

Court Administrator Pines Receives National Plaudits

by Art Heinz



(Photograph courtesy Bachrach Photography)

Court Administrator of Pennsylvania **Zygmunt A. Pines** has earned national recognition for his leadership and service to the Commonwealth's state court system.

Pines has been named recipient of the 2010 Warren E. Burger Award for Excellence in Court Administration from the National Center for State Courts. Named for the former U.S. Supreme Court chief justice who helped found the NCSC in 1971, the award honors an individual who has made significant contributions to the improvement of state or local court operations and whose work has application to courts nationwide.

Among the AOPC's accomplishments noted by the center under Pines' direction was the implementation of cost-effective security initiatives in the state's 60 trial courts and more than 500 district courts. Under Pines' leadership, statewide facility assessments were initiated to inventory security measures, gather first-time data on court security incidents, and collect security recommendations from court staff. As a result of these assessments, duress alarms and video surveillance have been installed in district courts and county courthouses,

(Pines continued on page 16)

Righting a 163 Year-Old Wrong

by Steve Schell

At an October session in Pittsburgh, the Supreme Court confirmed its unprecedented decision to posthumously admit African-American Legal Scholar and Abolitionist George B. Vashon to the Pennsylvania Bar after he was turned down by the Allegheny County Bar in 1847 because of his race.

Chief Justice **Ronald D. Castille** signed and presented a Certificate of Admission on behalf of the Court to the Vashon family, confirming Mr. Vashon's credentials, competency and good character to practice law in Pennsylvania. He said, "There is no question that denying George Vashon's admission to the bar in 1847 and again in 1868 was blatantly discriminatory. By granting this petition, our Court recognizes, and is sensitive to the fact, that those prior practices in the Commonwealth's earlier history had a real effect on real people."

"I was so thrilled with the Supreme Court's decision to admit George B. Vashon posthumously to the practice of law, not just because of the way that it honors his outstanding accomplishments and legacy, but because of the importance of this gesture in remedying a longstanding injustice," said Paul N. D. Thornell, a great-great-grandson of Vashon and Vice President, Federal Government Affairs, Citigroup.

"My great-great-grandfather's career as a lawyer, abolitionist and professor

(Vashon, continued on page 10)



George Vashon

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New to the Judicial Branch

Counties

F. Cortez Bell III - Clearfield - district court administrator
William E. Benner Jr. - Lancaster - magisterial district judge
Chrystal Best - Clarion - deputy court administrator
David M. Howells Jr. - Lehigh - magisterial district judge
Richard W. Knecht - Columbia - magisterial district judge
James M. McMaster - Bucks - Common Pleas Court judge
Phillippe A. Melograne - Washington - Common Pleas Court judge
Heidi Shiderly - Crawford - deputy court administrator
Mark Singer - Franklin/Fulton - district court administrator
Thomas Stoehr - Bucks - deputy court administrator
John I. Waltman - Bucks - magisterial district judge

AOPC

Brett Burnell - Judicial Automation - programmer analyst
Kimberly DeSimone - Judicial Services - administrative coordinator
James Hazen - Judicial Security - judicial security advisor
Olivia Landis - Judicial Automation - NOC technician
Anne Krasevic - Judicial Automation - help desk operator
Kelly Ominski - Judicial Automation - technical documentation writer
Gerard Pierce - Judicial Automation - database administrator
Randy Reichert - Judicial Automation - active directory supervisor
Steven Sondheimer - Judicial Automation - systems trainer
Justine Taylor - Judicial Programs - CIP data analyst
Trecia Vamalis - Judicial Automation - NOC day shift supervisor

Other Job Changes

Joseph M. Augello - Luzerne - Common Pleas Court judge apptd. sr. judge

Deaths

Charles R. Alexander - Clarion - Common Pleas Court (sr.) judge

John G. Brosky - Allegheny - former Superior Court (sr.) , Allegheny Common Pleas Court judge
Morton Krase - Philadelphia Municipal Court sr. judge
Thomas C. Mannix - Beaver - former Common Pleas Court (sr.) judge
Clarence B. Nesbitt Jr. - Delaware - former (sr.) district justice
Catharine L. Ritter - Bucks - former district justice
Arthur Sabulsky - Allegheny - former district justice
Edward J. Zetusky Jr. - Delaware - former Common Pleas Court judge

Retirements

Counties

Holly Martin - Crawford - deputy court administrator

Resignations

Counties

Neil Burkholder - Franklin/Fulton - district court administrator
Maureen F. Fitzpatrick - Delaware - Common Pleas Court judge
George Koudelis - Delaware - Common Pleas Court sr. judge
Daniel Nelson - Clearfield - district court administrator

