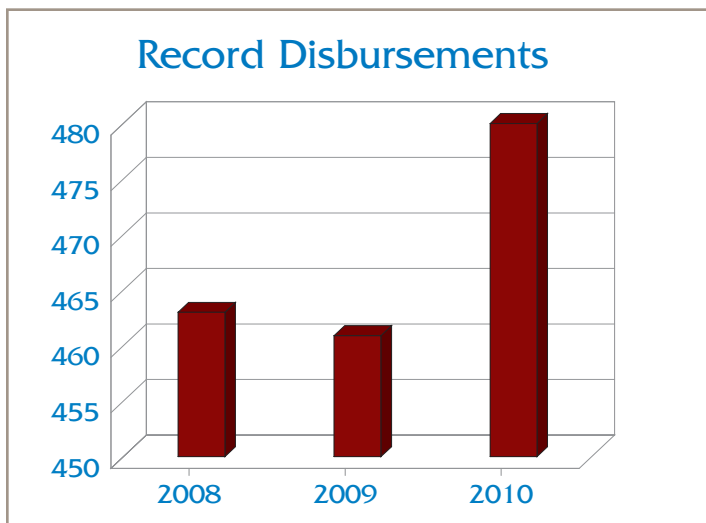


Courts Disburse Record \$480 Million in 2010

Computer Systems Assist Court Staff with Collecting, Processing Payments

by Steve Schell



Despite fewer cases and a poor economy, automation boosted court collections last year to record levels.

Despite a weak economy and fewer case filings last year, Pennsylvania's criminal courts collected and disbursed a record \$480 million in fines, costs and restitution, according to first-ever comprehensive court disbursement reports released by the Supreme Court of Pennsylvania.

Court officials are crediting the state's judicial automation systems and the use of advanced technology for helping to improve collections and the processing of payments, particularly at Pennsylvania's Common Pleas Court level.

"Courts are not collection agencies—justice is always our fundamental mission, but striving to enforce court-ordered sanctions, including efficient collection of fines, fees and costs—is one way of sustaining the public's trust and confidence in the effectiveness of the

(Disbursements continued on page 6)

Committee to Develop Means to Measure MDJ Workloads

by Joseph J. Mittleman

Gertrude Stein wrote, "A rose is a rose is a rose," but as anyone who is familiar with the workings of a magisterial district court knows, a case is not a case is not a case.

That is why, in preparation for the upcoming realignment of magisterial districts that Pennsylvania law requires every 10 years, the AOPC is convening a group of magisterial district judges and court administrators to assess the impact of the various types of cases on the workload of a magisterial district judge.

This method of analysis, known as a

weighted caseload study, is especially important during this round of realignment because of the goal to reduce the number of magisterial district courts in the state by 10 percent.

To carry out this study, we need to consult the experts—the magisterial district judges (MDJs) themselves. Our goal was to create a committee of judges that reflects as much as possible the differing demographics among the magisterial districts in the state. Using the Reestablishment Committee of the Special Court Judges Association as the core of the committee, we augmented that group by

(Caseload Study continued on page 15)

Inside

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New to the Judicial Branch

AOPC

Yrina De La Cruz - Judicial Automation - NOC technician

Mark Fisher - Judicial Automation - Citrix server specialist

Amy Kelchner - Communications - communications coordinator

Guy Klang - Finance - payroll administrator

Kristen O'Connell - Finance - payroll technician

Elizabeth Pagenkopf - Administrative Services - receptionist

Ann Sprague - Judicial Automation - database technician

Appointments

Counties

Joan K. Hausman - Lehigh - apptd. sr. magisterial district judge

Donald F. Howell - York - apptd. sr. magisterial district judge

Richard D. Beck - Jefferson - apptd. sr. magisterial district judge

Harold E. Bender - Cumberland - apptd. sr. magisterial district judge

David E. Brian - Lancaster - apptd. sr. magisterial district judge

Charles B. Burr II - Delaware - apptd. sr. Common Pleas Court judge

John M. Cleland - Superior Court - apptd. sr. Common Pleas Court judge

Edward J. Gannon Jr. - Delaware - apptd. sr. magisterial district judge

Thomas G. Gavin - Chester - Common Pleas Court judge apptd. sr. judge

Steven R. Geroff - Philadelphia - Common Pleas court judge apptd. sr. judge

Ronald C. Nagle - Chester - Common Pleas court judge apptd. sr. judge

Alan G. Naylor - York - apptd. sr. magisterial district judge

Terrence O'Brien - Allegheny - apptd. administrative judge of civil division

William G. Reuter - Lancaster - apptd. sr. magisterial district judge

Thomas R. Shiffer Jr. - Monroe - apptd. sr. magisterial district judge

D. Michael Stine - Schuylkill - Common Pleas Court judge apptd. sr. judge

Harold F. Woelfel Jr. - Snyder/Union - president judge apptd. sr. judge

Other job changes

Bernice A. DeAngelis - Philadelphia Traffic Court administrative judge - apptd. sr. judge

Kathryn M. Hens-Greco - Allegheny - apptd. administrative judge of family division

Eugene B. Strassburger III - Allegheny - administrative judge apptd. sr. Superior Court judge

William H. Platt - Lehigh - president judge apptd. sr. Superior Court judge

Deaths

James F. McClure Jr. - former Snyder/Union County president judge; judge of U. S. Court of Appeals for the Third Circuit

W. Parker Ruddock - former Indiana County president judge

Retirements

Counties

John H. Brydon - Butler - sr. Common Pleas Court judge

James J. Flaherty - Commonwealth Court - sr. judge

Thomas D. Gladden - Washington - sr. Common Pleas Court judge

Sheldon C. Jelin - Philadelphia - sr. Common Pleas Court judge

David Lawrence - Philadelphia - district court administrator

John T. J. Kelly Jr. - Superior Court - sr. judge

James P. Kennedy - Lackawanna - magisterial district judge

George Koudelis - Delaware - sr. Common Pleas Court judge

Stephen E. Levin - Philadelphia - sr. Common Pleas Court judge

(Transitions continued on page 13)

4/4-4/8 Commonwealth Court Session (Pgh.)
4/11-4/15 Supreme Court Session (Pgh.)
4/12-4/14 Superior Court Session (Phila., Berks Cty.)
4/22 Good Friday Holiday
4/26-4/28 Superior Court Session (Phila., Pgh.)
5/9-5/13 Commonwealth Court Session (Phila.)
5/9-13 Supreme Court Session (Hbg.)

