



Wiping the slate clean

The Clean Slate Law, designed to automatically seal certain criminal history data, goes into effect in Pennsylvania this summer.

(continued on page 2)



Wiping the slate clean

By Josh Wilson

Last session, legislation creating the “Clean Slate Law” passed the General Assembly by an overwhelmingly bipartisan vote and was signed into law by Gov. Tom Wolf.

This new law is designed to automatically seal certain criminal history information. It goes into effect this summer and is the first program-of-its-kind in the nation.

Under this new protocol, criminal history record information pertaining to eligible “non-violent” criminal and summary records and non-conviction records will be automatically shielded from public view.

Individuals will need to have been free from conviction of offenses punishable by a year or more in prison for 10 years, and have completed all court-ordered obligations.

It is important to note, these records will not be expunged, and will still be accessible to law enforcement and judicial officers.

Implementation of the new law is rather complicated and won’t be achieved through a simple flip of the switch.

The ability for the commonwealth to automatically seal eligible records is accomplished in large part through the efforts of AOPC/IT, in consultation with the Pennsylvania State Police— who maintain the state’s official criminal history repository.

“AOPC and the Pennsylvania State Police have worked cooperatively to effectively create complex mechanisms to identify and verify the cases and offenses that will be subject to automatic sealing under the Clean Slate law,” said **Amy Ceraso**, director of AOPC/IT.

“Processing the enormous backlog of cases that are eligible for Clean Slate treatment over the next year will be a challenge, but with the assistance of county judicial officials and Clerks of Courts, we are confident that we’ll be able to identify and seal millions of cases to meet the stated purpose of the Clean Slate act,” added Ceraso.

Other provisions of the law are already in effect – specifically, the list of individuals who can petition a Court of Common Pleas for an Order of Limited

Access (as provided in Act 5 of 2016), which was expanded in December of last year.

The Pennsylvania Bar Association and Community Legal Services have partnered to provide free legal consultation to Pennsylvanians to help determine if they are eligible for these provisions. “My Clean Slate” can be accessed via <https://clsphila.org/mycleanslatepa>.

Additionally, AOPC recently designed a webpage that details the various provisions of the new law and outlines the basics of criminal history information, including background checks and the expungement of records. [AOPC](#)

more INFORMATION

<http://www.pacourts.us/learn/learn-about-the-judicial-system/clean-slate-expungement-and-limited-access>

(Josh Wilson is the director of legislative affairs)

Improving writing skills for judicial professionals

Contributors: Don Powers, Christy Beane and Mark Singer

Pennsylvania Association of Court Management (PACM) board members along with AOPC/Judicial District Operations staff went back to school to take a crash course in “Writing Skills for Judicial Professionals.”

Professor Ronald R. Hofer, a distinguished professor at the National Judicial College in Reno, Nevada, led the professional development workshop.

“Ship sails tomorrow.” Ask yourself, what does this mean?

You are likely thinking that it means the boat leaves the dock tomorrow. However, according to Professor Hofer, this was actually a note from a manager to an employee reminding them to ship (mail) the boat’s sails to the customer tomorrow.

He reminded participants not to leave inferences for your readership to fill in, otherwise confusion and misinterpretation of the written word will occur.

Professor Hofer told participants jokingly about “Hofer’s Rule of Confusion”—the idea that every time you read a sentence that you can’t get your head around, it is usually because the actor is not defined.

“Your writing gets better when you say who (actor) is doing what (action),” said Hofer.

“When deciding what message you want to send through your writing, focus on information that is important to the reader, not what is important to the writer,” **Christy Beane**, assistant director of AOPC/Judicial District Operations noted as an important takeaway from the session.

The goal of the workshop was to provide the tools to make writing more readable and easier to understand.

Writing is a skill used by staff every day, and yet for most, it has been decades since participating in a writing course.

Weeks before the course, each attendee was asked to submit writing samples to be discussed and dissected during the workshop.

Although this was a simple task on the surface, most found it difficult to find the best writing samples that they were willing to submit for inspection.

“When I received the invitation to attend the effective writing course, I knew I had to accept,” said **Don Powers**, district court administrator in Clinton County.

The last time I consciously diagramed a sentence was 1976 and I was nervous about attending this workshop. As it happens, there was nothing for me to be nervous about.”

Throughout the workshop, class participants were reminded about the difference between active and passive voice, how to identify and avoid nominalizations and expletives, and how to identify the subject, verb and object in each sentence.

“Never pass up an opportunity to grow your knowledge.”

– **Don Powers**, Clinton County district court administrator

According to **Mark Singer**, district court administrator for Franklin/Fulton counties, Professor Hofer taught a “hands-on, four-step editing process that was easy to comprehend. This was a practical application that can be used in daily writing.”

Powers shared that “the proofreading part of the curriculum was of greatest interest to me. I guarantee that I’ll be a stronger editor after this course.”

“This conference was one of the best experiences I’ve had outside of my courthouse since I became DCA,” said Powers. “Never pass up an opportunity to grow your knowledge.” **AOPC**

Four-step guide to edit your own writing

1. Draw circles around the passive verbs.
2. Draw boxes around expletives.
3. Underline the nominalizations.
4. Note the distance between subject and verb.

Q & A: Comfort dogs and their handlers

While going to court can often be a difficult and nerve-racking experience for many people, especially children, some courts have found a way to help ease the stress.

Both Monroe and Lycoming Counties have received adorable additions to their courthouse staff and agree that the presence of comfort dogs in their courts has been nothing but overwhelmingly positive.

Four-year-old Jedi, a Labrador/Golden Retriever mix, joined Lycoming County's court staff back in February of 2018, where he was matched with his handler, **Jerri Rook**, executive secretary to **Judge Joy Reynolds McCoy**.

