justice Ralph J. Cappy addressed members of the bench and media at Pennsylvania's first-ever judges/journalists workshop.

"A separation between the two is appropriate, but a lack of understanding benefits no one," said the chief, who convened the session and remained all day as an observer. "The guardians of freedom are the free press and the independent courts, so it is worth getting to know each other."

In addition to role-reversals, participants were shown a startling film of an actual scene in which a TV journalist in another state confronted a judge in a courthouse hallway and so angered the judge with questions about a case that the judge hurled a tray of food at the reporter. Not surprisingly, the incident was cited as an example of bad form on the part of both the journalist and the judge. No one in the group at Hershey disagreed with that point.

The workshop was funded by the Donald W. Reynolds National Center for Courts and Media, which is affiliated with the National Judicial College in Reno, Nev., and has conducted similar judges/journalists events around the country.

What happens next? Will there be more sessions? The answer is, tentatively, yes. Funding for future programs through the Reynolds Center will not be available, but Deputy Court Administrator **Tom Darr** has begun a dialog with **Teri Henning**, counsel for the Pennsylvania Newspaper Association, about "future endeavors."



Journalists and judges switched roles in an exercise to help them better understand each other's jobs.

After attending, **Hank Grezlak**, editor-in-chief of the *Legal Intelligencer* and a frequent critic of the Supreme Court, wrote a column that carried this headline: "Finding Common Ground: Meeting Between Judges, Journalists Was Positive Start to Better Relations."

Judge Leadbetter Is New President Judge of Commonwealth Court



The Hon. **Bonnie Brigance Leadbetter** has been elected as the new president judge of Commonwealth

Court. She succeeds outgoing President Judge **James Gardner Colins**, who had held the post for the previous five years.

As president judge, Judge Leadbetter will oversee the administration of the court, including budget, scheduling, special sessions, education and bench-bar interaction.

She said in published reports that she was honored by her colleagues' confidence in her ability to oversee the court's administrative functions.

Judge Leadbetter was appointed to Commonwealth Court in May 1996 and elected in 1997. Two years later, she was appointed to the Court of Judicial Discipline for a four-

year term. Before joining the court, she was an assistant district attorney for Philadelphia County (1971-1976) and an assistant U.S. attorney for the Eastern District of Pennsylvania (1976-1981). She was a practicing attorney from 1981 until her appointment to the bench.

She graduated in 1968 from Rice University and in 1971 from the University of Pittsburgh School of Law, where she served as managing editor of the Law Review. She and her husband, Gary, a Montgomery County attorney, have two daughters and three grandchildren.

Judge Leadbetter is the first woman to hold the position of president judge in Commonwealth Court.

Allegheny County Court Creates New Pretrial Services Agency

by **Ray Billotte**

Allegheny County Court of Common Pleas has created a Pretrial Services Agency to improve the court's ability to monitor and supervise defendants released on bail, and coordinate pretrial services among various programs. This comprehensive agency brings together a variety of court services, including bail investigations, pretrial release and supervision, the Alcohol Highway Safety Program, first-time offenders supervision program and competency determination services.

Among the many objectives of the agency are:

- improving the coordination of drug, alcohol and mental health services for defendants at the pre-trial stage;
- reducing the number of defendants who fail to appear for required court events;
- providing judicial officers viable pretrial release options that assure compliance with release conditions as well as the safety of our community.

"The coordination of these services under a single management structure enhances our ability to monitor individuals released on bail and will allow for early detection and intervention of defendants in need of drug,

alcohol and mental health services," President Judge **Joseph M. James** noted. "In doing so, the safety of our communities will be improved."



Tom McCaffrey

The new agency began formal operations in January 2007 and is headed by **Thomas McCaffrey**, former director of the court's Alcohol Highway Safety Program.

"Mr. McCaffrey brings a wealth of experience and a broad knowledge and understanding of supervision practices to the position," said the Hon. **Donna Jo McDaniel**, administrative judge of the criminal division. "We are confident he can effectively coordinate the array of services required of this new agency and meet the objectives established by this court."