5/10-5/12 Superior Court Session (Phila.)
5/17-5/19 Superior Court Session (Hbg., Pgh.)
5/24-5/26 Superior Court Session (Phila.)
6/2 Supreme Court Administrative Session (Pgh.)
6/4-6/7 PJ/PACM Annual Conference (State College)
6/6-6/10 Commonwealth Court Session (Hbg.)
6/21-6/23 Superior Court Session (Phila., Pgh.)



From the Desk of the Court Administrator

by Zig Pines

We Are All Teachers

Wisdom is not the domain of any demographic. We can receive inspiration and counsel from the words of those who have lived life deeply. Or our path in life may unexpectedly take a direction because of the echo of words once shared in youth. Let me explain.

Maya Angelou is often described as one of America's premier poets and memoirists (30 books and still counting). She was honored to be our second poet laureate for a presidential (Clinton) inauguration. If you have ever seen or heard her, you realize that she is a human being of profound wisdom, a wisdom nurtured by 80-plus years of struggle, pain (including a rape when she was six years old) and achievement. Yet one also sees in her eyes and smile both wonder and joy.

When she speaks, her cadences are carefully metered and thoughts beautifully crafted. You become mesmerized by her poetic vision, the languid quality of her melodious baritone voice, her empathy and, as described by others, her "fiery fierce grace."

Early this year I tuned into Oprah Winfrey's new cable series, *Master Class*. The premiere episode featured Ms. Angelou -- just her face and voice for one hour.

"At our best, we are all teachers," she said. "Use your life as a class." The master-teacher then demonstrated the practicality of her philosophy by sharing an almost animistic theory of language. She said, "Words are things, I'm convinced. You must be careful about the words you use. Someday we will be able to measure the power of words. They get on the walls, they get in your wallpaper, they get in your rugs, in your upholstery, in your clothes and, finally, into you."

Which takes me to my niece, April (or as I call her, April-born-in-May because she decided to take a very long time in arriving). In my life, she is a treasure. Since childhood, she has embodied goodness, wit, wisdom and that ineffable quality one calls grace.

Like many women today, she strives daily to balance family (husband, three little girls, two golden retrievers and one cat) and profession (pharmaceuticals), plus post-graduate education.

One a recent cloudy Monday morning, Valentine's Day, this rainbow of an e-mail from April arrived:

Not sure if you remember my friend, Eric. He went to summer camp with me -- a good friend of mine for years. He moved with his girl-friend to New Orleans several years ago. I searched and searched for him after Katrina, so scared he was dead. Haven't spoken to him since before the hurricane. Look what I got in my FaceBook inbox this morning:

"Well, there can't be too many Aprils, so I'm just going to guess that you are who I'm pretty sure you are. One evening about 20 years ago, you said to me, 'It's 11:11. Make a wish.' I did and while I don't even remember what I wished for, you said, 'You know, you might want to wish for someone else every once in a while.'

It was an honest, off-the-cuff-remark but it gave me pause. It is funny, but your words started me thinking about doing for others in a way I never had before. Then, in turn, I started doing for others. Because of that, I've worked in the non-profit sector for most of my career and now, as a student at the University's veterinary school, I am focusing on increasing the welfare and security for farmers in the developing world.

I just wanted to write you and thank you for an unintended nudge that helped put me on my path. I hope that these past 20 years have been as kind to you and your family as they have been to mine. At least that's what I'll wish for tonight."

Yes, at our best, we are indeed all teachers, whether we know it or not. And words are things. Words have power.



AOPCConnected Spotlight

The first in an occasional article showcasing the AOPC’s departments

This issue: The AOPC Legal Department

What Does the AOPC Legal Department Do?

While it has a proven track record in ably serving Pennsylvania’s courts and jurists, AOPC’s Legal Department - its experienced staff and its dedicated work - remain unfamiliar to most

by Andrea B. Tuominen

“Let’s ask Legal” is a refrain familiar to members of AOPC’s Legal Department. In responding to matters routine and novel, AOPC’s lawyers ensure that the Supreme Court’s mandate, per Rule of Judicial Administration 505(15), that the Court Administrator “provide to personnel...legal services and, when appropriate, representation...” is carried out competently and diligently on a daily basis.

Located in the Pennsylvania Judicial Center, Philadelphia, and Pittsburgh, Legal Department attorneys essentially perform many of the functions of an in-house legal office.

They provide advice and counsel to the Court Administrator, senior management and staff. They work with other AOPC departments on legal issues specific to their operations.

They represent Unified Judicial System entities, officials and employees in litigation before the state and federal courts on a variety of issues, including civil rights claims, employment law, and constitutional challenges to court rules.

The department’s four litigators actively provide advice to avoid litigation when possible, and zealously advo-

cate the Judiciary’s interests in state and federal courts when necessary.

In-house litigation lawyers possess particular expertise in defending Judiciary clients, including both court entities and individual judges, and work to expand and strengthen defenses specific to the Judiciary.

For example, when attorney disciplinary rules, canons of the Code of Judicial Conduct or bar admission rules are challenged under the federal Constitution and related laws, AOPC legal counsel appear in court to defend them.

The litigation section manages a caseload of about 200 active cases at any one time in both state and federal courts, together with mandamus and related miscellaneous actions filed in the Pennsylvania Supreme Court against the Judiciary and matters before state and federal agencies.

Earlier this year, AOPC’s litigation team successfully blocked a state executive agency from forcing Lackawanna County to release a judicial employee’s e-mails to an area newspaper in a precedent-setting ruling that upheld the Judiciary’s status as an independent branch of government.