AOPC

Lesley Fritz - Administrative Services - assistant manager
John Overholtz - Judicial Automation - IT manager
David Rittenhouse - Judicial Automation - LAN technician
Keith Williams - Judicial Automation - LAN technician
Xiaojian (James) Xie - Judicial Automation - programmer analyst

Appointments

Supreme Court Committees

Katherine J. Gomez, Esq. - apptd. to Juvenile Court Procedural Rules Committee
Honorable Carol L. Van Horn - apptd. to Domestic Relations Procedural Rules Committee

1/11-1/13	Superior Court Session (Phila.)	3/1-3/3	Superior Court Session (Phila.)
1/17	Martin Luther King, Jr. Day Holiday	3/7-3/11	Supreme Court Session (Phila.)
1/25-1/27	Superior Court Session (Hbg., Pgh.)	3/7-3/11	Commonwealth Court Session (Hbg.)
2/3	Supreme Court Administrative Session (Phila.)	3/22-3/24	Superior Court Session (Phila., Hbg.)
2/7-2/11	Commonwealth Court Session (Phila.)	3/24	Supreme Court Administrative Session (Hbg.)
2/21	Presidents' Day Holiday	3/29-3/31	Superior Court Session (Pgh.)
2/23-2/26	State Trial Judges Mid-Annual Conference		

The AOPC Year in Review

by Zig Pines

Former vice president Dan Quayle once quipped, "It's a question of whether we're going to go forward into the future or past to the back." In early December of this year, the AOPC's senior administrative staff and department directors decided to visit the past for the purpose of reviewing what we had accomplished in 2010 (and also to identify some anticipated challenges). Our meeting lasted more than four hours and covered much ground. It is so easy to lose sight of our value when we are constantly working at a hectic pace and moving quickly from project to project. I hope you find the following summary from our seven departments of interest (and please excuse the length).

Automation: Judicial Automation is our largest department with over 250 employees. As a result of its statewide efforts, (e.g., magisterial district, Common Pleas and appellate courts; administration) going back to 1990, the department has earned a national reputation for innovative technological excellence. Its work in 2010 demonstrates why. In 2010 the e-Pay system was installed in all 67 Common Pleas Courts plus 44 judicial districts at the magisterial district judge (MDJ) level. As of December 2010, we collected nearly \$5 million in court fines, fees, costs and restitution. On another front, the roll-out of the completely rewritten MDJ system continues, thus providing court users and law enforcement with more functionality and access to statewide data. A noteworthy achievement was the installation of a dependency module to our Common Pleas Court automation system in all 67 counties. This module represents another significant milestone for our impressively productive Court Improvement Project as it seeks to serve abused and neglected children. Lastly, the automation crew is working on a document management project, to be installed first at the appellate level. Eventually, the system will be used in conjunction with e-Pay to facilitate the e-filing of documents and will be an important component in our disaster recovery system.

Finance: This is the AOPC's indispensable bottom-line department that has had many challenges in the last five years trying to deal with our continual structural deficits. In 2010 the Finance Department worked tirelessly to formulate budget projections and prepare budget requests to the governor and legislature. Legislators often praise us for the detailed and professional content of our presentations. In addition, the Finance Department had almost more than it could handle with conducting or assisting in various audits and financial

assessments relating to automation, the Judicial Auditing Agency, Luzerne County and various boards and committees.

Human Resources: I still have my September e-mail to Director **Dave Kutz** when I asked him how many state level employees HR serves. He told me, from a general human resources standpoint, there are 1,006 active state level staff employees. For benefits administration, there are over 7,507 people (including jurists, administrative staff, boards, retirees and dependents). Notwithstanding this challenge for a staff of 12, the HR Department accomplished the following in 2010: helped finalize and distribute the judiciary's new employee code of conduct to 15,000 state- and county-level court employees; assisted in the development and implementation of the judiciary's domestic partners benefits program; implemented a new workers compensation coverage program (saving us over \$1 million); implemented a new evaluation form and merit pay calculation for our district court administrators staff (190) and continued to monitor compliance with the plethora of federal and state laws regarding employment, health care and pension.

Judicial Education: The efforts to professionalize judicial education programs are demonstrated by the consistently excellent reviews we get from judges and the increased attendance at our trial judges' conferences and adjunct programs. In 2010 the education department conducted its first full scale program of regional forums throughout the state, covering five areas: juvenile, family, orphans, civil and criminal. For 2011 there will be 20 programs. This year the department has also been able to complete its ambitious goal of crafting a "president judge's bench book" that will assist both novice and veteran president judges in the many difficult areas for which they are responsible. I believe this book will be a model for other states. Distribution of the book will be in early 2011. And the department continues to explore alternative e-learning possibilities.

