

# AOPC CONNECTED



Issue 5, 2021

## In this issue

Read about Pa. judges welcoming students back to school, a new online filing module launched by the Disciplinary Board, Clean Slate 2.0, a department spotlight on AOPC Judicial Education and more.



# Legislative roundup

by Damian J. Wachter, Esq.

The House and Senate returned to session in September. Each chamber is scheduled for 12 additional voting session days this fall.

## Judicial Ethical Rules

[House Resolution 114](#) urges the Pennsylvania Supreme Court to modify or adopt rules to require the posting of statements of financial interest on a publicly accessible Internet website, codify more restrictive policies on the reporting gifts, transportation, lodging and hospitality, impose a one-year prohibition on attorneys leaving government service and lobbying the governmental body with which the attorney had been associated and end the practice of judges and justices receiving honoraria.

The resolution includes a general request that the Court conduct a full examination of ethical and financial reporting requirements for jurists and staff to determine whether additional amendments would promote greater transparency and avoid impropriety and the appearance thereof. The resolution was referred to the House State Government Committee and re-referred to the Subcommittee on Campaign Finance and Elections.

The Subcommittee on Campaign Finance and Elections of the House State Government Committee held a hearing on a package of bills dealing with lobbying reform and disclosure. The resolution was reported unanimously from committee to the floor.

## Legislative Standing

[House Bill 1196](#) provides either or both chambers of the General Assembly with special standing to intervene as a party in an action and to defend the act in judicial proceedings in which all or part of a legislative enactment

is alleged to be unconstitutional. Achieving special standing to intervene as a party requires action of the Senate Committee on Management Operations and/or the House Bi-partisan Management Committee. The legislation passed the House 113-86. Referred to the Senate Judiciary Committee.

## Kayden's Law and Custody

[Senate Bill 78](#) establishes Kayden's Law, comprehensive changes to the custody statute focusing on the health and safety of the child. The legislation defines a number of new terms, requires courts to consider party criminal charges and convictions, child abuse and involvement with protective services in custody decisions, modifies the custody factors and defines what circumstances dictate the order of nonprofessional or professional supervised custody.

The bill codifies that no single custody factor may by itself be determinative in awarding custody. Courts must examine the totality of the circumstances, *giving weighted consideration to the factors that impact the health and safety of the child*, when issuing a custody order that is in the best interest of the child. Also, criminal convictions cannot by themselves be determinative in the awarding of custody.

Finally, the bill allows the AOPC to develop and implement an ongoing education and training program for judges, MDJs and relevant court personnel, including guardians *ad litem*, counsel for children, masters and mediators regarding child abuse. The education and training program

must include all aspects of the maltreatment of children, including sexual and physical abuse, implicit and explicit bias, trauma and neglect and the impact of child abuse and domestic violence on children and include the latest best practices from evidence-based and peer-reviewed research by recognized experts in the specific types of abuse.

The legislation passed the Senate 46-4 and was referred to the House Judiciary Committee. The Subcommittee on Family Law of the Judiciary Committee will conduct a public hearing on the bill on November 15.

## Election Code

[House Bill 1800](#) provides for comprehensive voting process and procedure changes. Broadly, the topics include early voting, supervised absentee voting, ballot curing, number of ballots required at each polling place, voter ID, drop boxes, signature matching, access to pre- and canvassing meetings, elimination of third-party voter registration programs, registration and ballot deadlines and the creation of the Bureau of Election Audits.

Two additional provisions are of note to the judiciary. First, similar to House Bill 1196, the legislation provides for special legislative standing for each chamber of the General Assembly to intervene in proceedings alleging that a portion of the act is unconstitutional. Second, the bill requires county boards of election to enter into agreements with the Unified Judicial System to receive records of county residents who claim ineligibility for service as a juror under [42 Pa.C.S. § 4502](#) to investigate the registration status of any registered elector who claimed ineligibility to serve as a juror on the basis of a lack of citizenship. The legislation was reported from the House State Government Committee 15-10 and is tabled.

## District Attorney (DA) Law Licenses

[Senate Bill 420](#) adds to the qualifications of DAs that the individual must continually hold an active law license during the period he/she is in office and establishes a process for when a DA is disbarred or suspended. If disbarred, the office is considered vacant and the vacancy must be filled pursuant to the provisions of the County or Second-Class County Code, or for a county of the first class, pursuant to Act 385 of 1850.

Notwithstanding the class of county, if a DA's license is suspended, the DA is suspended from the office until the sooner of the license being reinstated or the term expiration. If the first assistant DA is willing, qualified and able, he/she shall act as the DA. If not, the court of common pleas appoints a competent person satisfying the requirements. The legislation passed the Senate and House unanimously and the Senate concurred in House amendments. The bill now goes to the governor.

## Right to Know Law – Exempt Information

[Senate Bill 745](#) adds birth date to the list of personal information that is exempt from access by a requester. The bill was reported from the Senate State Government Committee 10-1 and is pending on the Senate floor.

