

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

I am pleased to present this Report of the Administrative Office of Pennsylvania Courts (AOPC) for 2007, outlining many of the programs and services that define the Commonwealth's state court system. This report highlights noteworthy accomplishments in the administration of justice that took place during what was both a very busy and productive year.

The year was marked by transition, fostering an atmosphere of retooling and rebuilding on the many successful initiatives launched over the last decade.

Chief Justice of Pennsylvania Ralph J. Cappy decided in 2007 to step down after five years as chief justice, 17 years as a justice on the high court and nearly three decades as a member of the Pennsylvania Judiciary. Chief Justice Cappy left the bench two years before the end of his second 10-year term on the court and was succeeded by the Hon. Ronald D. Castille, who was elected in 1993 and was the next highest-ranking member of the court in seniority.

Chief Justice Cappy was the 2007 recipient of the Outstanding Chief Justice Award presented by the National Center for State Courts. The honor—also known as the Harry L. Carrico Award for Judicial Innovation—was established to honor a sitting state court chief justice who has inspired, sponsored, promoted or led an innovation of national significance in the field of judicial administration. Chief Justice Cappy also was awarded the Bar Medal, the highest honor conferred by the Pennsylvania Bar Association. He also was named the recipient of the Philadelphia Bar Association's top award for distinguished service.

Automation Advances

The honors bestowed on Chief Justice Cappy underscored the notion that Pennsylvania's Unified Judicial System (UJS) has been at the forefront of state courts in implementing administrative and procedural improvements, operational innovations and advanced automation programs.

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Pennsylvania, for example, became the largest state in the country to install a statewide computer case management system in all of its criminal trial courts during 2007, solidifying the Commonwealth's standing as a national leader in judicial automation.

The Common Pleas Criminal Case Management System (CPCMS), the latest and largest phase in the automation of Pennsylvania's courts, improved the overall efficiency of the state's criminal justice system and the management of the courts while aiding law enforcement through the timely sharing of critical criminal information.

The new system created a central data warehouse, enabling staff in 60 judicial districts to electronically share case information and associated data. The data-sharing—for the first time ever—was not only between county courts, but also with the state's appellate and 548 magisterial district courts. The initiative also created a link with Pennsylvania's Criminal Justice Network (JNET)—an integrated public safety network developed by the executive branch—to expeditiously exchange critical court information with local, state and federal authorities as well as executive branch agencies such as the Pennsylvania State Police and the departments of Transportation and Corrections.

CPCMS trainers from the AOPC demonstrated the UJS public Web portal to the media in 2007 at regional workshops in Pittsburgh, Harrisburg and Philadelphia. Those workshops showcased Internet access for reporters to online case information from the appellate, Common Pleas and magisterial district courts. Newly-created court summary sheets and court calendars were highlighted during the gatherings.

An ambitious training schedule for court staff during 2007 was part of the successful implementation of the CPCMS. "New user" training and 13 different advanced workshops were offered between January and June, covering a wide variety of Common Pleas Court functions such as cash management, audit, bail, calendar-scheduling and appeal-tracking.

The year also saw the AOPC's Common Pleas Criminal Case Management System honored at Computerworld's 19th Annual Laureates Medal Ceremony & Gala Awards Evening in Washington, D.C.

Planning began in 2007 to rewrite the two oldest of Pennsylvania's statewide judicial computer systems—the Magisterial District Judge System (MDJS) and the Pennsylvania Appellate Court Case Management System (PACMS). A goal of the system rewrite is to standardize technology among the judiciary's several systems serving various court levels.

The MDJS—used by more than 3,000 employees in 548 magisterial district judge courts throughout the state and nearly 20 years old—is being rewritten to enhance performance, flexibility and accessibility. Included in the many upgrades will be a feature allowing users to search all of Pennsylvania’s magisterial district judge, Common Pleas and appellate courts for criminal information on a defendant.

The Supreme Court and the U.S. Third Circuit Court held another first, a joint technology conference during 2007. Its purpose was to discuss the development of practices that will improve court management, including the practical application of technology within the courts and the exchange of court information between the federal and state court systems. The joint cooperation resulted in the development of a data exchange that will electronically transmit information regarding capital cases from the state court system to the Third Circuit Court of Appeals, thereby reducing the need for redundant data entry.