Judicial Programs: This department, created in 2001, is the immediate point of contact for all president judges and state-level district court administrators in our 67 counties. Its activities in 2010 reflect this expansive relationship. The department is once again gearing up for the decennial MDJ re-alignment process by which we determine the appropriate level of judicial support. This is an onerous task, and the department has begun making preparations for a weighted caseload study that will help guide the president judges in

(The Year In Review continued on page 12)

Regional Workshops Share Security Strategies for Keeping Pennsylvania's Courts Safe

by Mary Beth Marschik

The AOPC Office of Judicial Security this fall conducted its sixth round of regional workshops for local court security committees. Previous workshops provided forums for members of the committees (president judges, court administrators, county executives, sheriffs, magisterial district judges and others) to learn about court facility emergency planning, handling bomb threats, public health emergencies and continuity of operations planning (COOP).

This year's theme, "Are You Ready?," asked members to take stock of efforts to make their courts more secure, with a view towards sharing their experiences, strategies, concerns and lessons learned.

In addition, presenters provided information regarding Pennsylvania Rules of Judicial Administration 1950-1954. The rules set forth roles and responsibilities for president judges and court administrators in the areas of judicial security, emergency actions and continuity of operations for court facilities. They include the development of plans to provide for the continuity of court operations during and following an emergency, the establishment of local standing court security committees and ensuring that incidents occurring in court facilities are reported to the AOPC via the Pennsylvania Judicial Incident Reporting System (PAJIRS).

Led by presenters **Kyle Ramberger** and **Jim Hazen** from the Office of Judicial Security, and **Rick Pierce** from the Judicial Programs Department, workshop participants engaged in spirited discussions concerning the types of incidents occurring in their courts and the responses to those incidents; the need to keep current on facility safety and security plans; and the critical importance of ensuring that court officials know what to do in an emergency situation, including the presence of an active shooter in the court.



In this regard a video clip produced by the AOPC featuring Judy Cramer, Superior Court Administrator for Fulton County, Georgia, during the 2005 shootings at the Atlanta courthouse, resounded clearly and emphatically with workshop attendees: "It's not enough to have a plan. You must practice, practice, practice!"

These annual regional workshops enable AOPC Judicial Security staff to connect directly at a given time with the essential local stakeholders in matters concerning court security.

To sum it all up, the workshops are designed to elicit and respect the collaboration that is vital for making and keeping Pennsylvania's courts safe and secure. We learn a great deal from those committees whose members have been active and united in this regard. With the workshops and the promulgation of new rules, we hope to see all committees engaged in these efforts on an ongoing basis.

[Mary Beth Marschik is the AOPC's judicial security administrator.]

Did You Know...

A Bit of Trivia about Pennsylvania's Judiciary

Pennsylvania's first chief justice was Captain **William Crispin**. Crispin was a friend of Admiral Sir William Penn and served under him in the British navy. Research suggests that he was also a nephew by marriage to the admiral.

In 1681 Crispin was named one of five commissioners to assist William Penn the younger in establishing

the new colony of Pennsylvania. He was also named surveyor general as well as chief justice "to keep Ye seal Ye courts and sessions."

Captain Crispin set sail for Pennsylvania late in 1681. According to author William Frost Crispin, the ship had nearly reached the Delaware River when it was blown off course by a storm. It eventually put in to Barbados where Captain Crispin died before he could assume office.

AOPC Backup Planning Pays Off

Transfer of Service between Data Centers Ensures Continuity of Automated Services

by James Tulio

After several months of intense planning and coordination, AOPC Judicial Automation technical teams in early November 2010 successfully ran all production Information Technology (IT) systems and court case management applications from a secondary data center.

This was a “first” necessitated by major construction in the primary data center, which is located in the Harrisburg area. There were a few short unanticipated IT service interruptions resulting from the transition of services between data centers, but the overall success of the operation has proven AOPC’s ability to run its critical IT operations from the secondary location—hundreds of miles away from the primary data center.

The AOPC’s 24/7 Network Operations Center was seamlessly relocated and operated from a secondary location, and more than 120 IT services and application environments were accommodated as part of this operation. Additionally, accommodations had to be made to ensure that the AOPC’s Judicial Automation staff who were also impacted by the facility construction could work productively from alternate work locations.

“In essence, this event exercised a key part of the AOPC’s overall IT disaster recovery plan,” said **Amy Ceraso**, the AOPC’s director of Judicial Automation.

The achievement has laid the foundation for the AOPC to continue improving its execution of IT service “failover” and “failback” between its data centers. (Failover means having the ability to switch over automatically to a standby system. Unlike a planned switchover, a failover happens without warning.)

“It’s really amazing once you realize the extent of the review and evaluation that has to be put into planning for a data center facility outage like the one we experienced,” Ceraso added. “The vast number of dependencies and interoperation between the hundreds of servers that we run really made this a daunting task.”