## Constitutional Amendments

*Constitutional amendments are introduced as joint resolutions that must be passed in successive legislative sessions and then submitted to the voters for approval.*

## Voter ID and Other Qualifications

[House Bill 1596](#) requires the presentation of a valid government issued ID for in-person voting and proof of valid government issued ID and a signature for matching purposes for mail voting. The amendment removes current constitutional language that allows for the enactment of uniform laws regulating and requiring the registration of electors that apply to cities of the same class. The amendment provides for audits of each election by the auditor general and provides for the statewide election of the Secretary of the Commonwealth. The bill was reported from the House State Government Committee 15-10 and is pending on the House floor. Prior passage – none.

[Senate Bill 735](#) requires qualified electors voting in person to present a valid ID to receive a ballot and requires qualified electors not voting in person to provide proof of a valid ID with his or her ballot. The amendment defines valid ID as any valid government-issued ID, unless otherwise provided by law. The legislation passed the Senate 30-20 and referred to the House State Government Committee. Prior passage – none.

## Advertising entity

[House Bill 1010](#) replaces the Secretary of the Commonwealth with the Legislative Reference Bureau (LRB) or a successor legislative agency as the entity responsible for publishing constitutional amendments. The bill requires that the second publication of proposed amendments include only the language of the amendment, the ballot question to be used and a summary of the amendment as prepared by the LRB or successor agency. The legislation passed House 113-88, was reported from the Senate State Government Committee by a vote of 7-4 and is pending in the Senate Appropriations Committee. ▲



*{Damian Wachter, Esq. is the assistant director of Legislative Affairs.}*



# Clean Slate 2.0

In the summer of 2019, AOPC/IT began automatically identifying and marking certain cases as limited access in the statewide case management systems based on Act 56 of 2018 – known as the Clean Slate Act.

The goal of this Act is to remove from all forms of public view any information regarding offenses with a non-conviction disposition, as well as certain low level, older misdemeanor and summary offenses which resulted in a conviction, provided the court assessments on the case are paid in full.

Given the positive reactions to the Clean Slate initiative, legislators sought to broaden the rules and allow even more cases to be eligible.

At the end of October 2020, Act 83 of 2020, or Clean Slate II, was passed and AOPC/IT immediately began working on implementation.

This Act expanded the category of eligible cases to include pardoned offenses and reduced the financial eligibility requirements for those with convictions to satisfy any court-ordered restitution and statutorily mandated fee authorized to carry out Clean Slate.

Likewise, the financial requirement for non-convictions is reduced to only satisfying restitution to be eligible for Clean Slate.

Over the course of 10 months, AOPC/IT sealed over 46 million offenses across 33 million cases, and to date that number has risen to over 51 million offenses.

Design and development for Clean Slate II continued through the spring of 2021, and testing was successfully completed over the summer.

During that time, the IT staff worked closely with the Pennsylvania Board of Pardons to design a mechanism for the Board to provide the AOPC with the information needed to identify pardoned cases and include them in the monthly Clean Slate process.

The initial run of the expanded rules for Clean Slate II took place in September and included over nine million additional offenses that will become sealed once the county judges sign the orders in October. ▲

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## **Supreme Court of Pennsylvania**

Max Baer  
Chief Justice of Pennsylvania

Thomas G. Saylor  
Justice

Debra Todd  
Justice

Christine Donohue  
Justice

Kevin M. Dougherty  
Justice

David N. Wecht  
Justice

Sallie Updyke Mundy  
Justice

# DEPARTMENT SPOTLIGHT: Judicial Education

The AOPC Judicial Education department provides continuing education to Pennsylvania's jurists by designing programs that address new and emerging areas of law and issues of interest and importance to judges.

Led by Dr. **Stephen Feiler**, founding director of AOPC/Judicial Education, the department oversees the development and delivery of new judge education and continuing judicial education (CJE) for more than 1,100 jurists statewide.

The team is responsible for managing and administering the mandatory CJE program that includes facilitating accreditation processes, developing new educational offerings and accurately recording and reporting judges' CJE activities.

Included in those efforts, staff regularly collaborate with Pennsylvania's nine law schools to develop and deliver a series of 4-hour CJE seminars each year.

In total, the department facilitates the development of 60 to 80 hours of education for trial judges each year.

Since transitioning to curriculum-based planning, their trial judge curriculum and the manner in which it is used has become a national model.

Staff assist with the educational programming at several conferences including:

- New Judge School
- Pennsylvania Appellate Courts Conference
- Pennsylvania Conference of State Trial Judges (PCSTJ) Annual Meeting
- PCSTJ Mid-Annual Meeting

AOPC/Judicial Education staff are responsible for staffing the PCSTJ Education Committee, Pennsylvania Continuing Judicial Education Board of Judges and Minor Judiciary Education Board (MJEB).

**Darren Breslin**, Esq. has recently assumed the role of assistant director of and counsel to AOPC Judicial Education.

## Minor Judiciary Education

Magisterial district judges (MDJs) have different judicial education

requirements than trial and appellate court judges, and their program is overseen by the Minor Judiciary Education Board.

