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CPP Newsletter

Users participate in integration testing

Integration Testing for the Common Pleas Criminal Case Management System (CPCMS) began in December, 2002, and continued in March with users from across the Commonwealth testing Builds 3 and 4, the calendaring and scheduling functions. The December sessions tested Builds 1 and 2, including such system tasks as entering new case information, setting bail, docketing, and disposing offenses. In March, users tested calendaring and scheduling. The final battery of integration tests at the end of April focused on the system’s accounting functions.

Integration Testing represented yet another level of user participation in the development of the CPCMS. Its purpose was to:

- Give users a hands-on opportunity to test the application and offer feedback on content, operation, flow, interface, etc.
- Bring the separate “builds” of the developing CPCMS together so that users could examine the operation of larger business processes and envision the system’s future impact on their own offices
- Ensure that successive builds or modules of the application work together seamlessly

- Test the training approach, training methods, and user documentation.

Users are urged to be mindful of the fact that because the CPCMS must serve the needs of all 67 counties within the Commonwealth, certain aspects of its functionality, or approach to some business processes, may differ from those to which they are accustomed.

Representatives of Chambers, the Clerk of Courts, and Court Administration—the court offices identified as primary users of the new system—have participated in the testing, which is under the direction of the AOPC and The Davison Group, the training/user services vendor for the project. For the December and March sessions, users represented 25 counties; approximately 10 more counties were represented for testing of accounting functions in April. April users were those with responsibility for collections functions, whether housed within the Clerk of Courts office, Adult Probation, or a separate collections bureau.

User testing sessions were three days in duration. After an orientation to the new system, users completed a series of test scenarios based on

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actual case data. They reported any "bugs" or anomalies that they encountered during testing. Each

day concluded with a full debriefing, during which users posed questions or expressed any concerns about function or implementation. A list of

user feedback was compiled for all project personnel. The Davison Group coordinated follow-up on any needed "fixes" and other user input with AOPC and Deloitte Consulting, the system developers. »»

AOPC thanks the staff listed below from across the Commonwealth for their participation in the December, March and May Integration Testing sessions.

County	Participant
Adams	Lisa Grubbs, Chief Deputy Clerk of Courts
Allegheny	Thomas C. Green, Criminal Court Administrator Lisa Franklin, Minute Clerk Mark Pieper, Information Technology Matt Zeleznick, Clerk of Courts
Armstrong	Brenda George, Clerk of Courts
Beaver	Rich DeFilippi, Deputy Court Administrator Judy Ensen, Clerk of Courts
Bedford	Tammy Colledge, Clerk of Courts
Berks	Shane Keller, Court Systems Analyst
Blair	Michael Reighard, District Court Administrator
Bradford	Mary Lou Vanderpool, District Court Administrator
Bucks (pilot county)	Shirley Butler, Second Deputy Clerk of Courts Cathy Gillihan, Deputy Court Administrator Mary Smithson, Clerk of Courts
Carbon	Roberta Brewster, District Court Administrator
Centre	Maxine O. Ishler, District Court Administrator
Chester	Margaret M. Yokemick, District Court Administrator
Clinton	Pam Bowes, Clerk of Courts
Crawford	Patti Wetherbee, Prothonotary/Clerk of Courts
Cumberland (pilot county)	Taryn Dixon, District Court Administrator Cheryl Sipe, Clerk of Courts Joy'elle Wallace, Second Deputy Clerk of Courts Elizabeth Walters, Deputy Clerk of Courts
Dauphin	Mariann Lawrence, Collections Office, Court Administration
Delaware	Ruthann Fiore, Criminal Court Administrator
Erie	Peter Freed, Deputy Court Administrator
Franklin	Rhonda Amon, Chief Deputy Clerk of Courts Judy Shoemaker, Collections, Probation
Huntingdon	Elizabeth Baker, Collections, Probation
Indiana	Patty Bracken, Administrative Assistant, Court Administration
Lackawanna	Rita Stella, Collections, Clerk of Courts
Lancaster	Marie Gerardi, Deputy Clerk of Courts Beverly Kirby, Deputy Court Administrator, Automation
Lebanon	JoEtta Shultz, Administrative Assistant, Court Administration Suzanne Miller, Collections, Probation
Lehigh	Toni Remer, Assistant Chief Deputy Clerk of Courts Charles Miller, Collections Office, County
Luzerne	Kathleen Hubbard, Deputy Court Administrator
Montgomery	Marcy Toepel, Chief Deputy Clerk of Courts Denise Vicario, Esq., Deputy Court Administrator

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Case accounting in CPCMS

The development of a single criminal case processing system (CPCMS) will offer numerous advantages for the 67 Courts of Common Pleas, just as it did for the District Justices and the Appellate Courts. Both in the pre-project planning and the months of design, development, and testing that have occurred to date, the AOPC has recognized that some adjustments in business practices may be necessary in order to achieve the goal of a unified, statewide system.