Meanwhile, in Monroe County, two-year-old Golden Retriever mix, Nicholas (Nick) is a rather recent addition having only begun this past February but he has already stolen the hearts of everyone there – including his handler, Chief Law Clerk **Jessica Jones**.



We asked both handlers a few questions about their experiences with their new best friends:

Q: What is the difference between being an owner and a handler?

Jones: "I think one notable difference between being a handler and an owner is educating the people we come into contact with. As a handler, I am not only representing myself and my pet dog, like I would as an owner, but I am also representing the wider service dog community. By providing information and education for people we come into contact with, Nick and I are, hopefully, making a positive impact on our local community on behalf of service dogs everywhere."

Rook: "I feel like I'm missing something when he's not with me. I'm more aware of things that may affect him and how the public reacts to him and treats him. I have to pay attention to where his feet are, where his tail is, holding doors open to make sure he gets through before it closes, what's on the ground, etc."



Q: What is your favorite part about being your dog's handler?

Jones: "My favorite part of having Nicholas in my life is seeing the smiles he brings to everyone he meets. He has such a happy and social personality! Sometimes that means it takes me much longer to get from point A to point B now, but I'm happy to let him greet everyone we meet because it's just so uplifting to see the joy he brings to people."

Rook: "The best part is seeing the faces of the children light up when he walks into a room. The children that come into court generally are nervous and scared. When they see Jedi, all that disappears and they are just excited to see a dog."

Q: Can you recall a particularly moving experience when you saw your dog make a real difference?

Jones: "I remember one child that Nick interacted with recently who was quite withdrawn when Nick met him. After asking the child if he wanted to sit with Nick and getting a shoulder shrug, I had Nick sit up on a bench seat and the child sat down next to him.

Before long, the child was simply sitting and petting Nick. Eventually, Nick put his head in the child's lap and stayed there for close to an hour. The child started to smile and talk, which was a complete turn-around from his demeanor before."

Rook: “I can tell you my first moving experience with Jedi was with a 15-year-old juvenile delinquent. He was very distraught, crying and hyperventilating. When Jedi and I first walked in, he yelled at us that he did not want us there. I calmly took Jedi over and laid him at the juvenile’s feet and could immediately feel that the juvenile was starting to relax a little.

After a few minutes of petting Jedi, the juvenile was completely calmed down. His crying had stopped. When they took the juvenile out, he went with the officers without

incident and was completely calmed down. We have sat with many juveniles over the past year, but this, by far, was the most moving experience I have had.”

Would you recommend comfort dogs to other courthouses?

Jones: “Absolutely. I hope that in the future, all courthouses have a facility dog available for their visitors, staff, victims and children.” [AOPC](#)

Remaining Vigilant

By Darren Breslin, Esq.

Next year will mark the 15th anniversary of the Pennsylvania Commission on Judicial Independence (“the Commission”).

The Commission is a non-partisan advisory group reporting to the Pennsylvania Supreme Court. Its mission was, and remains, simple: to help educate the public about the importance of fair and impartial courts in our society.

Since its inception under the leadership of then-Chief Justice **Ralph Cappy**, the Commission has both led and supported numerous initiatives, highlighting the critical importance of an independent judiciary.

Over the past 14 years, the Commission has featured prestigious events across the commonwealth, featuring speakers renowned for their work, both nationally and internationally.

In delivering its message, the Commission has hosted prominent speakers, most notably, former Associate U.S. Supreme Court Justice Sandra Day O’Connor, to talk about the importance of fair and impartial courts.

In addition to developing lesson plans for teachers across the commonwealth to aid in the teaching of civics, the Commission has also hosted numerous lectures and programs.

Some of these include such diverse topics as court-media relations; the necessity of adequately funding the courts; and a program commemorating the sesquicentennial of the Second Founding, marking the 150th anniversary of the Reconstruction Amendments after the Civil War.

In 2019 the Commission remains a vibrant and engaged body. Under the leadership of Federal **Judge John E. Jones, III**, and Commonwealth Court **Judge Renée Cohn Jubelirer**, the Commission members remain vigilant, watching for unjust attacks against the judiciary, and also helping to educate the citizens of Pennsylvania about the importance of fair and impartial courts in our society. [AOPC](#)

Pennsylvania Commission on Judicial Independence

Co-Chairs

Judge John E. Jones, III

U.S.D.C. Middle District of Pennsylvania

Judge Renée Cohn Jubelirer

Commonwealth Court of Pennsylvania

Members

Charles L. Becker, Esquire

Kline and Specter PC

Professor William M. Carter, Jr.

University of Pittsburgh School of Law

Judge D. Michael Fisher

Senior Judge - United States Court of Appeals for the Third Circuit

Justice James J. Fitzgerald, III

(Co-Chair Emeritus) Ret. Justice of PA Supreme Court

Charisse R. Lillie, Esquire

Comcast (Ret.)

Edward W. Madeira, Jr., Esquire

Pepper Hamilton LLP (Ret.)

H. Sheldon Parker, Jr.

Ret. member of the Pa. House and former executive director of Public TV Network

Judge Christylee L. Peck

Cumberland County Court of Common Pleas

Andrew F. Susko, Esquire

White and Williams LLP



(Darren Breslin, Esq. is a staff member of AOPC/Judicial Education and counsel to the Pennsylvania Commission on Judicial Independence)

more INFORMATION

go to <http://www.pacourts.us/courts/supreme-court/committees/pennsylvania-commission-on-judicial-independence>.

Education for guardians

by Cherstin Hamel

Imagine you are appointed by the court to serve as a guardian for an older family member or friend who can no longer make their own decisions.

If you aren't an attorney or a "professional" guardian, you might be asking, "Where can I find information about my role as a guardian?"