IT services that often are taken for granted—e-mail access, telephone service, printing, and network file and folder access—all had to be scrutinized carefully to ensure they were available when needed. The AOPC also had to ensure all of the court case management systems like CPCMS, PACMS and MDJS remained available to court customers.

The AOPC continues to expand computing capacity in its data centers and add more automated services. Continuity of IT operations remains a priority for the Judicial Automation team as part of the AOPC’s systemwide disaster recovery planning.

[James Tulio is manager of enterprise IT operations in AOPC’s Judicial Automation Department.]

...the overall success of the operation has proven the AOPC’s ability to run its critical IT operations hundreds of miles from its primary data center.

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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

Courts Promoting Mediation to Avert Foreclosures

by Owen J. Kelly

Taking a lead role in encouraging conciliation among lenders and delinquent borrowers, the Supreme Court of Pennsylvania hosted a successful summit to promote court-supervised diversion programs to curb or delay home foreclosures.

More than 70 judges, court administrators and others active in the mortgage foreclosure field attended the Mortgage Foreclosure Mediation Workshop at the Pennsylvania Judicial Center in October at the invitation of Chief Justice of Pennsylvania **Ronald D. Castille**. Chief Justice Castille invited them to learn about mortgage foreclosure mediation programs and how they might implement such programs consistent with their needs and resources.

"Mediation programs and this workshop are examples of what Pennsylvania's judges can do to address statewide issues within the scope of our roles as jurists," Chief Justice Castille said.

Mediation programs are court-supervised negotiations between homeowners who are delinquent on mortgage payments and mortgage lenders.

Justice **J. Michael Eakin** opened the workshop by emphasizing that the Supreme Court's purpose was not to dictate that courts adopt a particular foreclosure mediation model, but to provide information about existing programs so courts could decide what sort of programs might be appropriate for their judicial districts. Justice Eakin explained the court's role in a mediation program is "not to take sides—our goal is to facilitate a resolution, when such a resolution is possible, by bringing both sides to the table, with a little encouragement to make it work."

Ira Goldstein, director of policy solutions for The Reinvestment Fund, delivered a sobering assessment of the scope of the foreclosure problem in Pennsylvania. Goldstein said foreclosure rates remain near historic highs, and the immediate future doesn't look any brighter. "If you're wondering what's coming down the pike, you're looking at increasing numbers...and percentages of homeowners in...seriously delinquent status, and they are, in all likelihood, not going to get better," Goldstein warned. "You're going to see them (in court)."

A panel representing a cross-section of existing mortgage foreclosure mediation programs spoke of the lessons learned from their experiences.

"Whatever it is you do, try it and keep an open mind," said Lehigh Common Pleas Court Judge **Edward D. Reibman**, chair of the committee that organized the workshop. "Be self critical, examine your system and see if you can make it better."

Philadelphia Common Pleas Court Judge **Annette M. Rizzo** noted that a mediation program could be run with little or no additional funding. Rizzo also suggested mediation programs be tailored to local conditions.

Allegheny Common Pleas Court Judges **Joseph M. James** and **Michael E. McCarthy** discussed their experiences and urged mediation early in the foreclosure process. "By doing it as early as possible, you save costs, and you actually give people a fighting chance to refinance and stay in their home," James explained.

Butler Common Pleas Court Judge **Marilyn J. Horan** stressed the importance of identifying the goal of the program and meeting with stakeholders during the planning process.

A panel of legal services attorneys, a lenders' attorney and a housing counselor discussed state and federal programs to assist homeowners in modifying the terms of their loans or provide other financial assistance to them. The panel also discussed resources for courts seeking to set up foreclosure mediation programs such as housing counselors and legal services contacts.

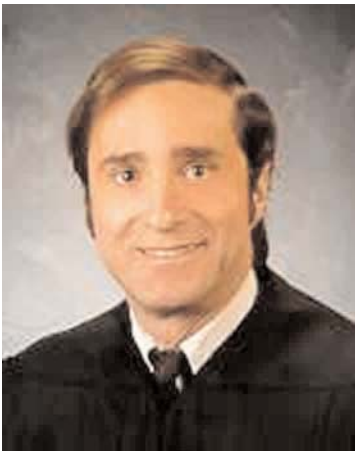
Planning for the workshop was led by Judge Reibman, along with judges Rizzo, James, McCarthy and **Chet Harhut**, lender and homeowner representatives, and Court Administrator **Zig Pines** and Deputy Court Administrator **Tom Darr**.

Brian A. Hudson, Executive Director of the Pennsylvania Housing Finance Agency (PHFA) spoke about the assistance programs his agency offers to homeowners facing foreclosure. Hudson offered PHFA's assistance for any court seeking to establish a mediation program in an area with no housing counseling infrastructure.

[Owen J. Kelly, Esq., a judicial programs administrator in the AOPC's Judicial Programs Department, helped staff the workshop, along with Rachel Gallegos, Esq. of Judge Rizzo's staff.]