MDJs who are not attorneys are required to take a certification course and pass a certification exam before they can take the bench. Once they take the bench, all MDJs are required by statute to complete 32 hours per year of continuing education. Department staff facilitate the delivery of an agenda of courses determined each year by the MJEB.

Former Judicial Programs Administrator **Andrew Simpson** has recently assumed the position of MJEB Administrator.

Department staff collaborate with MJEB members to appoint and evaluate instructors, establish course content, evaluate test results, issue certificates to successful program participants, and conduct a one-week orientation course for newly elected or appointed MDJs. ▲



(left to right) Andrew Simpson, Alicia Acevedo, Marci Smith, Stephen Feiler, Ph.D., Angela Durham, Darren Breslin, Esq.

Particularly important in the context of CJE requirements, accreditation and compliance, AOPC/Judicial Education serves as the first point of contact for all judicial education related information, concerns, ideas or suggestions and can be contacted at **judicial.education@pacourts.us**.

# Pa. judges welcome kids back to school

This fall, nearly 100 judges statewide volunteered to partner with local school districts and welcome students back for the 2021-22 school year.

“The last few school years have been hard on teachers and students amid the ongoing pandemic,” said Pa. Supreme Court Chief Justice **Max Baer**. “A critical part of the courts’ mission is to educate all Pennsylvanians about the work and role of the courts in our communities.”

“Pennsylvania judges are part of the communities in which kids live and go to school. With the pandemic still front-of-mind for students and educators, it was important for us to join with the schools so children can see judges at work in the community as they head back to the classroom.”

Following all individual school district COVID safety protocols, judges across the state participated in first day of school and other welcome events, standing with teachers and administrators to welcome kids as they exited the buses and entered school buildings for the first time this year.

The back-to-school events are the first of several planned initiatives to increase public awareness about the work and role of the courts in the lives of Pennsylvania citizens and its communities. ▲



(top) Allegheny County MDJ **Roxanne Eichler** welcomes students back to school.



(left)  
Somerset  
County MDJ  
**Sandra  
Stevanus** (l)  
with Rockwood  
Area School  
District  
Elementary  
Principal  
Jonathan  
Hale (r)



(right, r to l)  
Clarion  
Limestone  
School District  
Superintendent  
Amy Glas,  
Clarion  
County MDJ  
**Duane Quinn**,  
Jefferson  
County  
President  
Judge **John  
Foradora**,  
Principal John  
Quinn.



(l to r): Sergeant Levi Campbell, Jefferson County President Judge John Foradora, Jenn Shaffer, Deputy Dean Smith, Sharon Griffin, Peggy Smith, Hope Roaten – director of the Mid Central Pa. Chapter of the American Red Cross. Photo courtesy of Jefferson County District Court Administrator Chad Weaver.

## Jefferson County judge and court staff save employee's life

A scene in May at the Jefferson County Courthouse could have been dire if not for the quick action of President Judge **John Foradora** and other courthouse employees.

First Deputy Jennifer Shaffer sustained a life-threatening injury at the county courthouse when she fell down the stairs of the courthouse and cut her arm on a glass dish she had in her bag, resulting in a cut to an artery on her arm.

Immediately and without question, her co-workers took action to call for help and render medical aid.

Sharon Griffin started to make a tourniquet for her when President Judge John Foradora arrived to assist and help make it tighter to stop the bleeding.

"As employees of the courts, we are in a unique position to help people on a daily basis with legal problems," said PJ Foradora. "I definitely thank God that we were able to

do everything correct when confronted with a real medical emergency."

An ambulance arrived less than 20 minutes after the incident and Shaffer was rushed into surgery.

Thanks to the heroism of her co-workers, Shaffer was able to watch her son graduate from high school the following week.

In August, the American Red Cross held a special ceremony presenting Certificates of Extraordinary Personal Action to the courthouse employees involved in the incident for their life-saving response.

Certificates were presented to PJ Foradora, Sergeant Levi Campbell, Jennifer Shaffer, Deputy Dean Smith, Sharon Griffin and Peggy Smith. ▲



## Justice Thomas G. Saylor’s retirement ceremony

In September, the Court, staff and distinguished guests honored and celebrated the tenure and contributions of former Chief Justice Saylor at a ceremonial session in the Supreme Court courtroom

in Harrisburg. During the event, the Court conferred on Justice Saylor the honorary appellation of Chief Justice Emeritus, effective January 1, 2022. ▲

## President Judge Idee Fox honored by Philadelphia Bar with Distinguished Jurist Award

Philadelphia President Judge **Idee C. Fox** was honored as the 2021 recipient of the Philadelphia Bar Association’s Justice William J. Brennan, Jr. Distinguished Jurist Award on Sept. 30 at the Bench-Bar Conference.

The award recognizes a jurist who has made a significant, positive impact on the quality of administration of justice in Philadelphia.