[Ray Billotte is Allegheny County district court administrator.]

Honors & Dispatches

Philadelphia Municipal Court President Judge **Louis J. Presentza** was awarded the 2006 Justice William J. Brennan Jr. Distinguished Jurist Award by the Philadelphia Bar Association. The annual award goes to a judge who had a positive impact on the quality of justice in Philadelphia. Judge Presentza was recognized for his work in overseeing and founding Philadelphia's drug treatment court, which has a recidivism rate that is significantly lower than the national average.



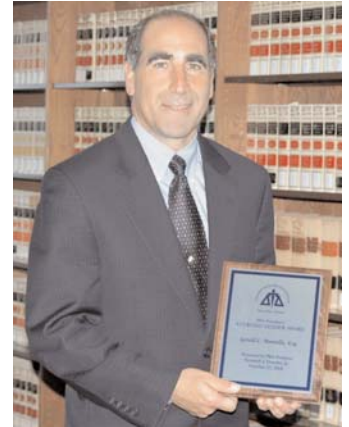
Superior Court Judge **Seamus P. McCaffery** was the keynote speaker at the Lackawanna Bar Association's annual bench-bar conference at the Scranton Hilton and Conference Center. He also participated in a judges forum with the Lackawanna County bench and court administrator.

The Jefferson County Bar Association honored retired Senior Judge **Edwin L. Snyder** by establishing a scholarship fund in his name. Judge Snyder had been a jurist for 33 years—including 20 of those years as president judge. County Bar Association President Greg Kruk said Judge Snyder "was always dedicated to the law, and he expected us as attorneys practicing in front of him to know the law and the facts and to present them in a straightforward manner."

Supreme Court Justice **Cynthia A. Baldwin** was keynote speaker at two recent events for members of the bench and bar. Justice Baldwin addressed members of the Pennsylvania Bar Institute, the Pennsylvania Bar Association and the Pennsylvania Association of Bar Examiners during a session in Philadelphia whose theme was "Judicial Independence vs. Judicial Intimidation." Her remarks addressed the judiciary's role in our checks-and-balances system of government. She also spoke to members of the bar association's litigation section during a conference at the Duquesne Club in Pittsburgh that addressed common mistakes attorneys make at a trial that could affect the outcome of a case in the appellate courts.

Additionally, **Justice Baldwin** was presented with an honorary degree of Doctor of Humanities, *Honoris Causa* from Carlow University. Justice Baldwin received the degree at the university's winter commencement ceremony where she was the keynote speaker

Gerald C. Montella, Esq., court administrator of Delaware County's Court of Common Pleas, received an Everyday Leader Award from the Pennsylvania Bar Association.



"Gerry works, not for himself, but for the good of the community and the legal profession," PBA President **Kenneth J. Horoho Jr.** said in a release announcing the award. "Gerry founded the Juror Donation Program, a voluntary program that allows jurors to donate their compensation to worthwhile causes." Organizations that have benefited from the program include: Operation Warm (assists the homeless); the Domestic Abuse Project of Delaware County, Inc.; the Hero Scholarship Program; and Delaware County Children and Youth Services. The award was presented to Montella during a PBA luncheon in Media, Delaware County.



Judges McGinley and Grim

Lehigh County Judge **Carol K. McGinley** was honored by the Juvenile Court Judges Commission and the Pennsylvania Council of Chief Juvenile Probation Officers for her leadership and commitment to helping youth offenders turn their lives around. The Leadership Award came during the 2006

Pennsylvania Conference on Juvenile Justice in Harrisburg. Presenting the award was Berks County President Judge **Arthur E. Grim**, who chairs the commission.