Judge Correale Stevens Elected Superior Court President Judge

by Art Heinz



Judge **Correale Stevens** has been elected to a five-year term as president judge of the Superior Court of Pennsylvania. He will succeed current President Judge **Kate Ford Elliott** when her term of office ends in January.

Every five years the 15 elected judges of the statewide intermediate appellate court choose a president judge, who will be the administrator for the court in addition to his judicial duties.

Judge Stevens graduated from Pennsylvania State University where he was inducted into the National Political Science Honorary. He was an associate editor of the Dickinson Law Review and upon graduation engaged in the private practice of law.

A former Hazleton City solicitor, he was named Outstanding Young Pennsylvanian by the state Jaycee organization and served on the executive board of the Wilkes-Barre Law and Library Association as well as on the boards of numerous charitable organizations.

Judge Stevens was elected to four successive terms in the Pennsylvania House of Representatives, and in 1987 he was elected district attorney of Luzerne County. He won both nominations to the Luzerne County Court of Common Pleas and served as a trial judge for seven years until his election to the Superior Court in 1997. He was retained in 2007 for another 10-year term.

"I look forward to working with the Supreme Court, Commonwealth Court, state trial judges, legislators and bar associations to continue the Superior Court tradition of public service," Stevens said.

[Art Heinz is the editor of AOPConnected.]

Around the Judiciary

Growing Trend: Treatment Courts Are Taking Root

The Bradford County Treatment Court's alumni group marked its second annual appreciation day by planting a blossoming crabapple tree behind the county courthouse in Towanda. Members of the committee that oversees the program shared a cake with the more than half dozen alumni who participated in the event. Committee members include Bradford County Magisterial District Judge **Michael G. Shaw**, treatment court judge; Assistant District Attorney Al Ondrey; Public Defender Helen Stolin and representatives from the county drug and alcohol program. Standing at left is Karen Buchholz, re-entry case manager for the county probation department, watching Sue Ide, a committee assistance chief, put the finishing touches on the tree planting.



Honors and Dispatches

Dozens of students and area residents got a chance to witness the Pennsylvania Superior Court in action during a special session of the appellate court at the Carbon County Courthouse in Jim Thorpe.

Presiding over the special two-day session were judges **Mary Jane Bowes**, **Judith Ference Olson** and **Christine Donohue**—a Carbon County native. Observers saw attorneys for cases come before the three-judge panel and argue for or against appeals from cases of the Courts of Common Pleas.

The jurists explained how they discuss the facts of the case and then assign one judge to write a summary. A formal vote to either affirm the lower court decision or change it is made usually within six months following the hearing.

Superior Court Judge **Corry Stevens** represented the appellate court in a “State of the Courts” presentation to lawyers and trial judges at an annual Philadelphia Bar Association bench/bar event in Atlantic City.

All criminal appeals and most civil appeals from the county trial courts go to Superior Court, which has 15 judges who are elected statewide. Judge Stevens noted that the court decides about 8,000 appeals a year in panels of three judges.

“While the bulk of the appeals are decided on the basis of the legal briefs and the court record, we have regular sessions of argument court in Philadelphia, Harrisburg and Pittsburgh,” Stevens said.

The Dauphin County Bar Association held its biennial “Meet Your Judges” at Harrisburg Area Community College with jurists from the appellate, Common Pleas and magisterial district courts participating. Participants included Commonwealth Court judges **Mary Hannah Leavitt** and **Kevin Brobson** and Dauphin Common Pleas Court President Judge **Todd Hoover** and judges **Bruce F. Bratton**, **Jeannine Turgeon**, **Deborah Curcillo** and **Andrew Dowling**. Magisterial district judges **Joseph S. Lindsey** and **David Judy** also were present.

“Much attention is focused on presidential elections and statewide races for office, yet the decisions that judges make may have a greater impact on citizens than they may realize,” said Judge Turgeon, who chaired the program. “This program is a great opportunity to learn more about the judges who are elected and our court system, to clarify how the justice system

truly works and to discuss the importance of an independent judiciary to maintain our democracy.”

Administrative Judge **Kevin M. Dougherty** of the Philadelphia Court of Common Pleas Family Division was honored for his participation in a community-wide response to dealing with “flash mob” incidents in the city. Judge Dougherty was among more than a dozen people recognized by the Center City District at its annual Crime Prevention Awards. A “flash mob” is when a large group of people agree to meet—via social media networks or e-mail—in a public place for a brief time and then disperse.

Erie Magisterial District Judge **Sue Mack** was among the recipients of several criminal justice awards at Mercyhurst College’s 36th annual Criminal Justice Conference. The theme of this year’s conference was “Juveniles in the Adult Criminal Justice System.”