Anyone who is involved with case accounting understands the complexity of assessing, collecting, and tracking court costs, fines, and restitution for defendants with multiple cases. At the request of CPCMS staff, the Criminal Procedural Rules Committee reviewed whether the CPCMS should permit a single payment plan for defendants with multiple cases in a single judicial district. The Committee expressed its opinion that the payments for a defendant with multiple cases must be case-specific. This was deemed necessary in order to preserve the judge's authority over and discretion with regard to sentencing and subsequent defaults, the defendant's probation, and the defendant's rights.

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The Committee further noted that ministerial collection functions should be kept separate from the discretionary substantive issues of what and how the defendant is being ordered to pay, when the defendant is being ordered to pay, and under what circumstances in relation to each of the defendant's cases in the judicial district. In other words, a single payment cannot be applied to multiple cases according to a predetermined, fixed disbursement plan, thus the CPCMS will treat each case separately.

The Committee further noted that when a single defendant is assessed across multiple cases in a judicial district, the judge or judges involved may elect to consolidate payments if they determine that it is appropriate to do so.

Moreover, the Committee explained that it plans to consider at another time whether the Criminal Rules should provide procedures for the fair and equitable collection and disbursement of fines and costs while maintaining the judges' authority and discretion in these cases. »»

Teams review infrastructure

Teams of AOPC, Deloitte Consulting, and Verizon personnel have begun conducting site visits to each county to gather network infrastructure information for installation of the new Common Pleas Criminal Case Management System (CPCMS). These site visits constitute yet another critical step in

preparation for the new statewide system currently in development.

The team will visit Court Administration, the Clerk of Courts, Chambers, and the criminal case courtrooms, as well as any other offices housing criminal case processing functions, such as bail processing or collections. The counties are being asked to delegate both an IT representative and a facilities representative to work with the site visit team. The county representatives will continue to play an integral role prior to and during installation and rollout. Each county has received a tentative schedule for installation of the telecommunications component.

Throughout the visit the team will be working with the county representatives to complete a detailed site survey of current IT capabilities and equipment, including Local Area Network (LAN) administration, power, hardware, and cabling requirements, determination of where any necessary equipment is to be delivered and stored, and current workstation and printer information. Those with questions concerning the site visit schedule are asked to contact Gary Spangenberg at (717) 795-2027. »»

Proper use of bail deposits

Historically, some judicial districts have permitted a bail depositor to consent to the use of the bail deposit to offset fines, costs, fees, and restitution owed by the defendant. CPCMS staff asked the Criminal Procedural Rules

Committee to review whether the CPCMS should accommodate this practice. The Committee indicated that using bail deposits in this manner conflicts with Pa.R.Crim.P. 535(D), which provides for the bail deposit's return to the depositor, less any authorized bail-related fees or commissions and the reasonable costs, if any, of administering the percentage cash bail program.

The Committee also considered whether Pa.R.Crim.P. 535(D) should be amended to permit asking a bail depositor to agree to the use of a bail deposit to offset fines, costs, fees, and/or restitution owed by the defendant. The Committee concluded that the Rule should not be changed to permit such a practice. Among the concerns articulated were the following: 1) such a use is contrary to the purpose of bail, 2) requesting such agreement may be coercive on and confusing to the bail depositor, 3) requesting the defendant's agreement could become an improper condition of release on bail, 4) permitting the practice could lead to unintended and unacceptable consequences, such as police officers' no longer exercising their discretion to release defendants pursuant to Pa.R.Crim.P. 519(B) or failure to utilize ROR or conditional release to ensure collection of fines and costs, and 5) such a practice is inequitable and unfair because some defendants are given ROR and others are required to post a monetary condition of bail for the same offenses. »»

From a Legal Standpoint...

By David S. Price, Esquire

“May a Court collect fines, costs, fees, and restitution after the maximum term of imprisonment to which the offender could have been sentenced has expired?”

Yes.

42 Pa.C.S. § 9728(c) provides that “[n]otwithstanding section 6353 (relating to limitation on and change in place of commitment) or 18 Pa.C.S. § 1106(c)(2) (relating to restitution for injuries to person or property), the period of time during which a judgment [entered for restitution, reparations, fees, costs, fines and penalties] shall have full effect may exceed the maximum term of imprisonment to which the offender could have been sentenced for the crimes of which he was convicted or the maximum term of confinement to which the offender was committed.”

In Commonwealth v. Luper, 745 A.2d 1248 (Pa.Super. 2000), Superior Court held that “the ability of the trial court to modify [a] sentence end[s] when the maximum term of imprisonment to which [the defendant] could have been sentenced expire[s].” Furthermore, the court held that the “trial court has no authority to hold [a defendant] in contempt [for failing to pay restitution] following the maximum possible term of imprisonment.”