(Honors continued on page 12)

Transitions, continued from page 2

Michael J. Perezous - Lancaster - apptd. sr. Common Pleas Court judge
Fortunato N. Perri Sr. - Philadelphia Traffic Court - apptd. sr. judge
Edward J. Zetusky Jr. - Delaware - elected president judge

Deaths

Linda F. Anderson - Philadelphia Municipal Court judge
Donald C. Brown - Chester - former (sr.) district justice
John M. Kurtz Jr. - Chester - former Common Pleas Court judge
Walter A. Mark - Washington - former (sr.) magisterial district judge
David Ward Murphy - Allegheny - former Common Pleas Court judge
Michael S. Polizzi - Lackawanna - former (sr.) district justice
Patricia A. Robinson - Wyoming - former magisterial district judge
William D. Yohn - Union - former district justice

Retirements

Counties

Edward G. Biester Jr. - Bucks - sr. Common Pleas Court judge
Lawrence Blair - Fayette - sr. magisterial district judge
Alex BonavitaCola - Philadelphia - sr. Common Pleas Court judge
Harry J. Bradley - Delaware - Common Pleas Court judge
Emanuel A. Cassimatis - York - sr. Common Pleas Court judge
Alfred B. Coleman - Cambria - sr. magisterial district judge
Frank Comunale III - Allegheny - sr. magisterial district judge
Horace Z. Davis - Delaware - magisterial district judge
William A. King Jr. - Philadelphia Municipal Court - sr. judge
John P. Lavelle - Carbon - sr. Common Pleas Court judge
Gilfert M. Mihalich - Westmoreland - sr. Common Pleas Court judge
Michael J. Perezous - Lancaster - Common Pleas Court judge
Fortunato N. Perri Sr. - Philadelphia Traffic Court judge
Oscar F. Spicer - Adams - sr. Common Pleas Court judge
William W. Vogel - Montgomery - sr. Common Pleas Court judge

Robert L. Wolfe - Warren/Forest - sr. Common Pleas Court judge

Resignations

Appellate Courts

Joseph A. Del Sole - Superior Court judge
Sandra Schultz Newman - Supreme Court justice

AOPC

Manoja Eranki - Judicial Automation - IT specialist
Brian Hartmann - Judicial Automation - database technician
Brad Kramer - Judicial Automation - systems trainer
Michael Marshall - Judicial Automation - IT specialist
Richard Schiller - Judicial Automation - IT specialist
Mary Ann Yanak - Administrative Services - receptionist

Counties

Robert J. Conway - Wayne - president judge
Clarence W. Dennis - Monroe - sr. magisterial district judge
Michael A. Georgelis - Lancaster - Common Pleas Court judge
Ernest L. Marraccini - Allegheny - magisterial district judge
Patricia A. Robinson - Wyoming - magisterial district judge
David N. Savitt - Philadelphia - sr. Common Pleas Court judge
Carol A. Stoudt - Berks - sr. magisterial district judge
Lawrence E. Wood - Chester - sr. Common Pleas Court judge

Appointments

Supreme Court Committees

Phyllis W. Beck - former Superior Court (sr.) judge - apptd. to Continuing Legal Education Board
Mark A. Bruno - Chester County magisterial district judge - apptd. to Minor Court Rules Committee
Samuel Tyrone Cooper III, Esq. - reapptd. to Continuing Legal Education Board
Hubert X. Gilroy, Esq. - reapptd. to Pennsylvania Interest on Lawyers Trust Account Board
Stanley W. Greenfield, Esq. - reapptd. to Criminal Procedural Rules Committee
Robert C. Heim, Esq. - designated chair of Continuing Legal Education Board
Charlotte S. Jefferies, Esq. - apptd. to Disciplinary Board
D. Peter Johnson, Esq. - reapptd. to Criminal Procedural Rules Committee, redesignated vice chair

(Transitions continued on page 15)

Three Types of E-Mail to Avoid Opening at Work

by Dan Williamson

E-mail is a fun and fast way to communicate with documents, video and pictures. And while many believe e-mail is secure, your messages really are visible to anyone with the proper knowledge and access. This is particularly true if you use e-mail accounts like Hotmail, GMail, Yahoo and AOL.

In addition to being not-so-private, e-mail can transmit malicious software—such as viruses—that delete data and interfere with your computer. Some allow others to control your computer remotely, compromising confidential information and providing a launching point for more damage to your network.