Judge Mack accepted this year’s James V. Kinnane Criminal Justice Award. The award was named in 1978 in honor of the former FBI agent who was the head of the college’s School of Law Enforcement. That school now exists as the Department of Criminal Justice. Judge Mack, who has both bachelor’s and master’s degrees in criminal justice from the college, is a past recipient of the school’s R. Gordon Kennedy Scholarship.

“This year’s topic is near and dear to my heart,” Judge Mack said. “For nine years, I’ve seen the average age of defendants decrease dramatically. How we intervene in the lives of juveniles will be felt for many years to come.”

Somerset Common Pleas Court President Judge **John M. Cascio**, AOPC Assistant Director of Judicial Programs **Cherstin Hamel** and Tioga County District Court Administrator **Nancy L. Clemens** participated in the 2010 Marcellus Summit at Penn State University. Hosted by Penn State Extension, the Interstate Oil and Gas Compact Commission and Penn State Outreach, more than 400 people gathered to hear the challenges, opportunities and common goals associated with environmental concerns, infrastructure, government, economic opportunities and legal issues regarding Marcellus development. Updates were provided regarding case law and pending legislation for Pennsylvania and the federal government.

(Honors continued on page 15)

Pennsylvania Judge Helps Advance Juvenile Justice Reform in China

by the Hon. Arthur E. Grim

I received an e-mail in June from the co-director of the China Law Center of Yale Law School—a leading institution helping to promote law and policy reform in China—inviting me to be part of a new project of juvenile justice reform in China.

The project involves several Chinese institutions at the heart of juvenile justice reform, including China’s highest judicial and prosecutorial organs in Beijing; regional courts working on reform experiments in Shanghai and Chongqing; China’s leading public interest law firm and children’s right advocacy center; influential scholars; and other political institutions, including the Chinese Communist Party.

This project comes at an important time for China’s juvenile justice system. China’s law and policy structure is quite new, with its reconstruction starting as China reopened to the world in 1978. China is struggling with the challenge of transforming its criminal justice system, and the juvenile justice system is particularly weak. There is, however, a unique opportunity at this time in Chinese history—a combination of political will and a willingness to experiment that means substantial reforms are possible. I found my counterparts in China to be passionately committed to the hard work necessary to formulate and implement their own reform plans in conjunction with the advice they received from those of us from the U.S.

The first major event, in what I anticipate will be an ongoing relationship, was a series of conferences and

lectures in Beijing and Chongqing during August. The focus of this first set of events was as the role of predisposition reports in juvenile cases, the function of juvenile probation officers, best practices in the area of alternatives to incarceration and diversion programs (an area where China is starting from scratch) and other proposed reforms to the juvenile justice system. The U.S. team included Katherine Wilhelm, senior fellow from the Yale Law Center; Robert Schwartz, executive director and co-founder of the center and me.

Our first presentation, in Beijing, consisted of a roundtable meeting and in-depth dialogue with defense attorneys primarily from the Beijing Children Legal and Research Center, which is a private legal aid organization that handles litigation involving juveniles and produces research in support of system reforms. We discussed the latest trends in juvenile justice in the U.S., and ways that government institutions can work with each other to promote the best interests of juveniles.

It was then on to Chongqing (a city of 31 million people on the Yangtze River) for two days of intensive lectures and meetings. At present, Chinese criminal procedures focus very heavily on the adjudication of guilt and little time or attention is paid to “sentencing.” Courts have been trying to give more attention to individual “sentencing” for juveniles. This means courts will increasingly demand more developed community corrections programs in order to give them more disposition options. This is a real strength of the Pennsylvania juvenile justice system.

I was very impressed by the willingness to change, the open minds, the knowledge and the passion of my Chinese counterparts. The opportunity to form these professional relationship and friendships as well as to exchange ideas has been invaluable.

[Senior Judge Arthur E. Grim, a former president judge of Berks County, chairs the Pennsylvania Juvenile Court Judges’ Commission, which sets standards for administrative practices and judicial procedures in juvenile courts in the Commonwealth.]



Participants in the Symposium on Comparative Research in Sino-U.S. Juvenile Pre-Sentencing Procedures. Judge Grim is fourth from the left in the front row.

Vashon, continued from page 1

helped improve the lives of countless African Americans, but he is lesser known than other figures of his time who were his peers. His admission to the bar has helped lift up his achievements, but also introduces him to the history annals so that more people can appreciate his contributions as an American legal pioneer.”

Thornell joined his uncle, attorney Nolan N. Atkinson Jr., the great-grandson of Vashon, and Pittsburgh attorney Wendell G. Freeland in persuading the Pennsylvania Supreme Court to admit Vashon to the bar. Thornell’s article, “The Absent Ones and the Providers: A Biography of the Vashons”—which appears in *The Journal of Negro History*, Vol. 83, No. 4 (Autumn 1998) at 284–301—was exhibit “A” of the petition to the court.