“Judge Fox is intelligent, learned and fair, but most of all she is compassionate,” said Stephanie Resnick, chair of the Brennan Award committee. “She is a go-to person within the court system and is a problem solver. Her integrity and dedication are unrivaled.” ▲



Stephanie Resnick (l) and PJ Idee Fox (r).  
Photo credit: Philadelphia Bar Association/Conrad Erb.





Artist rendering of Franklin County Judicial Center and Courthouse

## Franklin County Courts – new and improved

Over the course of the last two years, the Franklin County Court Facility Improvement Project has been underway – with steadily-progressing renovations offering increased security, space and convenience for all court users.

The multi-faceted project includes the construction of a new judicial center and administration building, an archives facility, and renovations to the historic courthouse and courthouse annex.

“The new judicial center will provide an improved experience for litigants, counsel, court staff and the judiciary on a day-to-day basis,” said Franklin County President Judge **Shawn Meyers**.

“Compared to existing facilities, the new judicial center not only has courtrooms that can accommodate the needs of the disabled, at the encouragement of the judiciary, it also has a significant number of conference rooms and places for counsel to privately confer with clients, which assists in the orderly processing of cases.”

“The new facility also provides safety enhancements that in conjunction with the hard work of the Sheriff’s

Department will allow all who appear in court to do so in a safe environment.”

Since the last major expansion of court facilities over 40 years ago, Franklin County has seen a 37 percent population increase and has added three judges with related support staff.

Prior to this project, court-related offices were fragmented and spread out around Chambersburg at seven different locations.

The consolidation of most of these operations to one convenient downtown campus is expected to increase accessibility and reduce overall expenses.

First approved in 2018, the project officially began with the groundbreaking at the old courthouse in October 2019.

The archives facility was finished first in October 2019 and the administration building construction was completed in February 2021. The new judicial center opened at the end of September and the historic courthouse renovations are on track to be completed in January 2022. ▲

# Veteran Mentors Bootcamp

In August, AOPC Problem-Solving Courts provided 23 scholarships to Veteran Treatment Court (VTC) team members to attend the 2021 National Association of Drug Court Professionals Conference in National Harbor, MD.

During the conference, Justice for Vets provided both a Mentor Coordinator Training and a Mentor Corps Boot Camp. Of the scholarship recipients, Lackawanna County VTC Mentor Coordinator James McHugh and Mentor George Wright and Lycoming County Veteran Mentor Coordinator Mike McMunn attended the trainings.

During the boot camp, volunteer veterans learned how to effectively mentor veteran participants with coursework that examined the roles, responsibilities and boundaries of veteran mentors, unique issues and how to swiftly connect veterans to local, state and federal services and benefits.

Boot camp sessions included an overview of VTCs, mentor-mentee relationships, active listening skills,

boundaries, suicide prevention, mentor self-care and building veteran community coalitions.

“Veteran mentors play a critical role in veterans treatment courts by offering support, encouragement and guidance to their fellow veterans. They exemplify the phrase ‘Leave no one behind,’” said Problem-Solving Court Administrator **Angela Lowry**.

The mentor coordinator training was offered to VTC mentor coordinators, who are typically volunteers that oversee the matching of veteran mentors and participants in a VTC. The training provided a foundational understanding of the role and responsibilities of the mentor coordinator position.

Sessions specifically focused on the building, executing and sustaining of the mentoring component in a VTC program; communicating effectively with mentors; the mentor coordinator/program coordinator partnership; and community connection through networking. ▲

## Justice for Vets

A division of the National Association of Drug Court Professionals, Justice for Vets is dedicated to transforming the way the justice system identifies, assesses and treats veterans. Since 2010, Justice For Vets has helped establish over 250 veterans treatment courts and trained over 3,000 court staff. In addition, Justice For Vets has conducted 40 volunteer veteran mentor boot camp trainings, serving thousands of veteran mentors.

## more information

Learn more about becoming a veteran mentor at <https://www.pacourts.us/judicial-administration/court-programs/veterans-courts/volunteer-veteran-mentor-training-program>

# AOPC Office of Judicial District Security wins MAACM award

A testament to the department’s hard work and dedication, the AOPC Office of Judicial District Security was recently selected to receive the Mid-Atlantic Association for Court Management (MAACM) 2021 John Neufeld Award.

This award recognizes an individual or group that has developed or implemented a significant/unique educational program or court management system in the mid-atlantic region over the past three years.

Developed by Judicial District Security Administrator **Rob Granzow**, the office launched a strategic initiative to provide

a comprehensive approach to the safety and security of Pennsylvania’s Magisterial District and Common Pleas Courts.

The program – “Developing a Judicial Security Management Enterprise”— was selected as an exemplary model to increase collaboration between professional disciplines in and beyond the court system.

The program was structured to facilitate improvement in the safety and security in judicial district courts; incorporate new or enhance existing technologies; provide judges and judicial staff with a greater



(l to r) Judicial District Security Analyst Shannon Schoedler, Assistant Administrator of Judicial District Security Kyle Ramberger, Judicial District Security Administrator Rob Granzow, Security Advisor John Linken, Judicial District Security Analyst Rebecca Ramberger.

understanding of safety and security measures; leverage synergies inherent amongst the various component programs; and ultimately promote a safer and more secure environment for all court users.