The Elder Law Task Force convened by the Supreme Court of Pennsylvania in 2013 recognized there is little guidance for non-attorney guardians about their powers, duties and responsibilities.

As a result, they recommended that these guardians be given written and oral instructions at the time of their appointment, and that free training and online resources be developed by the Office of Elder Justice in the Courts (OEJC).

In 2018, the OEJC began piloting a free training program for guardians titled, "Fundamentals of Guardianship: What Family Guardians Need to Know."

The training program is designed to help guardians better understand their responsibilities by providing them with the resources and tools needed to carry out their duties, and then allowing them to ask questions.

In May, the training program was offered in the following counties: Carbon, Somerset, Allegheny, Venango, Elk and Cameron Counties.

"While guardians will be a target audience for education, the true beneficiaries will be adults with physical or mental disabilities . . ."

– Katherine C. Pearson, Esq., professor of law at Penn State University's Dickinson School of Law

The OEJC is pleased to announce it is also collaborating with Penn State University on a new educational endeavor - the Pennsylvania Adult-Fiduciary Education Project.

Through the efforts of Katherine C. Pearson, Esq., professor of law at Penn State University's Dickinson School of Law, a grant award was obtained in January to develop online educational modules for use with current or prospective guardians, and for similar agents serving disabled, frail or vulnerable adults.

"While guardians will be a target audience for education, the true

beneficiaries will be adults with physical or mental disabilities, especially adults with neurocognitive impairments that may increase with age," said Professor Pearson. "By developing the highest quality program to inform and evaluate agents and guardians for incapacitated adults in Pennsylvania, we can shape a national educational model, and promote greater safety, well-being and enhanced quality of life for adults in need of assistance."

Over the next 18 months, a team of experts from Dickinson Law School, Penn State's Colleges of Nursing and Medicine, Penn State Harrisburg, the Pennsylvania Association of Elder Law Attorneys, the ARC of Pennsylvania, SeniorLAW Center and Community Legal Services, Superior Court Judge **Paula Francisco Ott** (as chair of the Advisory Council on Elder Justice in the Courts) and the OEJC will create educational modules that address an array of topics useful to guardians.

The OEJC and Advisory Council on Elder Justice in the Courts are gratified that Penn State reached out to the court system to propose this rewarding collaboration and look forward to reviewing the tools to be created.

AOPC

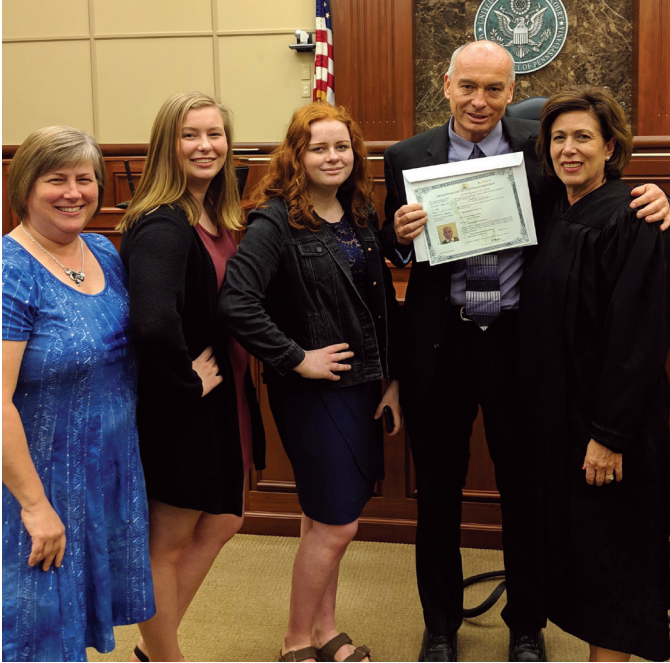


(Cherstin Hamel is the director of the Office of Elder Justice in the Courts)

A Q&A SERIES CELEBRATING
WOMEN'S HISTORY MONTH
IN THE PENNSYLVANIA COURTS

Video highlights from PA's women on the bench

In honor of Women's History Month in March, the AOPC produced a Q&A video series highlighting some of our female judges in Pennsylvania. The video is a wonderful representation and highlight of women on the Supreme, Superior and Commonwealth Courts – as well as president judges who oversee the Court of Common Pleas and Magisterial District Courts. Watch the video at pacourts.us/news-and-statistics/media-resources. **AOPC**



(l to r) Mickey Grey, Jazzie Grey, Cassie Grey, Steve Grey and Judge Susan Schwab.



Journey to citizenship

Steve Grey, an AOPC systems analyst, celebrated a significant milestone this past April as he officially became a U.S. citizen.

Grey was born in England, but grew up in New Zealand after his family moved there when he was six years old.

In 1991, he traveled to Japan to teach English for two years where he met a girl from Mechanicsburg, Pennsylvania.

A few years later, the two got married and moved to New Zealand before eventually deciding to move back to his wife's hometown in 1995 when he was thirty years old.

When asked how long it took him to become an official U.S. citizen, Grey said he only began the process last year.

"I was surprised how fast the whole process went for me," Grey explained. "It can sometimes take years, but I have been a permanent resident in the states since 1995, so I already qualified – just had to fill out all the forms and pass the test."

This June, Grey and his wife will celebrate their 25th anniversary with a trip back to Japan where they first met – this time bringing along their two daughters.

When asked what made him want to finally become a U.S. citizen, Grey said his green card is expiring in November and he knows his future lays in the U.S.

"I have now lived in the United States longer than I have lived in any other country. My family is settled, I like my job and I have good friends," said Grey.