Here are three types to avoid:

1. **Chain letters** generally involve getting money or some good fortune by sending out the letters and bad luck if you do not. They can clog networks and interfere with the receiving of legitimate messages.
2. **Hoaxes, rumors and urban legends** are e-mail messages that contain information that is usually untrue.
3. **Phishing** is an online scam used to commit identity theft. A fraudulent, but official-looking e-mail

is sent to a user in an attempt to con that user into divulging personal and/or private information, which is then used for identity theft. Phishing got its name from the idea that bait is cast out among many fish, some of which actually bite, become hooked and are reeled in.

[Dan Williamson is the AOPC's Communications Network/Systems Security Administrator.]

For more information on hoaxes, rumors and legends, check out these Web sites:

<http://hoaxbusters.ciac.org>: A searchable index to identify e-mail hoaxes.

www.snopes2.com: A great resource where investigations on each rumor are performed.

<http://truthorfiction.com>: A resource for checking Internet-spread rumors and hoaxes.

<http://urbanlegends.about.com>: Information on rumors and hoaxes, both on and off the Internet.

AOPC's Judicial Education Department Distributing Juror Video

A new jury video is available for use in each of Pennsylvania's courts thanks to AOPC's Judicial Education Department and the National Constitution Center in Philadelphia.

The video—part of the center's main exhibit called *The Story of We the People*—is being distributed throughout the Commonwealth for use with juror orientation.

The joint effort came about last summer after Snyder/Union County Common Pleas Court Judge **Louise O. Knight** visited the Constitution Center. After viewing the six-minute Jury Service Video explaining the importance of jury service, Judge Knight requested a copy to show to prospective jurors.

"The jurors so enjoyed the video that many applauded at its end," Judge Knight recalled. "Several prospective jurors commented that it not only clarified for them the importance of the jury selection process, but helped

immediately reduce the 'resentment factor' from being summoned."

The National Constitution Center, located in Philadelphia, is an independent, non-partisan, nonprofit organization dedicated to increasing public understanding of the U.S. Constitution and the ideas and values it represents. Opened on July 4, 2003, the Constitution Center is a museum, an education center and a forum for debate on constitutional issues.

"We are honored to have this video utilized throughout the Pennsylvania Courts," National Constitution Center President and CEO **Joseph M. Torsella** said. "The video explains the responsibilities we have as citizens to serve on a jury when we are called to do so. It is one of the ways the Constitution calls upon We the People to ensure due process of law."

[For more information about the video or the center, call (215) 409-6700 or visit: www.constitutioncenter.org.]

AOPC Team Tackles Proposed Laws of Interest to the Court Community

by Art Heinz

The 2005-2006 session of the General Assembly saw the introduction of a number of bills of significance to the judiciary, and the AOPC legislative affairs team devoted many hours to analysis and related liaison activities in representing the interests of the court system.

Among the bills introduced were a number of measures and proposed constitutional amendments that, if passed, would have altered the structure of the judiciary. They included curbing the authority of the Supreme Court; changing how judges are elected; opening court proceedings to television cameras; and creating several specialty courts, including one for medical professional liability cases. None of these bills were passed.

Bills that fail to pass in one session frequently appear in similar form in future sessions, so the time and effort to understand the bills and the concerns they are meant to address is not wasted.

Noteworthy bills that were signed during the last session included one that directs the AOPC to establish a statewide program for identifying and certifying qualified foreign-language interpreters. Another bill, passed unanimously in the House and Senate, exempts a court form or an official document sold by a government agency from the state's sales and use tax.

Of the bills that did become law this session, much of the legislative team's time was spent trying to minimize or even eliminate any adverse impact on the various judicial computer systems or court rules. At times a

slight change in a bill's wording can mean the difference between expensive and time-consuming reprogramming or rule changes, and minimal or no reprogramming.

Overall, the judicial branch enjoyed a positive working relationship with the executive and legislative branches during the last session, and the expectation is, this will continue throughout the 2007-2008 session. The judiciary was well represented at the Capitol on multiple occasions to present the legislature with information regarding the court system's proposed budget requests in 2005 and 2006, and AOPC staff interacted continuously with committee members and staff on matters of concern to the judicial branch.

