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NEWS RELEASE

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Supreme Court Justice Cautions House and Senate on Shut Down of Statewide Automated District Justice System

HARRISBURG, February 28, 1996 — Supreme Court Justice Stephen A. Zappala today cautioned members of the House and Senate Appropriations Committees that the present automated District Justice System connecting the 551 district justice offices throughout Pennsylvania eventually will have to be shut down unless remedial financial action is taken.

Justice Zappala issued the alert in a prepared statement submitted to members of the committee for the record during budget hearings held by the House and Senate Appropriations Committees in their respective Majority Caucus Rooms in the Capitol.

Appearing with Justice Zappala at the budget hearings were Supreme Court Justices Ralph J. Cappy and Sandra Schultz Newman, Superior Court President Judge Stephen J. McEwen, Commonwealth Court President Judge James G. Collins, and Nancy Sobolevitch, Court Administrator of Pennsylvania.

Below is the [full prepared statement](#) submitted by Justice Zappala. (**Note: In the interest of conserving time, Justice Zappala presented a condensed version of the remarks for the record.**)

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Remarks of Justice Stephen A. Zappala

Submitted for

Appropriations Committee Budget Hearings

Wednesday, February 28, 1996

Pennsylvania's Judiciary today faces a crisis.

That may sound strong. But hopefully, within the next few minutes, you not only will agree, but even conclude that I may be understating the situation confronting our court system.

First, however, I thank you for this opportunity to share some highlights, frustrations and goals of the Pennsylvania Judiciary as we work hard to improve the efficient administration of justice; maximize the opportunities presented by modern technology; and ensure that the Judiciary is prepared to meet the challenges of the future.

These achievements often have been unappreciated by those outside the Judiciary, who have focused more on the tumult sometimes surrounding the courts. Despite these distractions, we have remained focused on our goals. This positive attitude and firm resolve has allowed us to make significant strides despite our relatively limited resources.

In preparing this statement, I realized that the Judiciary shares many views expressed by Governor Ridge in his budget address. While keenly aware of today's fiscal challenges, we, too, fully appreciate that we must prepare for the 21st Century. We appreciate the Governor's emphasis on technology, an area in which Pennsylvania's Judiciary has been recognized as a national leader.

Before I return to technology issues, let me briefly note a few of the Judiciary's recent achievements:

- we have successfully undertaken a massive reform of Philadelphia's court system;
- we have established written Internal Operating Procedures for the Supreme Court;
- we have established mandatory continuing legal education for the more than 50,000 licensed lawyers in Pennsylvania;
- we have created the Pennsylvania Futures Commission on Justice in the 21st Century; and
- we became the second state Judiciary in the nation to establish a World Wide Web home page on the Internet, which we use to enlighten others on Pennsylvania's judicial statistics, activities, and to make specific material available for public access.

Notwithstanding those achievements, we still must accomplish half the six initiatives announced in late 1993 by the Supreme Court to enhance the effectiveness and accountability of Pennsylvania's judicial system. The three goals which we have achieved required neither additional funding nor assistance from outside the Judiciary, but the remaining three are unmet because we lack the resources. They are:

- expanding and making mandatory the continuing education requirements for trial judges;
- creating a commission to conduct a detailed study of questions concerning racial, ethnic and gender equity in the Commonwealth; and
- reestablishing a court management department within the Administrative Office of Pennsylvania Courts.

But the accomplishment of which I am most proud - and which also is my biggest source of frustration - is automation of the Pennsylvania Judiciary.

I am proud of the development and implementation of the district justice computer system, which continues to successfully provide district justices with the modern, electronic tools needed to do their jobs effectively. It is the largest computer network of its kind in the United States and its success is defined both by its users and by visitors from outside Pennsylvania - even outside the nation - who come to Harrisburg to learn about our system. For instance,

earlier this month a North Carolina delegation visited our facility as that state assesses its needs in automating its minor court system.

I am proud as well that in the face of a continually difficult funding environment we have largely repaid our Judicial Computer Project debt, including \$2 million to the General Fund and \$11.8 million to IBM Credit Corporation. We have accomplished this although it sometimes seemed like more money was being taken *from* us than was being provided *to* us to fulfill the Project's goals.