Granzow was presented with the award in early October at the 2021 MAACM Annual Conference and has been invited to present at their annual conference next year. ▲

# A closer look at statewide PFA filings

## What is a PFA?

A protection from abuse (PFA) order is a civil court order to help protect victims of domestic violence, providing relief from abuse by an intimate partner, family or household member.

## In 2020:

**34,678** new petitions requesting relief under the PFA Act (Title 23, Chp. 61) were filed

**89%** of temporary PFAs filed (valid until a final hearing) were granted

In 2020, the number of PFAs filed decreased by 11% from 2019.



## A PFA can order an abuser to:



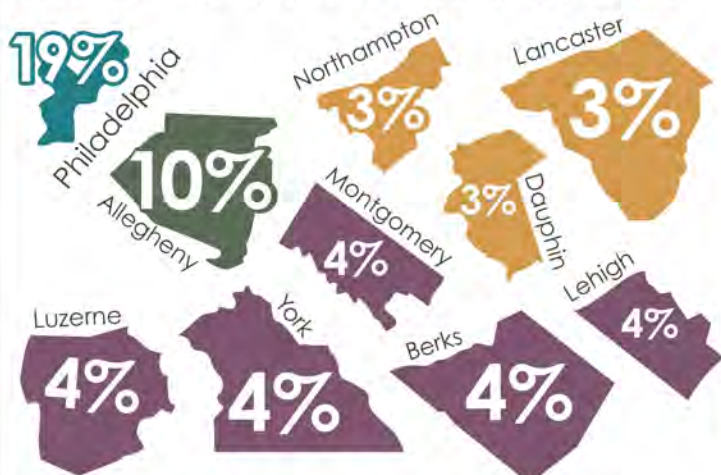
- Have **no** contact with the victim or victim's children including: no texting, no calling, no communication via social media



- Leave the home where the victim lives

- Relinquish any weapons

## Top 10 counties with highest number of new PFA cases in 2020:



Percentages given reflect the percent of total state filings.

## PFA case outcomes:

	processed cases	% of total
<b>Plaintiff did not appear in court</b>	<b>8,065</b>	<b>(24%)</b>
Withdrawn by plaintiff	7,928	(24%)
Final order granted	6,095	(18%)
Agreement reached between parties	5,464	(17%)
Temporary order dismissed/denied	3,870	(12%)
Final order denied	1,489	(5%)
Other	165	(<1%)

Total # of PFA cases processed in 2020: **33,076**

# New leadership in SCJAP and PACM

The Special Court Judges Association of Pennsylvania (SCJAP) and the Pennsylvania Association of Court Management (PACM) recently announced new leadership. Somerset County Magisterial District Judge **Susan Mankamy** is serving as the new president of SCJAP and Franklin County District Court Administrator **Mark Singer** as the president of PACM.

Judge Mankamy has been a Magisterial District Judge in Somerset County for 16 years and became an active member of the SCJAP soon after taking the bench, serving in various capacities including assistant webmaster and a member of the publications, court administration and computer/technical committees.

“Being an active member of the SCJAP has allowed me to interact with other judges from across the state, resulting in the exchange of valuable information on processes and procedures for the improvement of all our court systems,” Mankamy said.

Reflecting on the important role the SCJAP plays in the work and the role of the courts Mankamy said:

“The association provides an invaluable network of information to assist us in our daily lives on the bench.”

“As the first (and sometimes only) level of Pennsylvania’s Unified Judicial System that most citizens ever have contact with, efficient and accurate justice is paramount to the trust we instill in the entire system. Most of the people who come to our courts are unrepresented and seek a fair and accurate decision of their disputes. As local, community courts, we provide a delicate balance between remaining a neutral arbiter of facts and law and helping people to understand the decisions we make.”

Judge Mankamy plans to focus on ensuring access to justice and addressing security concerns during her time as SCJAP president.

“Every single citizen in Pennsylvania must have access to our courts, and must be given the appropriate time and attention to resolve their disputes and to feel safe.”

Mark Singer recalls always having a strong interest in the court system. After graduating from Penn State, Mark began working as an investigative aide in the Public Defender’s Office.

Nearly two years into the job, he took the opportunity to serve the state’s attorney general as the Victim/Witness Coordinator, working with victims, witnesses, prosecutors and police. Following his time with the AG’s Office, Mark took his career in a new direction, working as a program director in the newly created criminal justice degree program for a local college in Maryland.



*(l) MDJ Susan Mankamy (r) Franklin County DCA Mark Singer*

In Nov. 2010, he joined the 39th Judicial District in Franklin County as District Court Administrator and was named president of PACM earlier this year.