When fraudulent liens were filed against seven Monroe County judges, AOPC’s legal department cleared the bogus claims at trial, referred the case to the Attorney General for prosecution and provided testimony on behalf of the Commonwealth.

As previously reported in AOPCConnected (Issue 2, 2010), the “paper terrorist” was convicted and is now serving a sentence of eight to 16 years. AOPC litigators routinely litigate employment cases, predominately in federal court.

Legal staff members include:

Howard M. Holmes , chief legal counsel	Tara A. Kollas , staff attorney, MDJS
Maryellen Gallagher , deputy chief legal counsel	Jennifer LaBelle , staff attorney, MDJS
A. Taylor Williams , deputy counsel, litigation	David Price , staff attorney, CPCMS
Mary E. Butler , staff attorney, litigation	Daryl W. Walker , staff attorney, administration
Michael P. Daley Jr. , staff attorney, litigation	Kathy Radwanski , administrative coordinator
Geri Romanello St. Joseph , staff attorney, litigation	Ellen M. Conaway , executive secretary
Timothy M. McVay , deputy counsel, judicial automation	Lydia L. Hilliard , executive secretary



L to R, front: J. LaBelle; M. Butler; M. Gallagher; G. St. Joseph. L to R, back: T. Kollas; D. Price; H. Holmes; M. Daley; D. Walker; A.T. Williams; T. McVay.
(Not shown: E. Conaway, L. Hilliard, K. Radwanski.)

Just as litigation varies, so do the numerous other responsibilities of the Legal Department.

Attorneys assigned to work closely with the Judicial Automation Department by providing advice on statutory interpretations and reviewing proposed changes to the statewide case management systems to ensure compliance with existing laws and procedural requirements.

These attorneys also serve as AOPC's liaison to rules committees or other court-related organizations. When system users have legal inquiries, IT staff attorneys are often the voice on the other end of the phone.

[Andrea B. Tuominen, Esq., is assistant court administrator of Pennsylvania.]

AOPC Employee Service Milestones

A number of AOPC employees have reached service milestones between January and March 2011. They are:

20 Years

Patricia Campbell - Human Resources
William Chan - Judicial Automation
Susan England - Human Resources
Janice Evans - Finance
Denise Werkheiser - Judicial Automation

10 Years

Laurence Brady - Judicial Automation
Daniel Hyde - Judicial Automation
Russel Montchal - Judicial Automation
Dena Sibbach - Judicial Automation
Paul Zito - Administrative Services

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For more information about Pennsylvania's courts, please visit www.pacourts.us or call Rhonda Hocker at (717) 231-3326.

Supreme Court of Pennsylvania

Ronald D. Castille
Chief Justice

Thomas G. Saylor
Justice

J. Michael Eakin
Justice

Max Baer
Justice

Debra Todd
Justice

Seamus P. McCaffery
Justice

Joan Orié Melvin
Justice

Zygmunt A. Pines
Court Administrator
of Pennsylvania

Disbursements, continued from page 1

entire justice system," Chief Justice of Pennsylvania **Ronald D. Castille** said.

The total disbursed in 2010 by Pennsylvania's more than 540 magisterial district and 67 Common Pleas criminal courts was a 4.3 percent increase over 2009. Disbursements were made as follows:

- More than \$203 million, or 44 percent, to the Commonwealth's coffer
- \$103 million, or 21 percent, to counties
- \$61 million, or 12 percent, to municipalities
- \$37 million, or approximately 8 percent, to crime victims for restitution.

An additional \$70 million was collected in "county fees," of which approximately 80 percent goes to the counties and 15 percent to the state. A small portion of the court fees and county fees were disbursed to various entities such as schools, libraries and tax agencies.

"Although the numbers may pale in comparison to many government budget deficits, any increase of court collections is a plus for revenue-strapped municipalities and counties and for the Commonwealth," the chief justice said.

The disbursement totals include payments processed for traffic, summary, civil and landlord/tenant cases at the magisterial district courts and criminal offenses at the Common Pleas Courts. The totals exclude payments processed by Pennsylvania's civil Common Pleas Courts, which the judiciary hopes to automate on a statewide basis in the next several years, assuming sufficient budgetary funding resumes at the state level, and the Philadelphia Traffic Court, whose

data is not integrated with the statewide case management system.

The majority of the funds disbursed by the courts to the Commonwealth are deposited into spe-

Court officials credit the recent increase to the statewide Common Pleas Case Management System that provides several features to improve collections, and over the years court officials have become more adept at using these features.

cific funds, such as the state's motor vehicle fund. Most of the funds disbursed to local governments go to general funds. Of the \$480 million disbursed in 2010, \$275 million was done by magisterial district courts and \$205 by Common Pleas Courts. The Common Pleas Courts accounted for increases in overall collections and disbursements in 2010, and easily surpassing 2009 figures.

Court officials credit the recent increase to the statewide Common Pleas Case Management System (CPCMS) that provides several features to improve collections, and over the years court officials have become more adept at using these features.

"CPCMS allows court officials to access statewide bail and warrant information and to see if a defendant has cases in other counties and vice-versa, allowing county officials to work together to collect monies due," said Justice **J. Michael Eakin**, the Supreme Court's liaison for judicial automation. "The system also links one defendant to all of his/her cases within the system, allowing court officials to identify

unpaid balances and to actively collect balances on old and new cases through individual or case consolidated payment plans."

"Without CPCMS our collections enforcement effort would be non-existent," said **Donald O'Shell**, York County clerk of courts.

"CPCMS provides the ability to monitor a defendant's payment plan compliance, automatically generate overdue notices and electronically refer delinquent payment plans to third party collection agencies at the push of a button. CPCMS also automatically transmits notices for driver license suspensions for failure to pay traffic fines. CPCMS has and continues to be the critical factor in our success."

"In a effort to increase court collections over the last three years, the AOPC's Judicial Automation staff has assisted 28 counties that have contracted with an outside collection agency, by electronically supplying information from the state's criminal case management systems, and recently developed e-Pay—a Web-based application allowing defendants to make court payments via the Internet with a credit or debit card," Justice Eakin said.