The legislative affairs team makes a constant effort to be helpful to legislators and their staff by answering court-related questions, providing statistical information and acting as a sounding board for proposed language. At times the efforts proved useful in showing bill sponsors that the Unified Judicial System was studying and crafting its own unique solutions to problems and, therefore, did not need to be included in the coverage of a piece of legislation.

[The legislative affairs team includes: David Lane, Jim Koval, Daryl Walker, Mary Beth Marschik and Art Heinz.]

[Art Heinz is an AOPC communications coordinator and managing editor of AOPC Connected.]

Around the Judiciary

Oswaldo R. Aviles, interpreter program administrator for the AOPC's Judicial Programs department, and Philadelphia Common Pleas Judge **Ida K. Chen** (both standing in center) were among more than a dozen people on hand to witness Gov. **Ed Rendell** sign into law a measure that establishes a statewide program for identifying and uniformly certifying qualified foreign-language interpreters. Act 172 of 2006 calls for a statewide listing of certified interpreters to be made available to all Pennsylvania courts and administrative agencies. For

more information on the UJS's interpreter certification program visit the program's Web site at www.courts.state.pa.us/index/InterpreterProgram/default.asp.



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among child welfare professionals that dependent children, already traumatized by neglect or abuse, should not be kept for unnecessarily long periods in foster care or other nonpermanent residences.

The new OCFC, headed by **Andrea Hoffman Jelin**, is conducting a statewide assessment of family court procedures to determine how to better manage and accelerate the cases of dependent children.

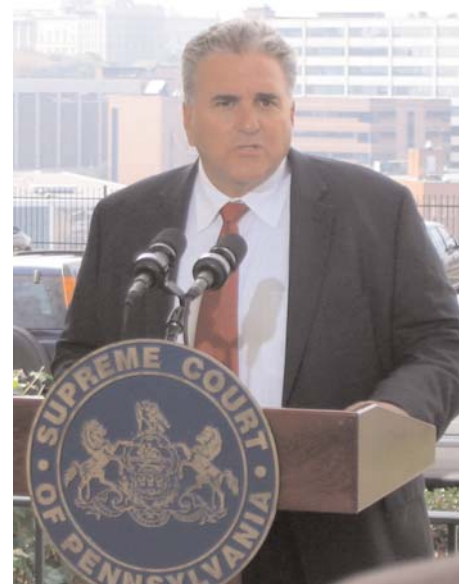
"The lives of these children are often filled with sadness and uncertainty," Jelin said. "Some of them may spend years living in limbo, away from their families and without permanent homes. Every child living

in foster care needs a permanent home."

Chief Justice Cappy said that Justice **Max Baer**, a former administrative judge of family court will guide the OCFC's efforts to improve the plight of dependent children.

"Justice Baer has shown a deep commitment to all people whose cases are heard in family courts," Cappy said. "It is my goal, his goal and the goal of the entire Supreme Court to improve the lives of all dependent children in Pennsylvania."

[L. Stuart Ditzen is the AOPC's assistant for Communications.]



Supreme Court Justice Max Baer has long advocated for Pennsylvania's dependent children.

Honors, continued from page 8

Allegheny County Senior Judge **Livingstone M. Johnson** won a 2006 Judges Award from the Pennsylvania Bar Association. The honor was one of five Legal Services to the Public Awards presented by the association in Pittsburgh to recipients distinguished for their outstanding commitment to *pro bono* service. Judge Johnson was recognized for his commitment to equality for minorities and women.

Allegheny County Judge **R. Stanton Wettick Jr.** received an Everyday Award from the Pennsylvania Bar Association during a reception at One Oxford Centre in Pittsburgh.

"Judge Wettick is not only one of the most respected jurists in Pennsylvania, he is one of these 'everyday leaders' whose dedication to our profession is only surpassed by his humility and his reasoned approach," the bar association noted in a release about the award. "Judge Wettick is deserving of this award in gratitude for his contributions to Allegheny County and the Commonwealth of Pennsylvania."