Reflecting on the work and role of PACM, Singer said:

“PACM has been critical in my success as DCA due to the educational opportunities provided combined with networking opportunities. It has opened doors for Court Management opportunities, which lends itself to sharing successes and learning from each other as to trial and errors that come with being court leaders.

“To me, inclusion is what PACM is all about. I remember my first conference and seeing all the new faces in the room, but those new faces quickly became mentors, colleagues, and friends. This exemplifies what PACM is about – collaboration and what led me to get and stay involved. When I became president, my theme seemed clear – Bridging Gaps. Fostering long-term collaboration. This is what PACM did for me. This is what I would like to see it do for all our membership.

Being president of PACM is a privilege and an honor. I have been on the PACM Board since 2013 and have had the privilege to observe past presidents in action. I recognize I have big shoes to fill. Each president brings a unique perspective while balancing and delivering PACM’s vision and mission to our membership while doing our “day job” that keeps us busy regardless of the size of one’s judicial district.” ▲

# Lancaster County PJ appointed to NADCP Board of Directors

Lancaster County President Judge **David Ashworth** was recently selected to join the National Association for Drug Court Professionals (NADCP) Board of Directors.

The NADCP is the premier training and advocacy organization for the treatment court model – with divisions including the National Drug Court Institute, National Center for DWI Courts and Justice for Vets. Judge Ashworth was nominated and elected by the NADCP membership to serve a six-year term.

“I’m honored to be able to work with so many distinguished people from all over the country who are dedicated to the treatment court concept. I look forward to being able to tap into all of the resources NADCP has to offer so I am better able to serve the Lancaster community and the Commonwealth of Pennsylvania,” he said.

Founder and presiding judge of Lancaster County’s Adult Drug Court, PJ Ashworth also helped to create the county’s mental health and veterans treatment courts.

*“The more I learn about treatment courts, the more I am convinced that it is the most productive, cost effective and humane way to address people with drug and alcohol issues who are embroiled in the criminal justice system,” PJ Ashworth said. “Participants are held responsible for their actions while providing them with an opportunity to get their lives back.”*



Lancaster County President Judge David Ashworth

Among his other roles, Judge Ashworth previously served as president of the Pennsylvania Association of Drug Court Professionals from 2010-2012.

He also serves as a senior adjunct professor at Franklin and Marshall College, where he has taught a community-based learning course titled, “Problem-Solving Courts: A Different World” for more than 10 years. ▲

## Wyoming County Courthouse focuses on security

In order to resolve potential security deficiencies at the Wyoming County Courthouse, the sheriff and county court administration decided to address the issue together.

The County Commissioners agreed with their concerns and decided to financially support efforts to increase overall security measures at the courthouse.

Due to COVID, the project has spanned 21 months thus

far – most recently including a lethal threat drill that was conducted in September.

In addition, the courts have put in place an evacuation drill for employees, a shot recognition with firearms in the courthouse and a lethal threat table-top exercise involving different community stakeholders.

“I fully believe it is not a matter of if an incident happens at the courthouse, it is a matter of when,” said



Wyoming/Sullivan District Court Administrator **Jessica Ellis**.

“It is my top priority that every employee and constituent that comes in

the courthouse daily, goes home safe each night. The lethal threat drill will help mitigate and minimize the consequences when a threat arises.” ▲

# Sign language interpreter video makes debut

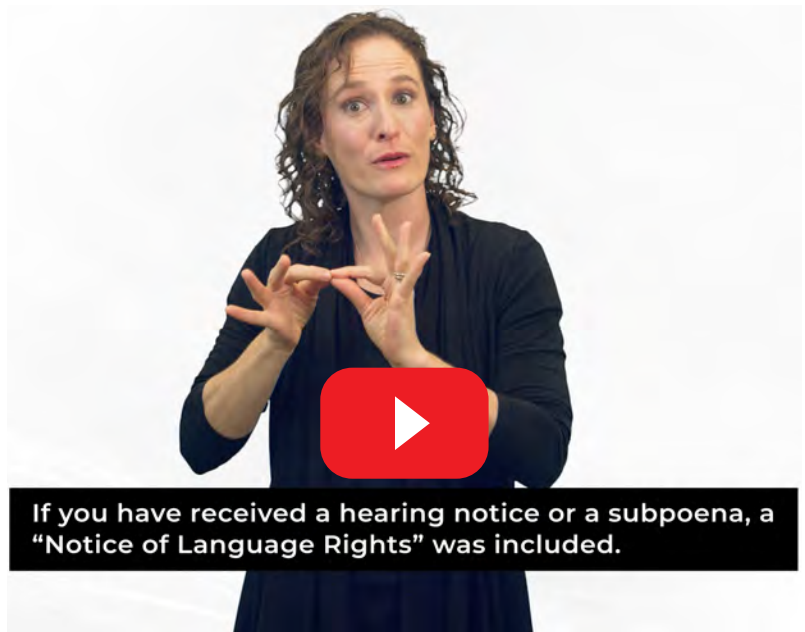
Coming to court can be a daunting experience for anyone – and possibly even more so for people who are deaf and hard of hearing.