Magisterial District Judge **Susan E. Schwab** oversaw the ceremony where 50 immigrants from 25 countries became U.S. citizens that day. [AOPC](#)

New leadership for AOPC judicial district security team

The AOPC was pleased to welcome **Rob Granzow** as its new Judicial District Security administrator at the end of May. Rob succeeds **Mary Beth Marschik** who retired on June 7 after nearly 15 years of dedicated service with AOPC and 35 years of state government service.

Rob comes to the AOPC with an incredibly diverse background. Prior to his appointment, Rob held senior and global corporate security assignments at both TE Connectivity and AMP Incorporated.

Before that, he served as both the chair and professor of the Division of Law and Science at Central Pennsylvania College.

In his early career, Rob was a municipal police officer who served in both the U.S. Naval Reserve and the Pennsylvania Army National Guard as a military police investigator.

Rob holds a bachelor's degree from York College and earned his master's degree in criminal justice from St. Joseph's University.

Additionally, **Kyle Ramberger** has been promoted to Judicial District Security assistant administrator following 14 years of impressive performance in his former security roles at the AOPC – most recently as Judicial District Security analyst.

Please join us in congratulating Kyle and welcoming Rob to the AOPC. [AOPC](#)

Can we improve court collections?

Last year, a Collection Agency Task Force was established to determine if a statewide collection agency contract would be beneficial to county courts to help improve the courts' collection of fines, fees and restitution.

After a survey of district court administrators across the state, it was concluded that offering a statewide collection agency solution would be of value.

Following a competitive selection process, the AOPC secured a statewide contract with a private collection agency – Alliance One.

“AOPC was looking for a vendor with general and court collections experience, while trying to minimize fees charged to defendants by the agency,” said **Amy Ceraso**, director of AOPC/IT.

The AOPC is inviting all Magisterial District Courts and Courts of Common Pleas to participate in collections using this contract. Participation is optional and all courts may continue to use a county-based collection agency contract if they choose.

If interested, Magisterial District Courts must secure their president judge's approval.

AOPC/IT plans to implement the new contract over the next several months by coordinating a “go-live” date with interested courts.

The Common Pleas Case Management System and Magisterial District Judge System help desks are available to answer questions and discuss how to start using the statewide contract. [AOPC](#)

Rule change: Citing unpublished Superior Court opinions

A new rule recently adopted by the Supreme Court of Pennsylvania allows unpublished Superior Court opinions to be cited for their persuasive value.

The rule change comes as the result of a recommendation from the Appellate Court Procedural Rules Committee and became effective in May.

It allows parties to rely on unpublished Superior Court memorandum opinions filed after May 1, 2019, and unreported Commonwealth Court opinions filed after Jan. 15, 2008.

While the citation of unpublished opinions has traditionally been prohibited, the increasing digitalization and online accessibility of these memorandums has shifted many courts' view on the long-standing rule.

This rule change follows many other courts' decisions – including both Commonwealth Court as well as the federal courts, who both made the rule change over a decade ago.

“This rule change promotes greater transparency for the decisions of the intermediate appellate courts,” said Pennsylvania Supreme Court Justice **Christine Donohue**. “Most important, however, is that the rule fosters consistent treatment of litigants by the various panels of the appellate courts and aids the bar in its presentation of cases.” [AOPC](#)

Editors

Stacey Witalec
Kim Bathgate

Writer

Casey Scheffler

Contributors

Patti Campbell
Rhonda Hocker
Stephen Baldwin

Graphic Design

Gretchen Smith

Photography

Justin Scott

Court Administrator of PA

Tom Darr

Assistant Court Administrator of PA

Andrea B. Tuominen, Esq.

All content is collected, written and edited by the AOPC Communications Office unless noted. You may reach the office by calling: (717) 231-3300 or by emailing: CommunicationsOffice@pacourts.us

For more information about Pennsylvania's courts, visit: www.pacourts.us Twitter @PACourts Facebook @pennsylvaniaicourts YouTube @PA Courts

Supreme Court of Pennsylvania

Thomas G. Saylor
Chief Justice of Pennsylvania

Max Baer
Justice

Debra Todd
Justice

Christine Donohue
Justice

Kevin M. Dougherty
Justice

David N. Wecht
Justice

Sallie Updyke Mundy
Justice

Pennsylvania sees positive increase in kinship care placement over the last five years

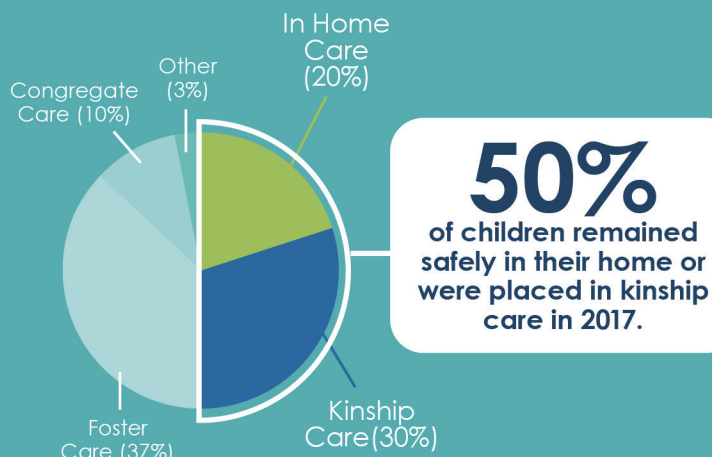
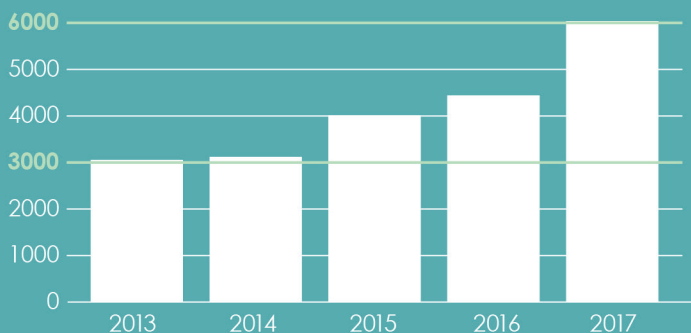
What is kinship care?