"Although we are providing the automated tools and functions designed to assist court officials in performing their duties," Chief Justice Castille said, "much of the credit must go to local court staff, who are aggressively working to improve the collection and processing of court payments."

[Steve Schell is an AOPC communications coordinator, specializing in automation.]

New Web Page Details Court Funding Woes, Cost-Cutting Measures

by Steve Schell

Pennsylvania's judiciary has long been in the forefront of making information from and about courts quickly and easily available via the Internet. Now it leads other states in taking additional steps to make Pennsylvania court finances clearer with new information added to the Unified Judicial System Web site (www.pacourts.us).

"The newly-posted financial data describes the judiciary's funding sources, line-item appropriations, budget shortfalls, recent belt-tightening measures, and cost-effective programs and initiatives that benefit counties and other agencies," Deputy Court Administrator of Pennsylvania **Tom Darr** said.

"The financial information in a new Web page shows the good with the bad. Among the 'the good' are the efforts of Chief Justice [**Ronald D.] Castille** and the Supreme Court to hold down spending in meaningful ways. Among 'the bad' are the chronic deficits over the past six years which are neither of the judiciary's making nor reversible by only the judiciary's efforts.

"We have taken data that had routinely been made available through the budget appropriations process, public statements and other methods and assembled it and more for easy Internet access," Darr added. "This data complements other information available on the Web site, such as judicial expenditure information, annual statistical reports, appellate court opinions and more than 30 million court case docket sheets."

The Web page that is to go online this month shows that the Unified Judicial System currently operates on a budget that equates to approximately one-half of one percent of the state government spending. It also shows that although the judiciary is a "core function" of state government, annual funding has fallen significantly short of meeting constitutionally-mandated expenditures, while a portion of its annual funding has been shifted from general state appropriation

funds to court fees and surcharges—a trend that the American Bar Association says only limits citizens' access to the justice system and creates undependable and unpredictable funding sources.

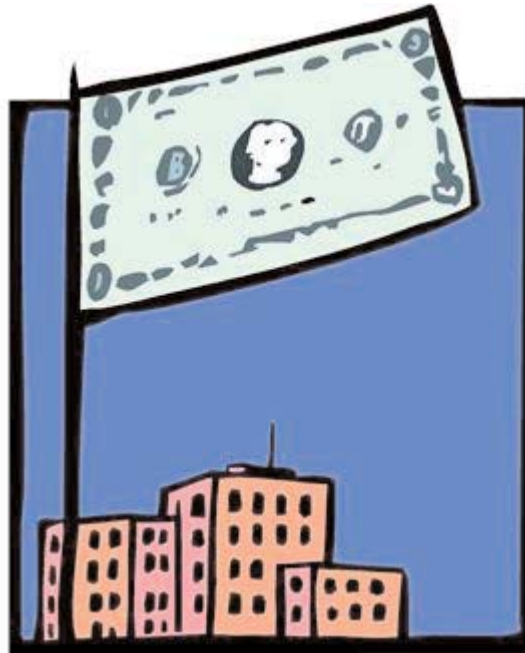
"Of the judiciary's \$336 million current fiscal-year budget, 82 percent, or \$276.8 million, is comprised of general state funds," Darr said. "Over the past six fiscal years, state fund appropriations to the judiciary have been short a whopping \$94 million, including the current year deficit of \$39 million. While this is a small figure in the context of the current year's \$28 billion total state budget, it's ultimately a crippling figure to the courts."

In the first two of the past six years, the judiciary's deficits were initially funded by stop-gap loans from the Judicial Computer System (JCS) Restricted Receipts Account—an account established with the express purpose of facilitating statewide computerization of the Unified

Judicial System's case management systems through a stable and predictable funding source. Those loans were largely repaid by supplemental appropriations by the General Assembly.

Again in fiscal years 2007-2009, general government expenditure deficits were made up by borrowing funds from the dedicated JCS account; however, these loans have not been repaid, putting a sizeable dent in the fund created to support judicial automation. To help bridge the judiciary's budget gap, in 2009 the legislature passed and the governor signed into law Act 49, temporarily imposing surcharges on certain court filing fees until January 7, 2012. (These temporary revenues will need to be replaced by state funding in the near term or by extension of the temporary surcharge.)

"The serial budget deficits—by no means of the judiciary's making—have driven the judiciary's funding shortfall so high that even with proceeds from the temporary surcharge, we will still have a budget deficit this





Missions Accomplished

*AOPC employees **Ellen Conaway** (above) and **Liz Pagenkopf** (facing page) found the rewards outweighed the difficulties in helping others rebuild their impoverished nations.*

SOUTH AFRICA—For many years I talked about going on a “real” vacation, but would always find a reason not to go—or a better or more meaningful way to use my money.

However, the opportunity of a lifetime came knocking when my church planned its annual missionary trip to Cape Town, South Africa, to celebrate the Anniversary of Enon Tabernacle Baptist Church in Eerste River, Western Cape. The Mass Choir was invited to sing at the church’s anniversary services and to perform during a Teen Challenge graduation ceremony.

Teen Challenge South Africa, Western Cape, is a nonprofit, organization established to rescue youth and young adults from drug abuse, gangs, prostitution and human trafficking as well serve as an HIV/AIDS prevention education program. Its 14-month residential program offers hope, help, freedom and success to both men and women—the “Home of Hope” as it is known.

First and foremost, we performed missionary work in the townships of Durbanville, Eerste River, Bellville and Pretoria. One of the most rewarding days of my trip occurred when we went out into the communities

to spread the word of the gospel and to feed area children. As much as I consider myself a “people person,” I had some trepidation about venturing out into unfamiliar territory. But the children seemed to come out of nowhere and were so excited to see us that it made me immediately feel comfortable.

Because most of the people in the townships do not own cars and no public transportation runs on a regular schedule outside of the city, we had to walk and walk and walk. Many of the children we met had no shoes. We fed more than 1,000 children.