“We have several resources available on our website, including a brochure entitled ‘Do you need a court interpreter,’ but for the first time we now have a [video](#) available in sign language and closed captioning,” said **Mary Vilter**, Esq., coordinator, Court Access for the Administrative Office of Pennsylvania Courts (AOPC).

**Oswaldo Avilés**, AOPC’s Interpreter Program administrator, added “Providing language services for individuals who speak limited English or who are deaf or hard of hearing is essential to ensure that they are able to fully participate in judicial proceedings and court services, programs and activities in which their rights and interests are at stake.”

Produced by AOPC Communications, the video explains:

- How to request a court interpreter
- What to expect
- How to communicate with court staff outside the courtroom
- Who is qualified to be a court interpreter.



*Signed by Heather Schmerman and voiced by Jesse Bentley-Sassaman.*

Two certified sign language interpreters from AOPC’s interpreter roster, Heather Schmerman and Jesse Bentley-Sassaman signed, voiced and captioned the video in order to ensure maximum accessibility for deaf and hard of hearing court users. Bentley-Sassaman serves on the Monitoring & Evaluation Team, charged with implementing and evaluating the Language Access Plan for Pa. Courts. She is also a professor in the Sign Language department at Bloomsburg University. Schmerman is a certified deaf interpreter and holds a bachelor’s degree in Communications.

The video is posted on the [Language Access and Interpreter Program](#) page of the [www.pacourts.us](http://www.pacourts.us) website. ▲

## Knitting for a cause

### Hats, gloves and scarves donation drive for children and adults

With Veterans Day and the holiday season just around the corner, the AOPC will be collecting new hats, gloves and scarves from Nov. 1 – Dec. 17, 2021, to donate to community organizations benefitting children, adults and veterans in need.

Donated items can be purchased or they can be knitted or crocheted by hand. For those employees interested in knitting or crocheting items, check out the [National World War II Museum’s “knit your bit” program](#) for some instructions and parameters if you wish to donate specifically to this program.

Otherwise, donations will be made regionally to various Pa. charities accepting these donations (the list is a bit fluid since COVID protocols continue to shift).

- YMCA Allegheny
- GreenDrop / Purple Heart Philadelphia
- Goodwill / Salvation Army / Community Aid
- Operation Warm Hearts
- United Way
- Vietnam Veterans of America

Donation bins will be available in AOPC offices in Philadelphia, Mechanicsburg, Pittsburgh and the Pennsylvania Judicial Center (PJC) in Harrisburg. Any judiciary staff member in the PJC is welcome to participate including appellate courts, boards and committees.

Where to find donation bins:

1. Harrisburg – Lobby of the PJC near the atrium
2. Mechanicsburg – Lunch room
3. Philadelphia – 1414 reception area
4. Pittsburgh – City-County Building, Room 813 ▲



# Disciplinary Board launches online filing module

In an effort to simplify and streamline the manner in which documents and pleadings are filed with the Pa. Disciplinary Board, the Board has recently designed an online filing system.

Among other documents, filings with the Board may include briefs, petitions for reinstatement, joint petitions in support of discipline on consent, motions and affidavits.

Once released to all Pennsylvania attorneys, the filing system will be housed within a larger “Attorney Gateway” which will be accessible via the “For Attorneys” tab on the [Disciplinary Board website](#).

The Attorney Gateway landing page will allow users to update contact information, create new filings and view submitted filings.

When creating a filing, a user will confirm relevant contact information and then select from a series of dropdown menus to label and categorize the submission.

After a filing is submitted, it will appear on the user’s dashboard where the user will have the ability to track the submission through its processing.

On the dashboard, filings will be designated as submitted, in review, accepted or rejected. While noted

as submitted, the user will be able to modify the pending filing – and if a submission is rejected, the user will be contacted by the Prothonotary’s Office.

All submissions made by a user will remain listed on the dashboard until the Prothonotary’s Office clears the filing, usually after a case has been formally closed.

Office of Disciplinary Counsel staff have been using the new system successfully throughout the summer and following the current round of testing, the system will be released to all Pa. attorneys in the near future. ▲

# Judge Murphy testifies about guardianship

On Oct. 26, Judge **Lois Murphy**, Administrative Judge of the Orphans’ Court Division of the Court of Common Pleas of Montgomery County, testified before the House Aging and Older Adult Services Committee.

The committee was examining three bills – House Bills 1928, 1356 and 1890. The legislation requires the appointment of counsel to represent alleged incapacitated persons in guardianship proceedings, increases the reimbursement rate under the medical assistance program for guardians of older adults to \$300 per month and subjects court-appointed guardians to criminal background checks, respectively.

Judge Murphy provided the committee with a basic description of guardianship cases and discussed the opportunities for reform and improvement provided by the three bills based on her individual experience as a trial judge presiding over guardianship cases. ▲



# Protect yourself from QR code phishing

## IT Security Reminders

QR codes were almost rendered obsolete, but they have made a dramatic comeback thanks to the global pandemic. From being introduced in the 1990s to simply track product inventory, their versatile use has brought them a long way – from restaurant menus, to customer engagement with brands, and even faster airport check-ins.