Security Supplemented

In 2007 the AOPC reimbursed counties for the purchase of one or more of four physical security enhancements for courthouses: magnetometers, x-ray screening machines, wireless duress alarm systems and card-key access systems. Fifty-seven counties participated in this project.

In August 2007 the AOPC established the Pennsylvania Judicial Security Incident Reporting System (PAJIRS) in the Common Pleas courts. PAJIRS is the first court-initiated electronic incident reporting system in the nation. The system was introduced in Pennsylvania’s magisterial district courts in July 2005.

The UJS Court Safety and Security Manual defines a security incident as “an event that has the potential to cause, or has, in fact, caused, personal injury or property loss.” Court security incidents that occur in courtrooms, courthouses and the community are captured via PAJIRS. District court administrators and staff members in the AOPC Office of Judicial Security receive e-mail alerts as soon as an incident is reported. Staff in Judicial Security contact the individual who filed the report in order ascertain that necessary safety and security cautions are undertaken and to render any assistance that might be warranted.

One hundred ninety-five security incidents were reported in magisterial district courts and 44 in Common Pleas courts in 2007.

The Unified Judicial System of Pennsylvania Judicial Safety Handbook was developed and distributed to all Common Pleas and

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magisterial district judges in the state as well as all court administrators. The handbook provides safety and security tips for judges to use in their courtrooms, courthouses and homes and in the community.

In addition to the handbook, the Security Manual and Guidebook developed in 2004 was updated to provide guidance on handling biohazard threats and events. The update was based upon the collaborative work of the AOPC and the University of Pittsburgh's Center for Public Health Preparedness.

In the fall a third round of regional workshops was conducted for all local court security committees throughout the Commonwealth. These committees, comprised primarily of president judges, sheriffs, court administrators, county commissioner chairs/county executives and magisterial district judges, are encouraged to meet regularly in order to formulate and implement plans to respond to emergency situations in their courts. During the third round, committee members participated in a table-top exercise designed to capture strengths and weaknesses in response to an emergency scenario.

Also in the fall, a committee was formed to assist with the development of a proposal and selection of a vendor to provide for video arraignment capabilities in magisterial district courts. With funding from the state legislature, judicial security began the process to enable magisterial district judges to conduct preliminary arraignments via live video conferencing.

Children and Families Conclave

Extending the successful launch in 2006 of the AOPC's Office of Children and Families in the Courts, a State Roundtable for Children was held in 2007. The roundtable drew supervisory and dependency judges, children and youth authority personnel, county solicitors, child and parent advocates and academic experts to discuss issues and challenges facing the courts and meaningful solutions. Justice Max Baer, a former administrative judge of family court in Allegheny County, is guiding these efforts on behalf of the Supreme Court.

Interbranch Collaboration

The Supreme Court in March 2007 sponsored a seminar in Harrisburg to acquaint newly-elected legislators with Pennsylvania's judiciary. Chief Justice Cappy, Justice Thomas Saylor, Court Administrator Zig Pines and Widener Law School Professor John Gedid presented an overview of the state court system and the constitutional underpinnings of the judicial branch in a program held in the Supreme Court courtroom at the State Capitol. The first of its kind event also

saw the publication of a related “Pennsylvania’s Unified Judiciary: A Legislator’s Guide.”

Diversifying Juries

A three-year effort to promote greater jury diversification in Pennsylvania through legislation came to fruition in 2007 with the General Assembly’s passage—and the governor’s signing—of a bill creating a statewide jury information system. Under the new law, the departments of Public Welfare, Revenue, State and Transportation must submit lists to the AOPC annually of individuals who receive benefits, file personal income tax returns, register to vote or receive driver’s licenses. The result provided a broader and more diverse group of names to counties. AOPC staff played a prominent role in the adoption of the measure through interaction with the governor’s office and the law’s chief legislative sponsors and backers.

Emphasizing the Judiciary’s Commitment to Open Records

The Pennsylvania Judiciary’s long-standing practice of providing open, public access to its financial and related administrative records was formalized in 2007 under an order issued by the Supreme Court of Pennsylvania. The order created Rule of Judicial Administration 509 that established a systematic process for requesting and accessing state court system records that deal with the use of public funds, including the purchase of services, supplies or equipment. The rule took effect July 1, 2007.