“This official recognition both acknowledges Mr. Vashon’s many accomplishments in law, scholarship, education and justice—often in the face of great resistance—and finally redresses an historical injustice,” said Atkinson, who serves as the chief diversity officer for the national law firm Duane Morris. “While my great-grandfather could not enjoy this recognition in his own lifetime, at last we can honor his learning and struggles, which have benefited so many people in the ensuing years.”

Joining Chief Justice Castille in providing remarks at the ceremony



Chief Justice Ronald Castille with Paul N. D. Thornell, great-great-grandson of George Vashon, and Thornell’s son Nolan.



Attorney Nolan N. Atkinson Jr., the great-grandson of George Vashon holding the certificate of bar admission.

were other members of the Supreme Court, President-Elect of the Allegheny County Bar Association Howard J. Schulberg and Allegheny County Common Pleas Court Judge **Kim Clark**.

About George Boyer Vashon

George Boyer Vashon was born in Carlisle, Pennsylvania, in 1824. His father was an abolitionist who was a well-respected leader in the black community and the abolitionist movement. As a teenager, Vashon co-founded the Pittsburgh antislavery society in 1838. He attended Oberlin College in Ohio, where he was

the first African-American to receive a bachelor’s degree and was class valedictorian.

Vashon apprenticed for the law in Pittsburgh under Judge Walter Forward, who was later U.S. Secretary of the Treasury. When he was not allowed to sit for the Pennsylvania bar exam, Vashon moved to New York and became the first licensed African-American attorney in that state. He then taught in Haiti at the College Faustin; practiced law in Syracuse, N.Y.; was a professor at New York Central College and later returned to Pittsburgh, where he became principal of African-American public schools.

Vashon served as president of Avery College and moved to Washington, D.C., where he was admitted to practice before the U.S. Supreme Court. In 1867 he became the first black professor at Howard University. Vashon became

(Vashon, continued on page 11)

Pennsylvania Supreme Court Takes Actions Following Juvenile Justice Commission Recommendations

The following letter was written by Chief Justice Castille to the *Legal Intelligencer* in response to concerns that little had been done to implement the recommendations presented by the Interbranch Commission on Juvenile Justice. It was published by the *Legal* October 5, 2010.

The most important question after the Interbranch Commission on Juvenile Justice report was whether there was even a hint of similar activity existing in any other county in Pennsylvania. I was assured that there was no such hint. With that clarity, the Supreme Court and our administrative office began to review the commission report, and I write here to assure your readers that the Supreme Court takes seriously the events in Luzerne County and its aftermath and to briefly outline some of our actions.

Initially, this Court took the lead in establishing the Interbranch Commission, and we provided the chair and much of the logistical support. Even before the commission issued its report, the Supreme Court Juvenile Rules Committee had begun to consider areas where reform might be necessary. Their work continues, some of which is already under active review by the Court in preparation to receive public comment. The Court continues to monitor Luzerne County's judiciary through bi-monthly reports, and we have renewed the special master's appointment so that he may consider restitution claims of the "original victims" of the juveniles.

Additionally, the Supreme Court has provided the Judicial Conduct Board (JCB), an independent agency, with seed money to engage an appraisal of its processes through an arm of the American Bar Association (ABA). We have most recently established an employee code of conduct for all court staff statewide, and we have initiated a committee to review the ABA's model code of judicial conduct, all responding to recommendations of the Luzerne Commission. The JCB has outlined its review of its rules and procedures, including the ABA assessment, in a recent press statement.

I have scheduled a meeting with the Juvenile Court Judges' Commission (JCJC), a part of the Executive Branch, to review the recommendations from their expert perspective. At the same time, I asked the JCJC and others with relevant responsibilities in the juvenile justice system to advise the Court within 120 days of further suggestions to effectively and expeditiously proceed.

My intent is to aggregate all of these steps and others' observations relating to the commission's report and provide in coming months a concise update detailing the Supreme Court's response to the Luzerne events. To do so will hopefully contribute to the healing process, facilitate interbranch collaboration and strengthen our juvenile justice system.

Chief Justice of Pennsylvania Ronald D. Castille

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a professor of ancient and modern languages at Alcorn University in 1873. He died in Mississippi in 1878 during a yellow fever epidemic.

More biographical information on Vashon can be found on the University of Pittsburgh Library Web site at www.library.pitt.edu/freetlast/abolition.html, under the section titled "Notable Abolitionists in Pittsburgh."

[Steve Schell is an AOPC communications coordinator.]

The Supreme Court's ceremony to posthumously admit George B. Vashon to the Pennsylvania Bar drew widespread media coverage. In addition to coverage by local tv stations and newspapers, the event ran on the Associated Press national wire and was picked up by more than 130 media outlets throughout the country.