Therefore, it appears that a court can continue to collect the fines, costs, fees, and restitution after the maximum term of imprisonment to which the defendant could have been sentenced has expired. However, the court will not be able to hold the defendant in contempt for failing to make payment. Rather, the incentive for the defendant to continue making payments will be to satisfy the civil judgment “on the books” pending payment in full. ▶▶

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AOPC thanks the staff listed below from across the Commonwealth for their participation in the December, March and May Integration Testing sessions.

County	Participant		
Philadelphia	Alfred R. Carlone, Director, Common Pleas Criminal Listings		
	Gwendolyn Cassell, Accountant, Clerk of Quarter Sessions		
	Rita Crumlish, Deputy Director, Municipal Court Criminal Listings		
	Althea LeSueur, Payment Processing Supervisor, Clerk of Quarter Sessions		
	Lisa McNevin, Senior Data Entry Clerk, Active Criminal Records		
	Joyce Sydnor, Court Services Manager/Supervisor, Court Clerks, Clerk of Quarter Sessions		
	Pike	Stephanie Dillmuth, Collections, Probation	
		Venango	Paula Palmer, Chief Deputy Prothonotary/Clerk of Courts
			Washington
	Westmoreland (pilot county)	Barbara Gibbs, Clerk of Courts	
Tamara Mankey, Bookkeeper, Clerk of Courts			
Laura Brezovic, Judicial Assistant, Chambers			
Linda Lessick, Criminal Court Administrator			
Marie Nieder, Supervisor, Clerk of Courts			
	Tami Silvis, Deputy Court Administrator		

Check printing in CPCMS

The CPCMS accommodates the direct printing of checks with electronic signatures, address pages for insertion into window envelopes, file folder labels, and perforated payment coupons. The following specifications have been prepared to assist the counties in their planning and purchasing:

CHECKS

Paper size:	8 ½ x 11 inches
Weight:	16 to 24 lbs. (20 lb. optimum)
Perforation:	3 ½ inches from the bottom of the paper

FILE FOLDER LABELS

Type:	Avery 5260
Height:	1 inch
Width:	2.63
Labels across:	3
Labels down:	10
Page size:	8 ½ x 11 inches

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ENVELOPES

- Type: Standard #10 business envelope
- Window size: 4 ½ x 1 1/8
- Window placement: ½ inch from bottom, 15/16 of an inch from left

PAYMENT COUPONS

- Paper size: 8 ½ by 11
- Horizontal perforation: 2 ¾ inches each (2.75 x 4 = 11)
- Vertical perforation: 2 ½ inches from the left edge of the paper

If you have questions about the above specifications, please send an email to: CPP.Editor@courts.state.pa.us ►.

Guide to county setup and customization

The CPCMS is designed to provide a single, consistent approach to criminal case processing in Pennsylvania. Nonetheless, the application will provide for customization in a number of areas. AOPC staff recently began making site visits to each of the counties to gather information for customization. The visits are being made approximately five months before a county’s scheduled training date. At the three-month point, additional information will be requested, with data entry and verification slated to occur at two months prior to the training date.

In addition to obvious areas of customization, such as names of judges, Clerk’s staff, court reporters, probation officers, bail posting locations, etc., there are other areas that may require at least some unique set-up. For example, currently the application provides for five docket types: Administrative, Criminal, Juvenile, Miscellaneous, Summary, and Summary Appeal. The CPCMS screens and functionality depend on the case category selected within these docket types. The dropdown values for docket and registry entries are organized by case category and then by type. (Note: Registry entries and some docket entries are made automatically by the CPCMS when certain actions are taken. Unlike docket entries, however, registry entries do not appear on the docket sheet.)

Event tracks are associated with case categories. Cases may follow one of several different event tracks, for which the AOPC will establish the standard, as they progress through the system. Examples are standard ARD, standard court case, expedited court case, or expedited ARD.

Again, it is important to note that the AOPC and the CPCMS project staff will be working with the counties to obtain this information from each county. The initial set-up will be done by the AOPC. In the future, users will be able to consult the CPCMS Help Desk for assistance when changes are necessary. In most cases, such changes will be made by the AOPC.

Initial set-up will also require the establishment of security and user profiles, including general user information for those in Chambers, Clerk of Courts, and Court Administration, the offices whose staff are defined as primary users of the CPCMS. Users will be assigned permissions based on their department and their responsibilities—that is, administrative, case processing, or financial. Individuals involved in collections will be also assigned to a cost center (for example, Clerk of Courts, Bail Agency, Probation) and designated as cashiers. Some individuals in each of the offices may have another level of security that authorizes them to complete certain tasks, such as expunging cases or making bank deposits. Again, the specific access that users in all three offices will have will be determined at the county level, with the AOPC establishing the standard.

The AOPC and the project partners understand that provision and review of this information may take time. However, time invested in accurate application set-up prior to roll-out will help to make training and migration a smoother and more seamless process. ►►

Some features of the CPCMS:

- Creates docket numbers and case captions automatically.
- Produces automatic docket entries for key processes such as entry of appearance.
- Allows for batch processing.
- Calculates speedy trial dates.