Philadelphia Judge **John Milton Younge** was one of a number of panelists for "Maxims, Monarchy & Sir Thomas More," a course sponsored by the Pennsylvania

Bar Institute, the continuing education arm of the Pennsylvania Bar Association. Also on the panel were **David M. Donaldson, Esq.**, the AOPC's chief of litigation and **Mary Butler, Esq.**, an AOPC staff litigation attorney. Using the theme of Thomas More's Middle Ages-era clash of religious belief with public loyalty, the program provided a wide platform for the discussion of many current questions and issues of concern to lawyers and the legal profession.

Stephanie A. Domitrovich, Erie Common Pleas Court judge, received a Ph.D. in Judicial Studies from the University of Nevada, Reno. The degree, offered in conjunction with the National Judicial College, is the first to be granted by the university.

Supreme Court Justice **J. Michael Eakin** administered the oath of office to Sen. **Joseph Scarnati**, when the Jefferson County Republican was sworn in as Interim President Pro



Tempore of the Pennsylvania Senate at the conclusion of the 2005-2006 legislative session. Scarnati succeeds former Sen. **Robert Jubelirer**, R-Blair County as "Pro Tem" in the new session.

CPCMS, continued from page 4

basis, aiding in many law enforcement functions. In addition, up-to-date warrant information improves the safety of law enforcement officials, particularly when making an arrest or traffic stop.”

“Through the system’s interface with the Pennsylvania Department of Transportation, CPCMS also can assist law enforcement officials by printing driver’s license photos on warrants for identification purposes,” Ceraso added. Furthermore, access to statewide bail information and court history as well as other online resources can assist judges when making decisions regarding bail for potentially dangerous defendants.

CPCMS also improves court efficiency at the local level, providing docketing, calendaring, accounting, collection, payment and a wide variety of other court functions for its 7,400 primary county users, including judges and their staffs, clerks of courts and county court administration staff. The system’s “event-next event” concept, for example, allows the court staff to anticipate upcoming actions and be proactive about managing caseloads. Its calendar feature provides schedules for judges, attorneys and law enforcement officers to assist court administrators in setting up hearings and trials. CPCMS eliminates the need for county staff to complete docket transcripts and statistical reports and can reduce redundant data entry by electronically transferring charge information to and from county district attorney offices.

The system even helps victims, who benefit from CPCMS’s uniform disbursement schedule that enforces the high priority of payments to victims required by law and provides data to the Crime Victims Compensation Board within the Pennsylvania Commission on Crime and Delinquency, assisting its efforts to help victims.

CPCMS is comprehensive, yet flexible. During its development, AOPC staff identified common system requirements and those unique to the counties’ court operations and developed customized functions, when possible, to facilitate traditional practices in the counties. In addition, the staff has developed nearly 440 reports, forms and court documents to meet various county reporting needs, and staff continues to add additional reports as the need arises. Currently, users run more than 14,000 of these reports daily.

The AOPC has provided extensive training for county users as part of the county-by-county implementation

process. Most system users received training prior to each county’s “go-live” date. Some smaller counties had two trainers on-site for at least four weeks. Larger counties had more trainers on-site for longer periods of time. Philadelphia, for example, had 10 trainers on-site for more than 16 weeks before going live on CPCMS. In addition, nearly 30 analysts, developers and trainers from the AOPC’s staff were on-site in the Philadelphia courts for its “go-live” in September, and many staff

remained on site through December to assist with post-CPCMS implementation issues. The AOPC continues to provide ongoing training for current and new county employees as well as operates a toll-free help desk for county users.

The amount of court data transferred to CPCMS from literally hundreds of different county court systems is staggering. Information regarding more than 5.6 million existing court cases was transferred. Although cases dating back to the 1970s can be found on CPCMS, transferred case information typically dates back 10 to 15 years or to the time when the county first computerized its courts operations. AOPC officials estimate that approximately 400,000 new cases will be docketed on the Common Pleas Case Management System in 2007.