Much of my two weeks in South Africa was hard work, but it has been some of the most rewarding work I’ve done. I was rewarded not only by the missionary work, but also by my beautiful surroundings. I was awestruck by the landscape as the plane descended—not to mention the realization that I was on the tip of the continent of Africa!

[Ellen Conaway is an executive secretary in the AOPC’s Legal Department.]



Liz Pagenkopf (top left above, and pictured at right) poses with a group of mission workers in Guatemala.



GUATEMALA—I had an opportunity recently to go on a service trip to Guatemala with LaSalle University. To say it was an unforgettable experience would be an understatement.

As a LaSalle graduate, my education had a strong base in the ideas of global learning and understanding as well as a long tradition of service. From Jan. 4 to Jan. 14, 2010, 15 classmates, two adult coordinators and I worked with a company called “Share Guatemala,” an organization dedicated to the enrichment of rural communities in the Central American country.

Our project for the week was to pave the schoolyard in a small Mayan town called Tierra Colorada, near San Martin Jilotepeque. We mixed the cement by hand, and by the end of the week we made 40 eight-by-eight squares of cement.

The process of mixing large quantities of cement is very similar to how one would make dough, just on a much larger and messier scale. We worked together like no other team I had ever been a part of. We encouraged each other to physical feats that surpassed what we thought ourselves capable of—and we all have the muscles to show for it! We spent eight hours a day mixing and pouring cement, but with the positive attitudes and our constant words of encouragement, it hardly seemed like work.

This was an amazing trip, but I tried not to over-romanticize the experience; instead I tried to see the reality of the situation. We were there because of the economic situations in Guatemala that make trips like ours a necessity. The country was beautiful, but the poverty was heartbreaking and glaring.

While the week-long enrichment project was the emphasis of the trip, the memories that I took with me were more about the community of Tierra Colorada and the community within our La Salle group. The people of Tierra Colorada opened their arms to us and made us feel so welcome as we worked side by side at the school. Their dedication to their community and culture was inspirational. Everyone looks out for each other, is willing to lend a hand and work for the cause of the education of the children and is committed to carrying on the tradition of the Mayan culture.

One of my greatest fears in graduating from college was leaving the community that I felt I belonged to, and this service trip reignited those feelings of camaraderie and commonality, even though we had only known the people of Tierra Colorada for a few short days. I hope that I will remember how fortunate I am to have participated in a trip of this nature, the resourcefulness of the people, their spirit and their dedication.

[Liz Pagenkopf is a receptionist for AOPC’s Administrative Services.]

Unleashing a Blueprint for Learning: From Strategy to Execution

by Stephen M. Feiler, Ph.D.

The late Chief Justice **Ralph Cappy** recognized that excellence in judging necessitates ongoing judicial education. The law changes, and new areas of law continually emerge. New skills (beyond those taught in law schools and learned through occupational experience) become necessary to properly and fairly adjudicate cases.

With these challenges in mind, the Judicial Education Department was established within the AOPC, staffed with experienced educators and charged with providing administrative and organizational support to judicial education efforts in the Commonwealth.

The effort was met, initially, with guarded optimism. Judicial education in the state had already achieved a high standard of excellence. Those responsible—dedicated judges volunteering their time and energy to educate their colleagues—had built a program rich in history and tradition. The challenge, then, became taking a highly functioning program and making it better. No small feat, to be sure.

Since its inception, the Judicial Education Department has endeavored to provide a centralized, coordinated system to institute and manage judicial education initiatives, to develop new and innovative delivery mechanisms and to facilitate the creation and distribution of judicial education materials and resources. As we reflect on the effort (now in its sixth year), the

advances Chief Justice Cappy envisioned have begun to make discernable and positive differences.

In 2006 the Supreme Court of Pennsylvania convened an ad hoc committee and charged its members with developing an articulated curriculum for trial judge education. Now this curriculum is used by those involved in educational planning to guide programming both at New Judges School and at the Pennsylvania Conference of State Trial Judges' twice-yearly conferences.

Adopting a curriculum-based planning process is beneficial in several respects. Among these is the ability to objectively analyze continuing education offerings for breadth and balance. Pennsylvania's trial judges have available to them a broad selection of educational offerings each year.

Establishing the Judicial Education Department also has had a positive impact on the number of educational opportunities available to judges. Conference planners now collaborate with a professional staff (including the AOPC's Judicial Services) who attend to many of the administrative and organizational tasks associated with presenting a multi-day conference. As a result, conference agendas now routinely include concurrent programs, effectively increasing the number of educational hours available.

Learning More About Learning

More than 24 hours of educational offerings are available at each of two yearly conferences. Additionally, judges can attend two multi-day symposia each year to explore a single subject in smaller groups and in greater depth. For example, in the coming year, a two-day program on managing capital cases will be offered in two locations for judges presiding over these important cases.

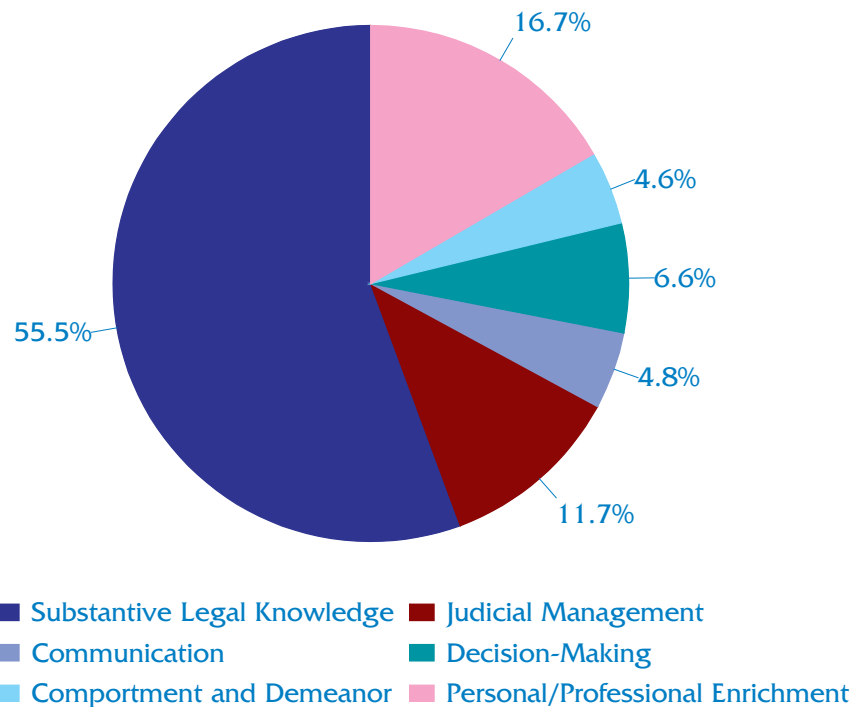
The Judicial Education Department's efforts are enhancing program quality: the number of judges attending programs has increased, and program assessments show satisfaction with the offerings and the presentations.