Finding people who have a relationship with the child to care for him or her.

What is dependency court?

Dependency court handles cases involving child abuse or neglect. In cases where children are declared "dependent" and placed under court supervision, judges conduct regular hearings to ensure child safety, permanency and wellbeing.

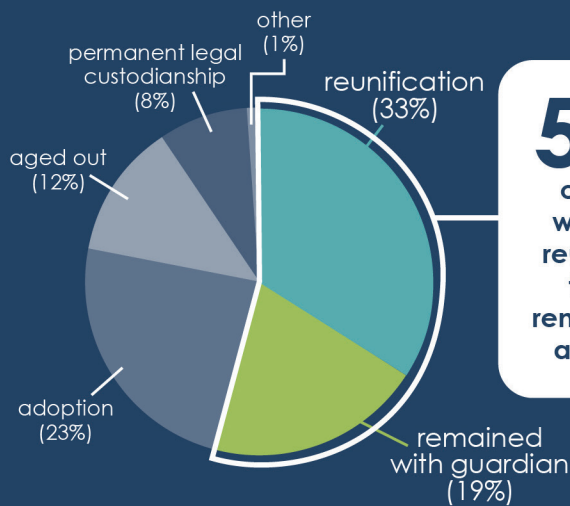
Placement of children in kinship care nearly doubled over the past five years:



On average,

10,000
children
enter the dependency system every year.

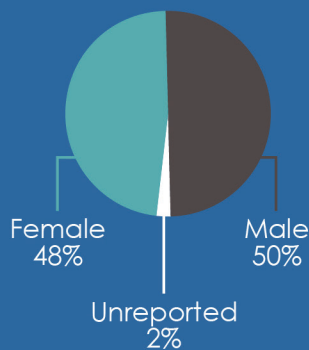
Reasons court supervision ended in 2017:



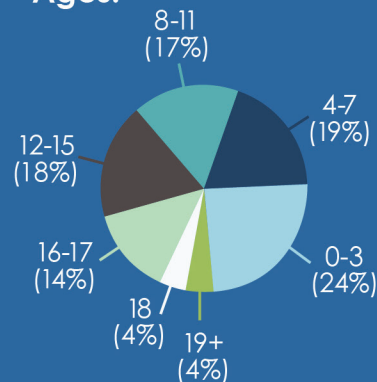
52%
of children were either reunified with family or remained with a guardian.

Children under court supervision at the end of 2017:

Gender:



Ages:



Wellness and the legal profession

The Minor Judiciary Education Board introduced a new program this year that focuses on improving the overall well-being of lawyers and judges.

The session, titled “Wellness and the Legal Profession,” is presented by Laurie Besden, executive director for Lawyers Concerned for Lawyers and Judges Concerned for Judges.

In 2016, the National Task Force on Lawyer Well-Being was established as a result of two studies that found workers in the legal profession have one of the highest rates of depression and suicide, at nearly 28 percent.

The overall goal of the task force is to create a movement towards improving the health and well-being of the legal profession. One of their recommendations was the institution of programs which encourage an open dialogue about the facilitation and de-stigmatization of help-seeking behaviors.

“There is an intrinsic stress factor levied upon Magisterial District Judges that they encounter both in the courtroom and within their communities,” said **Susan Davis**, executive director of the Minor Judiciary Education Board. “We wanted to develop curriculum that provided constructive approaches for dealing with the unique circumstances prevalent in the court system.”

Davis said the program specifically focuses on lack of work/life balance, the conflicting external environment of the adversarial setting that’s present in the profession and ways to incorporate healthy practices.

In the session, Besden also provides resources to assist judges in recognizing the warning signs of depression, suicide, substance abuse and addiction.

When asked about the response to the program, Davis said that judges take the time every week to articulate the great value they come away with after attending.

“The presentation is offered on Fridays and judges often remain after class has ended to further the conversation.”

Judges Concerned for Judges’ services are not only available to judges but also to their family members. All services are free, confidential, safe and supportive. **AOPC**

5 ways to improve well-being and boost resilience:

1. Practice gratitude
2. Practice mindfulness/meditation
3. Volunteer to help others
4. Practice self-compassion
5. Humor

more INFORMATION

visit www.jcjpa.org or call Judges Concerned for Judges of Pennsylvania confidential helpline at 1-888-999-9706.

Faxing takes back seat to scanning

Technology continues to evolve and change the way courts do business. Magisterial District Courts have experienced some of those changes as many organizations no longer use fax machines. Sharing documents with reporters and other agencies via fax has become difficult in this electronic age as scanning and email are the preferred methods.

Scanning is possible for most Magisterial District Courts using the AOPC multifunctional printers in the Magisterial District Court offices. Once scanned and saved, the document can be attached to an email. Like faxing, courts need to be careful not to share confidential information when scanning and emailing documents.

While all AOPC printers have the capability to scan, not all counties have chosen to take advantage of this feature which allows the Magisterial District Courts to scan and attach Electronic Records Management System (ERMS) documents to docket entries in the Magisterial District Judge System (MDJS).

If a county would like to start scanning, the district court administrator should contact AOPC on behalf of all of the Magisterial District Courts within the county. For more information about scanning documents and using ERMS in the MDJS, please contact Lisa.Polonia@pacourts.us. **AOPC**



Language access— beyond the gavel

By Mary Vilter, Esq.