A QR code is a two-dimensional barcode, which is easily read by smartphones – all you need is a camera and an app to read the code. Perhaps their widest use is in the contactless-payment ecosystem – scan the QR code and pay.

### New forms of payment mean more scope for confusion

One scam tactic is the embedding of fake QR codes into a phishing email, text or via social media. Upon scanning the code, users are directed to websites with realistic-looking landing pages, where they may be prompted to login and enter personally identifiable information.

A forged QR code also has the potential to connect to an unsecured Wi-Fi network or automatically navigate to a malicious link. Phony codes can take you to websites where malware can be automatically downloaded and used to steal sensitive information from your device, or even transfer spyware or viruses.

Public QR codes (like at fuel stations or kiosks) also pose a risk, as cybercriminals may swap them by replacing their own QR codes over genuine ones. The problem is there is no way of reading the information contained inside the code before exposing the device to the unsuspecting fraud.

### How to protect yourself

While this type of fraud is relatively unconventional, the technicalities of QR codes are somewhat of a mystery to most users, making them potentially dangerous. Predictions for 2021 highlight that hackers will increasingly use these QR schemes and broaden them by using social-engineering techniques.

It's critical to pay close attention, even to small details while making payments or transactions using QR codes. It is best to pay using these only in secure and familiar environments. Remember that the risks of scanning an unknown QR are like clicking on links in unknown messages. Treat a QR code like any other link – don't follow it if you don't fully trust the source.

Once you scan the QR code, a pop-up to view its embedded URL must emerge. If there is no URL, or if it seems like a shortened one (like bit.ly) – be cautious. It's best to install a QR scanner that checks or displays the URL before it follows the link.

Install and update security software regularly across devices. If you suspect any suspicious activity, immediately contact your bank and have them change your login credentials.

Although the QR codes themselves are a secure and convenient mechanism, it is widely expected for them to be misused by cybercriminals in the future. Knowledge of QR code fraud may lag significantly today, but vigilance on your part will ensure that you're scanning a safe QR code instead of falling victim to a scam. ▲

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# REMOTE HEARINGS: JUDGES DISCUSS THE GOOD AND THE BAD



Eighteen months into the coronavirus pandemic is a good time to reflect on the pros and cons of remote hearings and ask these questions: Which hearings should always be remote? Which should never be remote? What are the biggest challenges these hearings present? How is procedural fairness ensured, given the digital divide?

These are some of the questions that were asked and answered late last week at the first of five webinars on remote hearings presented by the [Pandemic Rapid Response Team's Implementation Lab](#). The answers came from New Mexico Supreme Court Justice C. Shannon Bacon and Arizona Court of Appeals Judge Samuel Thumma. [Watch the full recording.](#)

## WHICH HEARINGS SHOULD ALWAYS BE REMOTE?

“Discovery disputes,” said Justice Bacon. “It’s just two lawyers making their best pitch to the judge, and it doesn’t require client participation. ...I was a trial court judge for 10 years and discovery disputes are perfect for Brady Bunch boxes.”

She and Judge Thumma said scheduling conferences also are perfect for remote hearings.

## WHICH SHOULD NEVER BE REMOTE?

Both said criminal and civil jury trials lend themselves to in-person hearings. Bacon added that in New Mexico, certain criminal proceedings, including plea and sentencing hearings, are always conducted in person, as are hearings for orders of protection, adult guardianship and conservatorships and termination of parental rights.

## WHICH IS BETTER – VIDEO OR PHONE?

“I like being able to see people,” Judge Thumma said. “Visual clues help a lot.”

“Most judges I talk with prefer video,” Justice Bacon said. “They like the control it gives them over certain litigants. They’ve come to embrace the use of the mute button.”

With so many hybrid hearings –people making appearances in person and by video and phone – what do judges need to know?

“Patience, patience, patience,” Justice Bacon said. “The phone adds an interesting element. Sometimes it can be easy to forget that someone is appearing that way.”

Thumma pointed out that lawyers and others have appeared at hearings via phone for several years, but there’s a different dynamic now with video, in-person and phone.

## GIVEN THE DIGITAL DIVIDE, HOW DO JUDGES INCORPORATE PROCEDURAL FAIRNESS?

Judge Thumma said judges must first accept that the digital divide exists. Both judges said in Arizona and New Mexico, there are vast Native American lands without high-speed internet. They said computers at public libraries should be made available to those who would rather attend remote hearings but lack computers or smart phones.

NCSC Vice President of Court Consulting Services David Slayton said Texas, where he was state court administrator, identified two significant benefits to conducting remote jury selection proceedings: Appearance rates dramatically increased, as did the number of Black jurors.

“We asked potential jurors about access to technology and provided iPads to people without it,” he said.

The next webinar on remote hearings will occur at 3 p.m. ET Thursday Oct. 21.

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