In addition to enhancing existing programs, department staff have introduced new educational offerings, resources and delivery mechanisms. In 2010 the department launched a series of regional forums covering five areas—juvenile, family, orphans, civil and criminal—to give judges an opportunity to discuss issues of common concern.

An electronic library is now available in every judicial district in the state that includes educational resources on CDs and DVDs. To supplement the electronic library, the department maintains an educational Web portal that provides judges with access to a multitude of resources, including supplemental conference materials. It also developed a desk book for judges with administrative responsibilities that is due out in early 2011.

While it is gratifying to reflect on the success of this initiative, there is still much to be done. Efforts are underway to introduce distance learning opportunities to judges as a means to expand the number of educational offerings while minimizing the burdens (both fiscal and temporal) of taking judges away from their courts to attend programs. Offering a one-hour webinar, for example, not only benefits those judges available to participate (synchronous learning), the program can be recorded and available for others to view as their schedules permit (asynchronous learning).

Total Hours by Curricular Core Since January 2006



While the possibilities are many, the mission remains the same: to enhance the administration of justice by providing judges with the highest quality education possible.

For more information visit: <http://education.pacourts.us>.

[Stephen M. Feiler, Ph.D., is the director of AOPC's Judicial Education Department.]

New Emergency Notification System Coming to Judiciary

by Steve Schell

The Judicial Automation staff is preparing to replace the AOPC's current telephone call-in line and BlackBerry message emergency notification procedures with a more comprehensive system capable of sending messages to as many UJS employees as desired via most types of communications devices.

"The new notification system, scheduled to be in place by mid-2011, is effective and reliable, meeting the needs of the AOPC and the courts to react immediately to a crisis and business disruption," said Judicial Automation Director **Amy Ceraso**.

Using a solid communications infrastructure, the mass notification system, known as Everbridge Aware, will have the ability to connect with as many as 35 different paths for each employee, including phone, BlackBerry, e-mail, text messaging, instant messaging,

desktop messaging, fax, smartphones, personal data assistants, pagers and more. The system also offers unique features such as automatic posting of notifications to AOPC Web sites, emergency messages, pre-emption of standard messages, automatic entry into audio conference bridges and a pandemic planning and notification module.

"The system will provide the AOPC with a method to quickly reach a much broader audience in the event of an emergency, including county court staff and emergency personnel," Ceraso said. It also offers the flexibility to meet today's emergency notification requirements as well as those of the future, and its costs will be offset by the elimination of the costs for the BlackBerry emergency message system software and AOPC call-in line.

What Does a New Legislative Session Mean to the Courts?

by James Koval

The watch words of the 195th Pennsylvania General Assembly, which started its session on Tuesday, January 4 with swearing-in ceremonies for newly-elected members, are reform, transparency and fiscal restraint. Faced with a budget deficit estimated to be between \$4 billion and \$5 billion and a new governor who has pledged to reform and shrink state government and not raise taxes or fees, the 50 senators and 203 representatives have their work cut out for them. Add to this mix the four newly elected senators and 30 House members, most of whom campaigned on promises to cut spending and institute reforms throughout state government, and the stage is set for a potential sea of change in the operation of Pennsylvania government.

Supporting this notion of fundamental change is the switch in political party control in the executive and legislative branches. The November general election produced a Republican governor with the election of Tom Corbett, and Republicans retained their majority in the Senate by a margin of 30 to 20, while regaining a majority in the House by 112 to 92. With Republicans in firm control of the administrative and law-making functions of government, they are in a strong position to implement their goals of reigning in state spending while keeping taxes at current levels.

What does all of this mean for the judiciary as a coequal branch of government?

As most are aware, with the economic recession of the past few years the overall state budget has had minimal growth, with most segments of government experiencing cuts to operating expenses—including the Unified Judicial System. Beginning with the 2008-09 fiscal year and continuing to the present, the state

court system has been underfunded, culminating in gross deficits of \$27.5 million last year and a projected \$39 million this year. These shortfalls have been somewhat absorbed through temporarily increased court fees as well as careful management and the expenditure of reserve funds that had been prudently accumulated over a number of years. However, loans of approximately \$30 million from our Judicial Computer System fund were still needed to fully close those deficits, consequently threatening the viability of our automation funding in the future. Now, with the extra fees slated to expire at the end of the calendar year, the reserves soon to be depleted and costs of operations rising, we face a situation where we cannot save our way out of this deficit position.

The governor on March 7 proposed a \$27.3 billion state budget—an approximately three percent cut from current funding—which includes a level-funded budget for the judiciary, appropriating the same amount for next year as we are operating on this year. This proposal would produce a net deficit of \$47.2 million in the coming year. The answer to this dilemma—and our great challenge—is to convince the legislature and the governor to adequately fund the judiciary in the state budget, as is fitting for a core function of government. Any rational analysis of government will acknowledge the fundamental importance of the justice system to the orderly function of society and government. Our goal is that the final budget this year reflects this primary concept of governance through sufficient funding of the Unified Judicial System.

[Jim Koval is the AOPC's communications manager/assistant for intergovernmental relations.]