The CPCMS project included the purchase and installation of more than 800 computers and more than 480 printers in the state’s 67 counties at a cost of \$4.6 million. Remarkably, one county had no computers and operated strictly with paper files at the time the system was implemented.

Statewide judicial automation began in the early 1980s under the direction of Pennsylvania Supreme Court Chief Justice Emeritus **Stephen A. Zappala**. Since the inception of the first phase of the overall judicial computer project, the AOPC has broken new ground while developing three major statewide case management systems to date: the Magisterial District Judge System, completed in 1992; the Pennsylvania Appellate Court Case Management System, completed in 2000; and the newly-completed Common Pleas Case Management System, fully operational in early 2007.

[Steve Schell is a communications coordinator for the AOPC.]

The ability to quickly access the most current court information throughout the state...is invaluable to judges, law enforcement officers and other criminal justice agencies.



(This recap of recent news stories of interest to Pennsylvania’s Judiciary culled from papers across the Commonwealth—highlighting the accomplishments of people, programs and initiatives—is a regular feature in AOPC Connected.)

The **Scranton Times-Tribune** profiled the late **Michael Polizzi**, a Lackawanna County magisterial district judge, for his four decades of service on the bench.

The **Lebanon Daily News** chronicled Lebanon County Common Pleas Court Judge **Brad Charles’** faith-based approach to his duties.

The **Easton Express-Times** noted former Lehigh County Judge **Thomas A. Wallitsch’s** return after several months in Afghanistan, where he advised that nation’s highest court on ways to develop its legal system.

The **Philadelphia Inquirer** marked the farewell of Chester County Judge **Lawrence E. Wood** with a feature story about his retirement from the bench.

The **Pittsburgh Post-Gazette** highlighted efforts to enhance efficiency and access in **Beaver County Common Pleas Court** through electronic filing of civil documents.

The **Oil City Derrick** presented a report on the completion of a nearly year-long renovation project of the main **Forest County** courtroom in the county seat in Tionesta.

The **Reading Eagle** noted that the Pennsylvania Juvenile Court Judges Commission selected the **Berks County Court’s** snack shop as the state’s court-operated program of the year. The snack shop, which employs 30 delinquent youths, teaches business and life skills and has been in operation for 12 years.

The **Wyalusing Rocket-Courier** featured **Bradford County’s** new treatment court in a story that concluded the program “changes lives for the better.”

The **Legal Intelligencer** published a lengthy story on the start of a Superior Court mediation program that targets civil matters from **Philadelphia’s Common Pleas** system.

The **Carlisle Sentinel** reported on Cumberland County Judge **Merle “Skip” Ebert’s** first year in office.

The **Temple Times** covered the **Commonwealth Court** in action when seven cases were heard by the jurists at the Philadelphia university’s student center.

The **Pittsburgh Post-Gazette** noted the creation of the Pretrial Services Agency in **Allegheny County Common Pleas Court** to improve the monitoring and supervision of defendants released on bail.

AOPC and U.S. Third Circuit Court of Appeals to Share Information, Sponsor Joint Technology Conference

by Amy Ceraso

Several years ago, the late **Edward R. Becker**, former Chief Judge of the Third Circuit Court of Appeals, Chief Justice of Pennsylvania **Ralph J. Cappy** and others met to discuss the idea of the state and federal courts sharing information. At their direction, staffs from both entities began working together to identify areas in which this might happen.

The first area targeted for data exchange was capital case information. The Third Circuit Court of Appeals maintains a database of information regarding capital cases. Currently, data is manually entered into that system by state and county personnel working on those cases. With the development and implementation of both appellate and criminal Common Pleas case management systems, data can be transmitted to the federal courts without the need for redundant data entry.

This project is slated to "go-live" in the first quarter of 2007.

While working on these interfaces, staff realized that the state and federal courts face many common technology issues and that courts could benefit from meeting and discussing how other jurisdictions in the region had dealt with these issues. Accordingly, planning began for

a joint conference aimed at federal, state and county court and information technology staff.