At the same time, I am frustrated because the Judiciary has been unsuccessful in moving ahead to the next phase - automation of the Common Pleas Courts - and now is faced with the possibility of having to shut down the present District Justice System.

We are tantalized by the potential and spurred by the necessity of automating the Judiciary so that information is available quickly and efficiently for all who need it -- whether for the courts, a criminal justice agency, another government body, the public, or the media. The Governor, in his budget address, called attention to legislation passed during the recent Special Session on Crime and of the need for common sense in managing our welfare dollars - areas which focus attention on the importance of having an automated court system. Two examples are last year's "Three-Strikes" act and the 1994 welfare reform act. Without trial court automation, I fear that the promise of these statutes and others like them will not be fully attained.

The Governor's vision for increased use of technology in and by the Commonwealth will provide a new impetus for automation. With that in mind, along with our desire to share our knowledge and experience, we welcome the opportunity to work even more intensively with the many Executive Branch agencies who could benefit from information available through automation of the Judiciary.

Until that vision becomes a clear reality, I must emphasize the Judicial Computer Project's need for immediate legislative attention. The Legislature must act:

- particularly if the present District Justice System is to continue to operate in the near term; and
- if the Judicial Computer Project is to be expanded in the future.

Critical. Urgent. Imperative. Any synonym will do if we all understand that the Judiciary *is* approaching a crisis. If there is a single statement which I hope you will recall from this hearing it would probably be this: *unless decisive, corrective legislative action is taken, it is inevitable that we will be forced to shut down the automated District Justice System now connecting the 551 District Justice offices in Pennsylvania.*

Without that commitment, later this year we will begin preliminary planning to accomplish that shut down. We will do so because next year - June 1997 - the last of the funds now authorized for the District Justice System presumably will be appropriated.

We face this crisis because of the statutory yearly and lifetime financial "caps" placed on funds which can be deposited in the Judicial Computer Project's restricted receipt account.

Shutdown of the District Justice System will affect not only the Judiciary but also those state agencies now using - or planning on using - data available from the automated system. As the state's district justice offices revert to the manual operation utilized in pre-automated days, there will be a three-pronged effect on the collection of fines, fees and costs:

- first, there will be a delay in collections;
- second, the percentage of current collections - now more than 92 percent - will drop;
- and third, new data entry staff conceivably will have to be added at the state departments of Revenue and Transportation to enter information which now is transmitted by tape.

This, of course, will have an adverse financial impact on the state's General Fund and on those governmental bodies - local and state - now benefitting from funds collected through the district justice offices.

That's the bad news. Now for the good news. This crisis can be avoided without diverting tax monies from the General Fund. The Legislature can insure both the continued operation of the present District Justice System and expansion of the Judicial Computer Project by increasing the present user fee as provided in Senate Bill 970, which Senators Greenleaf and O'Pake have co-sponsored, along with 15 of their colleagues. Passage of this or similar legislation would:

- eliminate the present annual and total lifetime caps;
- increase the present user fee to \$11.00.

Funding for the Judicial Computer Project has long been unstable, unpredictable and inadequate. This has blocked efforts to create a totally automated state court system, and now threatens to pull the plug on the present District Justice System. It would be fiscally imprudent in my view to allow this proven system benefitting state and local governments to wither on the vine.

We appreciate the thought which Governor Ridge, Secretary Bittenbender and their staff have given to the Unified Judicial System budget. In addition to the overall concern about the Judicial Computer Project, there are several areas where funding priorities bear further scrutiny. These include specific funding for the appellate courts' Office of Legal systems, limited additional carry-forward funding in the Supreme Court line item, and some essential funding for the Superior Court to meet caseload challenges.

Likewise, we appreciate the opportunity today to explain our needs and priorities. I am hopeful that our presentation will serve as a call to action in one sense and a point of discussion in all senses, for with your support Pennsylvania's national leadership in court system automation can be sustained and expanded without burdening taxpayers. By doing so, we will be able to use the advantages of technology to work more closely with other units of government, open our courts to greater public scrutiny, and ensure that we have the tools needed to effectively administer our complex system of justice.