As part of their continued efforts to ensure access to justice for all court users with limited English proficiencies (LEP), the AOPC and the judicial districts continue to work together to implement the statewide Unified Judicial System (UJS) Language Access Plan.

The next phase of the plan addresses the provision of meaningful language access for all programs, services and activities *outside* the courtroom.

This includes any service ordered, managed or administered by the court – custody mediation, anger management classes, domestic violence programs, drug and alcohol evaluations, safe driving classes, etc.

For services administered by the court, language access can be provided using a variety of methods, including:

- an in-person interpreter from the AOPC roster
- qualified bilingual staff
- contracted in-person, telephone and video remote interpreters
- translated written materials
- webinars or other activities conducted in languages other than English

When it comes to court-ordered services, judges should use their discretion and avoid ordering LEP parties to participate in programs that do not provide interpretation or translation.

For services contracted on behalf of the court, it is important to note that if the vendor receives federal funds, they are already obligated to provide language access to their LEP participants free of charge under Title VI of the federal Civil Rights Act.

As such, judicial districts are encouraged to work with their counties to review contract terms, making sure to include provisions requiring their vendors comply with Title VI and provide meaningful language access.

Although this is a wide and far-reaching task, many counties have already begun taking the steps needed to accomplish it.



(Mary Vilter, Esq. is the coordinator for court access.)

AOPC

How are counties meeting this challenge?

“For our mandatory co-parenting class, we’ve contracted with a vendor who provides the class in Spanish and in English...For LOTS (languages other than Spanish), we provide an interpreter for the class or program.”

Kerry Turtzo

Lehigh County district court administrator

“We provide interpreters for pre-sentencing, Court Reporting Network evaluations (a state mandated assessment tool for DUI offenses) and Our Children First class.”

Carol Dillon

Montgomery County language access coordinator

“If we become aware that a person needs an interpreter, we provide an interpreter – this is done on a regular basis for the Drug and Alcohol Treatment Services. We also regularly send interpreters along to the Alcohol Highway Safety program, the domestic violence program, and the adult probation department to assist with pre-sentence investigations.”

Frank Castellano

Lackawanna County district court administrator

“The two agencies that they [the DA’s Office] use for evaluation and treatment, refer the LEP clients to classes in their language.”

Carmen Thome

Bucks County deputy court administrator

“We provide sign language interpreters for our anger management class...Some of our judges will put it on the record when someone needs to attend a program outside the courtroom and needs to have an interpreter.”

Monique Gomez

Northampton County official court interpreter



Legislative roundup

by Damian J. Wachter, Esq.

The legislature continued consideration of several constitutional amendments, with a focus on appellate jurist selection and victim protection. Constitutional amendments do not require the governor’s signature. Instead, they must pass in successive legislative sessions, meet specific advertising criteria and – finally – be approved by the voters.

Appellate jurists selection (first passage):

District elections:

House Bill 196 provides for the election by district of the Supreme, Superior and Commonwealth courts. The districts are established by law and must provide every resident of the Commonwealth with approximately equal representation on a court, be compact and contiguous and contain nearly equal population as practicable. The General Assembly would provide for the transition to district elections, the impact of the change upon eligibility to seek retention and the order in which the transition will occur.

Merit selection:

House Bill 111 establishes merit selection for vacancies on the three appellate courts. The amendment provides for an eastern, middle and western region established by law. Two justices of the Supreme Court are chosen from each region while one is chosen statewide. Five judges of the Superior Court are chosen from each region and three judges of the Commonwealth Court are chosen from each region.

Current appellate jurists would complete their current term and be eligible to seek retention as provided by law at the time of their election prior to the adoption of the amendment.

Nominees would be provided by a 13-member Appellate Court Nominating Commission. The commission would consist of five appointees of the governor and eight of the General Assembly. Nominees must be confirmed by two-

thirds of the Senate and upon confirmation, serve four-year terms followed by nonpartisan retention elections.

Victim protection (second passage):

Victim rights amendments: House Bill 276 and Senate Bill 149 – known as Marsy’s Law – create a new crime victims section within the constitution. Its stated purpose is to provide victim justice and due process throughout the criminal and juvenile justice systems and the rights provided must be protected in a manner no less vigorous than the rights afforded to the accused. Victim rights include safety, notification, opportunities to be heard, ability to refuse interviews or depositions and full and timely restitution.

Coming Up:

We anticipate that the legislature will:

1. Pass the 2019-20 General Appropriations Act and supplemental bills, such as the Fiscal and Administrative Codes, both of which could have judicial implications;
2. Explore advancing a second Justice Reinvestment Initiative; and
3. Debate reforms to statutory probation provisions. [AOPC](#)



[Damian Wachter, Esq. is the assistant director of Legislative Affairs.]

Around the Judiciary



The 2019-2020 Judicial Budget Hearing took place in February in the Pennsylvania State Capitol.

(l to r): **Ken Crump**, assistant director of Finance, **Tom Darr**, court administrator of Pennsylvania, Pennsylvania Supreme Court Justice **Max Baer**, Pennsylvania Supreme Court Justice **Sallie Updyke Mundy** and **Andrea Tuominen**, assistant court administrator of Pennsylvania.



AOPC recently coordinated a food drive for the Central PA Food Bank (CPFB) in Harrisburg. Donations collected by AOPC Mechanicsburg and all tenants of PJC weighed 441 pounds. All items delivered to the CPFB were placed on pantry shelves located at their headquarters. While not an official food pantry, those in crisis who come for assistance are never turned away and can help themselves to the pantry items.



Over 60 program coordinators met in Hershey, PA for their annual Pennsylvania Problem-Solving Court Coordinator Symposium from May 7-8 hosted by AOPC.