The conference will take place May 22 - 23, 2007, at the Penn Stater in State College. **Mark Soltys** of the Third Circuit executive's office, Senior Projects Director **Ralph Hunsicker** and I have worked closely in developing an agenda to appeal to judicial, technical, administrative and policy-making staff.

Conference topics include data exchange, disaster recovery, public access, video technology and others. Speakers will include officials and technology staff from all levels of government. Keynote speaker will be **Laura Chappell**, founder of the Protocol Analysis Institute, an organization which focuses on protocol and application research and the development of educational material for network troubleshooters, analysts, engineers and security technicians.

A brochure announcing the conference with the final agenda and conference details will be distributed to courts and technology staff throughout the state in early spring.

[Amy Ceraso is director of Judicial Automation for the AOPC.]

Transitions, continued from page 9

Professor Sandra D. Jordan - designated chair of Committee on Rules of Evidence

Maureen P. Kelly, Esq. - reapptd. to Pennsylvania Interest on Lawyers Trust Account Board

Blaise P. Larotonda - Allegheny County magisterial district judge - apptd. to Minor Court Rules Committee

Penina Kessler Lieber, Esq. - apptd. to Pennsylvania Interest on Lawyers Trust Account Board

Bridget E. Montgomery, Esq. - designated vice chair of Committee on Rules of Evidence

Lester G. Nauhaus - Allegheny County Common Pleas Court judge - reapptd. to Criminal Procedural Rules Committee

Abraham C. Reich, Esq. - reapptd. to Continuing Legal Education Board

Stuart H. Savett, Esq. - reapptd. to Continuing Legal Education Board

Kelly M. Sekula, Esq. - apptd. to Committee on Rules of Evidence

Richard A. Sheetz Jr., Esq. - apptd. to Criminal Procedural Rules Committee

Graham C. Showalter, Esq. - reapptd. to Criminal Procedural Rules Committee

Kelly H. Shuster, Esq. - reapptd. to Continuing Legal Education Board, redesignated vice chair

Clyde W. Waite - Bucks County Common Pleas Court judge - apptd. to Committee on Rules of Evidence

Other Boards/Committees

Burrell Brown, Esq. - designated as chair of the Interbranch Commission for Gender, Racial and Ethnic Fairness

Edwin L. Klett, Esq. - apptd. to Judicial Conduct Board
Maureen E. Lally-Green - Superior Court judge - designated secretary of the Interbranch Commission for Gender, Racial and Ethnic Fairness

Kelley T. D. Streib - Butler County magisterial district judge - apptd. to Court of Judicial Discipline

Philadelphia Fetes Those Who Help the Poor

by P. Karen Blackburn

A special task force produced an award program to encourage Philadelphia's legal community to meet the need for *pro bono* services. The First Judicial District (FJD) held its inaugural "Pro Bono Publico Award" ceremony in November for local attorneys who provided outstanding *pro bono* services. Nominations were submitted by the judiciary, and final selections were made by a judge from each court division and an attorney from the Philadelphia bar.

Retired Superior Court Judge **Phyllis Beck**, now chair of the Independence Foundation and of counsel with Pepper Hamilton LLP, was the featured speaker at the event.

"There is a great need for free legal counsel on behalf of city residents in matters ranging from family law to personal finances and beyond," said **James J. Fitzgerald III**, administrative judge of the Philadelphia Court Trial Division. "The award recipients have responded to the growing demand and have gone above and beyond the call."

The 2006 *Pro Bono* "Roll of Honor" also was announced to recognize all attorneys who provided free services in the FJD. The Roll of Honor was published in

media outlets and on the FJD and the Philadelphia Bar Association's Web sites.

[P. Karen Blackburn is court administrative officer to Administrative Judge James J. Fitzgerald III, Trial Division, Philadelphia Court of Common Pleas.]



Recipients of the awards were (from left) Arthur B. Jarrett (for work in family court), Anne Maxwell (orphans' court), Daniel T. Williams (civil division) and Berto M. Elmore (criminal division).

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