“Commonwealth” Donated to the Judicial Center



A replica of Commonwealth, the bronze and gilt statue that keeps watch from the dome of the State Capitol Building in Harrisburg, has been donated to the Pennsylvania Judicial Center by Beatrice Garvan. Ms. Garvan, a member of the Pennsylvania Capitol Preservation Committee, also provided the vitrine on which the statue rests.

The original statue was designed in 1905 by architect Joseph Huston, who also

designed the current capitol building, and was sculpted by Roland Hinton Perry. According to Huston, it represents mercy—symbolized by the outstretched hand, palm down—and justice—symbolized by the staff with flowing ribbon.

The statue donated by Ms. Garvan can be found along the wall directly across from the visitors entrance on the first floor of the judicial center.

Transitions, continued from page 2

Samuel J. Magaro - Dauphin - sr. magisterial district judge

Charles E. Marker - Westmoreland - sr. Common Pleas Court judge

John J. Poserina Jr. - Philadelphia - sr. Common Pleas Court judge

Joseph T. F. Quinn - Delaware - sr. magisterial district judge

Robert C. Reed - Beaver - sr. Common Pleas Court judge

Edward E. Russell - Philadelphia - sr. Common Pleas Court judge

Ronald E. Stuck - Erie - sr. magisterial district judge

William R. Toal Jr. - Delaware - sr. Common Pleas Court judge

Paul W. Tressler - Montgomery - Common Pleas Court judge

AOPC

Loretta Blunt - Administrative Services - receptionist

Julia Good - Administrative Services - purchasing specialist

Lyudmila Rasolko - Judicial Automation - programmer analyst

Eric Sick - Judicial Automation - Network Systems advisor

Gregory Vanek - Judicial Automation - senior systems analyst

Debra Weber - Judicial Automation - programmer analyst

Resignations

Counties

Thomas J. Golden - Lackawanna - magisterial district judge

William F. Kear - Northumberland - magisterial district judge

Charles V. Moran - Schuylkill - magisterial district judge

Scott W. Naus - Columbia/Montour - president judge

Gregory A. Olson - Indiana - Common Pleas Court judge

AOPC

Jonathan Fry - Judicial Automation - systems analyst

Trecia Vamalis - Judicial Automation - NOC day shift supervisor

Appointments

Honorable Nancy L. Butts - reaptd. to Criminal Procedural Rules Committee

Lisa Marie Coyne, Esq. - reaptd. to Orphans' Court Procedural Rules Committee

Professor James W. Kiehm - apptd. to Committee on Rules of Evidence

William T. Hangley, Esq. - apptd. chair of Pennsylvania Interest on Lawyers Trust Account Board

Neil E. Hendershot, Esq. - reaptd. to Orphans' Court Procedural Rules Committee

Kathryn M. Hens-Greco - Allegheny - appointed to Domestic Relations Procedural Rules Committee

Penina Kessler Lieber, Esq. - apptd. vice chair of Pennsylvania Interest on Lawyers Trust Account Board

Honorable Anne E. Lazarus - reaptd. to Orphans' Court Procedural Rules Committee

John F. Meck, Esq. - apptd. to Orphans' Court Procedural Rules Committee

Abraham C. Reich, Esq. - apptd. chair of Continuing Legal Education Board

Elizabeth G. Simcox, Esq. - apptd. to Continuing Legal Education Board

Andrew F. Susko, Esq. - reaptd. to Pennsylvania Interest on Lawyers Trust Account Board

Lawrence J. Tabas, Esq. - apptd. vice-chair of Continuing Legal Education Board

Margaret Gallagher Thompson, Esq. - apptd. chair of Orphans' Court Procedural Rules Committee

Around the Judiciary

Will That Be One Hump or Two?

Westmoreland County Judge **Rita Donovan Hathaway** was told to expect to travel in style on a recent trip to Israel. She was thinking a limo, but her travel guides were thinking more of destination-via-dromedary. Her sojourn with Philadelphia Common Pleas Court judges **Arnold New** and **Shelley Robins New** included sites of both Christian and Jewish significance. All three jurists previously visited Ireland and Italy, in keeping with themed trips to countries starting with the letter I.



Here's the Spin on Judge Scott Lash

People find it novel that a Common Pleas judge participates in Frisbee tournaments. Even CNN featured a story, much to the bemusement of my fellow competitors who actually won titles or set records. So allow me to explain what it is and why I do it.

Disc sports, a/k/a Frisbee, a/k/a plastic flat ball, is of recent origin, being at a competitive disadvantage to ball sports because plastic was not even introduced to society until the 1860s. The Frisbee disc itself was invented by a man named Fred Morrison, who was inspired by watching Yale students toss around pie tins made by the Frisbie Pie Company. In 1956 Morrison sold his idea to Whamo for \$1 million.

Marketed primarily as a toy, the Frisbee disc became popular at picnics and beach gatherings, and before long, individual and team competitions were developed. "Ultimate Frisbee," a fast-paced team sport, became very popular on college campuses and now features annual college and world championship contests. Frisbee golf is probably the most popular today with professional tournaments every week. Disc golf courses are so prevalent that they are probably within a short driving distance of most homes in this country.

Other individual events also began holding world championship competitions, including field events such as distance and accuracy and running events such as "Throw, Run, and Catch," where a player catches his own throw and the distance traveled is measured. This



can be fun to watch. Note, the record for catching your own throw is 94 meters [about 103 yards]. Think about that.

By the 1970s these competitions grew into world championship events held annually at the Rose Bowl with spectators of 50,000 or more. Fans particularly were drawn to the freestyle event in which players develop a choreographed routine of difficult catches and throws and the canine events.

An important feature of all disc sports is the emphasis on fair play. There are no referees, with players policing themselves, making rulings on each other and themselves. I can't overemphasize the quality of the sportsmanship demonstrated in the events. Today the sport is governed by the World Flying Disc Federation (WFDF) and is a member of the General Association of Independent Sports Federation (GAISF). WFDF holds world championships every other year. A U.S. Open is held in the off year.