Laurie Besden, executive director of Lawyers Concerned for Lawyers, presented “To Hell and Back: One Lawyer’s Path to Recovery” at Harvard Law School on March 5, where she shared her own story and discussed the importance of incorporating healthy mental practices into the legal profession.

(l to r): Anna Levine, Esq., Massachusetts Lawyers Concerned for Lawyers; J. David Farrell, Esq., Lawyers Concerned for Lawyers volunteer, Laurie Besden, executive director, Lawyers Concerned for Lawyers, and Stephanie Shark, Esq., former Montgomery County district attorney.



President Judge of the Commonwealth Court of Pennsylvania **Mary Hannah Leavitt** received the 25th Annual Honorable Sylvia H. Rambo Award. The ceremony was hosted by Dickinson Law’s Women’s Law Caucus on March 14 where U.S. Judge for the Middle District of Pennsylvania Sylvia H. Rambo presented the award along with the current President of the Women’s Law Caucus, Alana Goycochea.



On March 19, a panel of Common Pleas judges appeared before the House Judiciary Committee for an informational meeting to generally discuss the criminal procedural process. The judges provided remarks on the steps occurring from pre-trial through sentencing, post-conviction relief, problem-solving courts, bail reforms and the role of the president judge. The judges then fielded questions from the committee members.

(l to r): Judge **Douglas Reichley** (Lehigh); Judge **Kai Scott** (Philadelphia); President Judge **Rich Lewis** (Dauphin); Judge **Craig Dally** (Northampton); Judge **Anthony Mariani** (Allegheny); Judge **George Pagano** (Delaware); Judge **Albert Masland** (Cumberland).



Supreme Court Justice **David Wecht** gave a lecture, “Antisemitism, America, and the Law” at Yale University on April 2.



Pennsylvania Capitol Police Sergeant Clarence Stokes conducted an active shooter awareness training class in Harrisburg on April 10. The training addressed how to prepare for, and respond to, an act of workplace violence or an active shooter situation.

Around the Judiciary



Pennsylvania's 2nd Annual Minor Court Administrators Workshop was held in Harrisburg from April 11-12 and focused on best practices in the courts.



The 2019 Pennsylvania Children's Roundtable Summit took place in April and focused on making sure Pennsylvania is a "Family First Commonwealth." National and state experts led sessions on issues of poverty, drug addiction, trauma and child well-being throughout the three-day summit attended by nearly 400 child welfare professionals including case workers, judges and administrators.



New Court Administrator orientation took place May 8-10 at the PJC. A variety of topics were covered over the course of the three-day workshop including effective leadership roles, fiscal and MDJ administration, as well as caseload, jury and facilities management.



Pennsylvania Judicial Conduct Board members.

*l to r – (front row) Lisa K. Steindel, Secretary; Hon. P. **Kevin Brobson**, Chair; and Wilmarie González. (back row) l to r – Hon. **Patricia H. Jenkins**; Hon. **Elizabeth S. Beckley**, Vice-Chair; Arnold Shienvold, Ph.D.; Mustafa L. Rashed, Det.; Joseph M. Brown; Hon. **Nina Wright Padilla**; Thomas J. Elliott, Esq.; and Mandi L. Culhane, Esq.*



Superior Court PJE **Correale Stevens** and wife Louise Stevens, at his Superior Court portrait unveiling in Philadelphia.



Pennsylvania Supreme Court Justice **Kevin M. Dougherty** and President Judge **Thomas A. James, Jr.** at a ceremony celebrating both the graduation of nine participants from Columbia/Montour Counties' Drug and DUI Treatment Courts, as well as the accreditation of their Drug Treatment Court at the Columbia County Courthouse.



Pennsylvania judges met with Madame Justice Maria Wilson of the High Court of Trinidad & Tobago on April 16 at Duquesne University School of Law. *Back row (l to r): Hon. **Christine Ward**, Hon. **Patricia McCullough**, Hon. **Mary Jane Bowes**, Hon. **Jill Rangos**, Hon. **Kim Eaton**, . Front row (l to r): Hon. **Judith Olson**, Hon. Justice Maria Wilson, Judge of the High Court of Trinidad & Tobago; Hon. **Maureen Lally Green** (ret.).*



In May, Supreme Court Justice **David Wecht** spoke at the First Judicial District FYI Committee's "Lunch with the Supremes" at Philadelphia Family Court where he attended as the guest of honor. He gave a presentation titled, "The Rule of Law, And Other Peculiar Notions."



Franklin County Bar Association hosted Law Day on May 3rd. The Young Lawyer Division of the bar hosted the event. This year's Law Day was presided over by the Hon. **Shawn D. Meyers**, Court of Common Pleas for 39th Judicial District.

Around the Judiciary



On March 27, 2019, Stella L. Smetanka, Esq., IOLTA Board member, received an Excellence Award from the Pennsylvania Legal Aid Network. (l to r) Stella Smetanka and Jay W. Alberstadt, Jr., Esq, President of the Pennsylvania Legal Aid Network.



Superior Court Judges **Mary Jane Bowes, Judith Olson** and **Victor Stabile** sitting in Lycoming County. Over 100 students attended and listened to oral arguments.



Chief Justice **Thomas G. Saylor** addressed the Pennsylvania Bar Association House of Delegates meeting in May. During the meeting, the Chief inducted new members.