Also of note in 2007 was the implementation of a significant new public records access policy that systematically governs the electronic case records of the Unified Judicial System. What prompted the development of the new policy was the burgeoning amount of information available with automation, particularly the recently completed CPCMS.

Because the policy deals only with electronic case records, its adoption did not alter the long-standing practice of making case records open for public inspection and photocopying at court offices—unless otherwise sealed by a court or restricted pursuant to law. The new policy was designed to cover what and how electronic case records are available to the public and how requests for access to those records are to be handled. In addition, fees for accessing the records and other related issues also are addressed.

All electronic case record information maintained in the Pennsylvania Appellate Court Management System, Common Pleas

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Criminal Court Case Management System or Magisterial District Judge System is covered by the policy.

The judiciary's combined commitment to technology and openness has widened public access to court records in a way never before seen in Pennsylvania. Just as important though, the judiciary is committed to maintaining appropriate boundaries for the protection of individuals who come into the court system. Pennsylvania is just one of many states and the federal courts that has grappled with the complex issues associated with public access to electronic case records.

In tandem with the Supreme Court's Commission on Judicial Independence, the AOPC produced a 15-minute DVD "Pennsylvania's Unified Judicial System" that describes the role of the courts and how the court system is structured. The video is aimed at a broad audience and was distributed to the president judges of all Common Pleas Courts with the specific suggestion that it be played daily in jury assembly rooms. Beyond that, all judges within the Unified Judicial System may use the video when making presentations at schools or community meetings or giving speeches to fraternal organizations or other groups.

A major undertaking was the creation of a Pennsylvania Public Health Law Bench Book, which was distributed to every Common Pleas Court judge in February 2007. It was created to guide courts in a major public health crisis. The plan addresses essential court functions, how to choose an alternate facility, communications, computer operations and necessary forms. Copies also were distributed to hundreds of teachers in Pennsylvania, and it is serving as the basis for greater civic education.

The bench book seeks to identify and explain the many disparate laws that would be applicable in a public health crisis. It has been praised as a model of comprehensiveness and practicality.

Notable Accomplishments in 2007

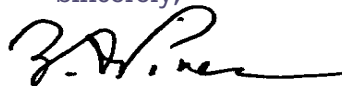
- The Supreme Court created a uniform process for eligible out-of-state lawyers to apply for permission to participate in particular cases in the Commonwealth. Separate orders to amend rules governing civil case procedures and attorney professional conduct were issued by the Supreme Court with the aim of establishing a standardized method for determining eligibility to practice in Pennsylvania as counsel *pro hac vice*—a legal term meaning "for this occasion."
- The Supreme Court tapped the knowledge of an eight-member working group of experienced judges from across the Commonwealth to enhance procedures for adoptions, guardianships, wills

and other orphans' court matters. The Ad Hoc Advisory Committee to the Orphans' Court Procedural Rules Committee provided valuable input to the orphans' court committee's consideration of the feasibility and practical need for comprehensive statewide orphans' court rules.

- To mark the tenth year of the Jen & Dave Program, the Administrative Office of Pennsylvania Courts (AOPC) launched a new Web site, www.jendaveprogram.us, aimed at protecting Pennsylvania's children by making it easier for parents to obtain criminal information for other persons involved in their child custody cases. When the Jen & Dave Program was established in the fall of 1997, it was the nation's first.
- The Supreme Court issued an order to promote equal employment opportunities and non-discriminatory practices throughout the Unified Judicial System. The court order memorializes existing practice by prohibiting all forms of discrimination and harassment in any office that serves as a workplace for court employees or in which court business is conducted. The order applies to both elected and non-elected judicial officers and staff in all court-related facilities. Though Pennsylvania's judiciary already was an equal opportunity employer and strongly adheres to non-discriminatory workplace practices, the Supreme Court order strengthened and promoted the fair and equal treatment of those who work or have business in the courts and extended the concept across the Unified Judicial System.

Finally, it is important to note that many of the enhancements in the administration of justice in 2007 would not have taken place without significant cooperation from the executive and legislative branches of government and support from judges, lawyers and members of the public whom the courts proudly serve. While it is clear the courts will face challenges in this ever-changing world in which we live, the accomplishments noted in this report underscore the workings of a positive template for future successes.

Sincerely,



ZYGMONT A. PINES

Court Administrator of Pennsylvania

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