I was always playing sports as a kid. The neighborhood kids and I also threw a Frisbee disc around quite a bit, particularly between the

dormers of the neighbor's house. I became pretty skilled, belying my general lack of athleticism as I was extremely skinny and slow-footed. I was a late bloomer athletically, who didn't fully grow until my mid-college years.

After my strength and coordination finally caught up with my peers in college, I began doing much better athletically, but Frisbee was still my

focus. So I joined the ultimate Frisbee team and also competed individually, winning the National Collegiate Distance Championship in 1977. The sport has been a passion of mine ever since. Locally, I became known as "that Frisbee guy."

Today I compete in the 45 and over division with my best showing being 2nd in distance in the 2004 World Championships. I also made administrative contributions, compiling the first set of rules for the WFDF governing body and hosting the 2008 U.S. Open in the Lancaster/Berks area.

I find that I enjoy the competition as much as ever. The sport mandates training that keeps me in shape. At the tournaments I see people I have been competing with for more than 30 years as the sport now is as much a reunion as a competition. Of course, my goal remains a title. Hopefully, I'll get it before I reach senior judge status.

[The Hon. Scott E. Lash is a Berks County Common Pleas Court judge.]

(photo: courtesy Reading Eagle)

Caseload Study, continued from page 1

selecting judges from other districts so that judges from every class of county—rural, urban and suburban—are represented. Also included are representatives from districts with a high number of cases and with a below average number of cases and districts that include case-boosting features such as a college or an interstate highway.

MDJ court administrators from varying size counties also are included on the committee. **Amy Kehner** and **Andy Simpson** of the AOPC Judicial Programs Department will provide the administrative support and data analysis needed to carry out the committee's work.

The committee will examine each case type that an MDJ deals with—criminal, civil, traffic and non-traffic matters as well as landlord/tenant and private criminal complaints—and break them down into the separate tasks that the MDJ must perform in handling them. Once those tasks are identified, the judges will conduct a time study that tracks how long it takes to perform each task.

The results will be collected and discussed so that we can arrive at an accurate measure for the amount of a judge's time each case type consumes. The final product will be a new way of measuring an MDJ's caseload.

Instead of looking only at the total number of cases handled by an MDJ, the total will be adjusted according to the different impact that each case type has on the judge's overall workload. This weighted caseload measure will be an important factor for president judges and the Supreme Court to use in deciding how to reconfigure the state's magisterial districts.

[Joe Mittleman is the AOPC's Director of Judicial Programs.]

List of committee members

Judges

Ross Cioppa, Allegheny
Dennis Joyce, Allegheny
Richard King, Allegheny
Kathy Calhoun, Bedford
Leslie Dutchcot, Centre
Mark Bruno, Chester
William Chisholm, Crawford
Charles Clement, Cumberland
Thomas Placey, Cumberland
Richard Cappelli, Delaware
Christopher Mattox, Delaware
Kenneth Miller, Delaware
Larry Pentz, Franklin
Wendy Mellott, Fulton
Martin Kane, Luzerne
Kristina Anzini, Monroe
Margaret Hunsicker, Montgomery
Marvin Shrawder, Montour
Delores Bristol, Potter
Phillip Sweet, Tioga
Leo Armbruster, Union
Charles Christner, Westmoreland

Administrators

Nancy Galvach, Allegheny
Barb Gallo, Centre
Troy Petery, Dauphin
Deb French, Northampton

Budget Site, continued from page 7

fiscal year of an estimated \$12 million," Darr said. "It's by no means clear where these funds will come from."

Darr said the Supreme Court recognizes the challenges in funding state government during recessionary times and tightened its belt over the last three years, resulting in an estimated savings of more than \$17 million. The current fiscal year deficit of \$12 million reflects a \$5 million savings from this year's earlier projections.

The belt-tightening measures included Supreme Court Justice Ronald D. Castille's unprecedented step in 2010 to cut costs by calling for a moratorium on filling judicial vacancies.

In addition, the chief justice has asked president

judges to review their judicial complements to see if the number of magisterial district judges could be reduced, setting a long-term goal of a 10 percent reduction statewide, or approximately 50 judges. Already, nine magisterial judge seats are slated for elimination. He has directed the AOPC to coordinate these efforts as well as to develop measures to review the size of the overall district and trial judge complements and to carefully manage the use of senior judges.

"The simple fact is that the judiciary cannot save its way out of chronic structural budget deficits not of its own making," Darr said. "We hope this new Web page will help to tell the judiciary's fiscal story."

[Steve Schell is an AOPC communications coordinator, specializing in automation and security matters.]

Wanted by the FBI

by Art Heinz

Court Administrator of Pennsylvania **Zygmunt A. Pines** has been appointed to serve on a national advisory board that influences federal policy on criminal justice operations and policies.

Pines was named to the 34-member Criminal Justice Information Services Advisory Policy Board, which is comprised of representatives from criminal justice agencies throughout the U.S. and Canada. The board makes recommendations to the director of the FBI to help provide tactical law enforcement support and enhanced safety for law enforcement officers and citizens.

"I cannot think of a more qualified individual to fill a spot on the advisory policy board," Chief Justice of Pennsylvania **Ronald D. Castille** said. "His extraordinary service as court administrator obviously has not

gone unnoticed, and his membership on this national advisory board will allow him to make a contribution even larger than the one he is making now. It shows that Pennsylvania is taking an important policy role on the national level in addressing concerns of mutual interest throughout the U.S. to law enforcement."

The appointment marked the second time in as many months that Pines was tabbed for recognition by a nationwide organization. He previously was named recipient of the prestigious *2010 Warren E. Burger Award for Excellence in Court Administration*—the highest award presented by the National Center for State Courts—for significant contributions to the improvement of court operations with application to courts nationwide.

601 Commonwealth Avenue
Harrisburg, PA 17120

The logo for the American Oversight Policy Council (AOPC) features the letters 'AOPC' in a bold, blue, serif font. The letter 'O' is stylized as a circle with a small triangle pointing downwards inside it.