A ceremony recognizing retired counsel to the Supreme Court's Appellate Court Procedural Rules Committee, Dean Phillips, was held on May 14 in the PJC for his donation of a Supreme Court Courtroom painting by renowned artist Kathleen Howell to the Pennsylvania Judiciary.

top left: Dean Phillips addresses the audience

bottom left: (l to r) Justice **Kevin M. Dougherty**, Justice **Christine Donohue**, Justice **Max Baer**, Chief Justice **Thomas G. Saylor**, **Dean Phillips**, **Kathleen Howell**, Justice **Debra Todd**, Justice **Sallie Updyke Mundy**, Justice **David Wecht**



Transitions

NEW TO JUDICIAL BRANCH

[PATRICIA A. BROWN](#) - MCKEAN COUNTY - ASSISTANT TO THE COURT ADMINISTRATOR
[JOHN W. NORTON](#) - JDOP - LEGAL INTERN
[KAITLYN N. RICHARDS](#) - LEGAL - LEGAL INTERN
[LISA M. SANDERSON](#) - IT - RECEPTIONIST

RETIREMENTS/RESIGNATIONS

[RONALD L. BAKER](#) - IT - HELP DESK OPERATOR
[ARATI DAS](#) - IT - IT DEVELOPMENT MANAGER
[ROGER F. ECKELS](#) - WESTMORELAND - MAGISTERIAL DISTRICT JUDGE
[RICHARD A. KELLER](#) - IT - IT SUPPORT TECHNICIAN
[ASHOKKUMAR T. MODI](#) - IT - END USER HARDWARE AND SOFTWARE TECHNICIAN
[TERESA M. SHAPIRO](#) - IT - ADMINISTRATIVE ASSISTANT
[HEDWIG T. SHERWOOD](#) - IT - IT DEVELOPMENT MANAGER
[CYNTHIA A. SMITH-JANASIK](#) - IT - ADMINISTRATIVE ASSISTANT
[CHARLES A. SUMMERSCALES](#) - IT - PROGRAMMER ANALYST
[JOSEPH W. TRICARICO](#) - IT - END USER HARDWARE & SOFTWARE TECHNICIAN
[JEANNINE TURGEON](#) - DAUPHIN - JUDGE

COMMITTEES, BOARDS AND ADVISORY GROUPS

[HON. DANIEL J. ANDERS](#) - REAPPOINTED - CIVIL PROCEDURAL RULES COMMITTEE
[JENNIFER P. BIERLY, ESQ.](#) - REAPPOINTED - DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE
[PAUL D. BOAS, ESQ.](#) - REAPPOINTED - CRIMINAL PROCEDURAL RULES COMMITTEE
[HON. MARY JANE BOWES](#) - REAPPOINTED - APPELLATE COURT PROCEDURAL RULES COMMITTEE
[KRISTEN W. BROWN, ESQ.](#) - APPOINTED - APPELLATE COURT PROCEDURAL RULES COMMITTEE
[HON. DAN CLIFFORD](#) - APPOINTED - JOINT STATE GOVERNMENT COMMISSION ADVISORY COMMITTEE ON DOMESTIC RELATIONS LAW
[SENATOR MARIA COLLETT](#) - APPOINTED - ADVISORY COUNCIL ON ELDER JUSTICE IN THE COURTS
[HON. KIM EATON](#) - APPOINTED - JOINT STATE GOVERNMENT COMMISSION ADVISORY COMMITTEE ON DOMESTIC RELATIONS LAW
[HON. DALE M. FOUSE](#) - REAPPOINTED - APPELLATE COURT PROCEDURAL RULES COMMITTEE
[JARAD W. HANDELMAN, ESQ.](#) - REAPPOINTED - CRIMINAL PROCEDURAL RULES COMMITTEE
[JOHN J. HARE, ESQ.](#) - CHAIR CIVIL PROCEDURAL RULES COMMITTEE
[GERALD LAWRENCE, JR., ESQ.](#) - CHAIR - PENNSYLVANIA BOARD OF LAW EXAMINERS
[JOSEPH P. MARTONE, ESQ.](#) - APPOINTED - DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE

[MAUREEN MURPHY MCBRIDE, ESQ.](#) - APPOINTED - CIVIL PROCEDURAL RULES COMMITTEE
[PATRICIA A. MCCULLOUGH](#) - REAPPOINTED - APPELLATE COURT PROCEDURAL RULES COMMITTEE
[LAWRENCE J. MORAN, SR., ESQ.](#) - APPOINTED - PENNSYLVANIA BOARD OF LAW EXAMINERS
[REP. THOMAS P. MURT](#) - APPOINTED - ADVISORY COUNCIL ON ELDER JUSTICE IN THE COURTS
[TERRENCE R. NEALON, JR., ESQ.](#) - APPOINTED - CIVIL PROCEDURAL RULES COMMITTEE
[HON. KATHERINE PLATT](#) - APPOINTED - JOINT STATE GOVERNMENT COMMISSION ADVISORY COMMITTEE ON DOMESTIC RELATIONS LAW
[MDJ ANDREA E. PUPPIO](#) - APPOINTED - COURT OF JUDICIAL DISCIPLINE
[DAVID S. RASNER, ESQ.](#) - VICE-CHAIR - PENNSYLVANIA BOARD OF LAW EXAMINERS
[CLIFFORD A. RIEDERS, ESQ.](#) - APPOINTED - CIVIL PROCEDURAL RULES COMMITTEE
[STANLEY M. STEIN, ESQ.](#) - REAPPOINTED - CIVIL PROCEDURAL RULES COMMITTEE
[CYNTHIA K. STOLTZ, ESQ.](#) - APPOINTED - DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE
[ACTING SECRETARY OF THE PA DEPARTMENT OF AGING ROBERT TORRES](#) - APPOINTED - ADVISORY COUNCIL ON ELDER JUSTICE IN THE COURTS
[HON. CHRISTINE A. WARD](#) - VICE-CHAIR & REAPPOINTED - CIVIL PROCEDURAL RULES COMMITTEE

AOPC

601 Commonwealth Avenue
Harrisburg, PA 17120