CNN covered the event with the help of none other than George Vashon's great-great-granddaughter, Emily Atkinson, a producer and writer for CNN's "The Situation Room with Wolf Blitzer." Emily said, "It's a tremendous honor for me, personally, to see this wrong righted more than 150 years later, and I commend both my father and cousin for the amazing work they did to make this happen. As an African-American, it gives me great pride to see this significant step in the long road toward ending discrimination."

Pennsylvania Courts Featured in Book on Courthouse Design

by Gina L. Earle

The Pennsylvania Judicial Center, along with the York County Judicial Center and the Lehigh County Courthouse, have been featured in a new book published by the National Center for State Courts. The *Retrospective of Courthouse Design 2001-2010* is the third volume in a series dedicated to courthouse architecture. The aim of the book is to chronicle courthouse design trends and innovations over the past decade as well as to note exceptional projects.

Highlighted in this latest *Retrospective* edition are a judicial training center; a statewide IT center and 94 federal, state, local and international courthouses. They were chosen by an independent panel of jurors from both the design and justice system communities.

In addition to fundamental issues such as security and accessibility, among the criteria the jurors used in making their selections were “fresh and meaningful” designs that express the role of courts in community life, the importance of judicial independence and the face of justice.

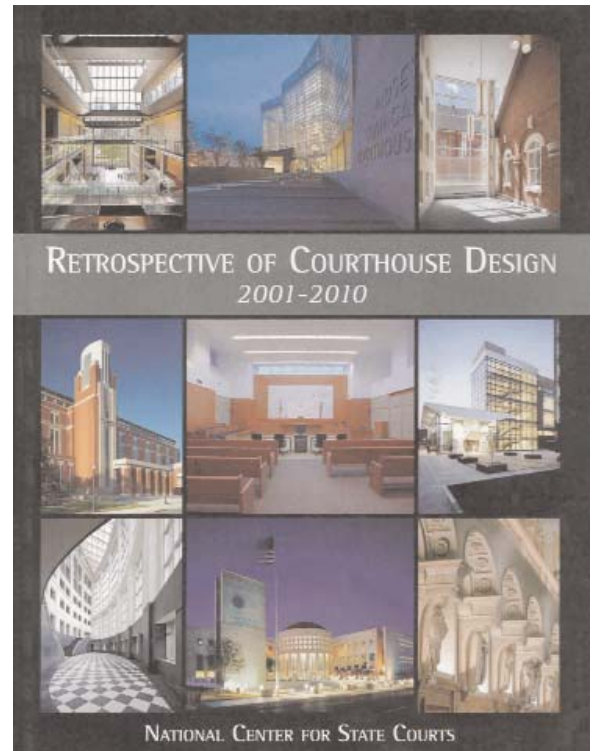
The Pennsylvania Judicial Center was a new construction. It was designed by VITETTA, Philadelphia, and built by Mascaro Construction Company. The late Chief Justice **Ralph Cappy** spearheaded development of the center, based on a concept paper written by Deputy State Court Administrator **Tom Darr**, who oversaw the center’s construction for the judiciary. Chief Justice **Ronald D. Castille** and his colleagues dedicated the building in 2009, but ironically, Chief Justice Cappy did not live to see the results of his earlier leadership.

The York County Judicial Center was also a new construction. It was designed by HOK, New York City; built by Kinsley Construction and completed in 2004.

The Lehigh County Courthouse project involved building a four-story addition to the existing courthouse, upgrading fire protection and code compliance, creating interior public spaces and enclosing both the new

and old facades in a curtain wall. The project was designed by Ricci-Greene Associates, New York City; built by Alvin H. Butz, Inc. and completed in 2010.

Copies of the *Retrospective* are \$40.00 and are available by contacting Alisa Kim at the National Center for State Courts at akim@ncsc.org or 303-293-3063.



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the complexities of the re-alignment process. Also, given that Pennsylvania has the third largest rural population in the country (behind Texas and North Carolina), program staff attended a national out-of-state (funded) rural courts seminar. **Cherstin Hamel** and **Nancy Clemons** were given the privilege of providing a presentation on the potential impact of Marcellus Shale activity for Pennsylvania’s rural courts, which generated intense interest. The scope of this issue is potentially vast. And there was much activity and good work done through roundtables and a statewide summit by our Office of Children and Families in the Courts (OCFC) as well as by **Karen Blackburn** for our drug and veter-

ans courts. Lastly, this department worked closely with Econsult Corporation to assess the options and impact regarding the expansion of our unification efforts (to include the vital judicial components of our county clerks’ and prothonotaries’ offices with whom we have been in frequent contact). Stay tuned.

Legal: This department works largely under the radar screen, except when the attorneys are representing our jurists and staff in litigation. At a recent Legal Department meeting, I learned that there has been significantly increased activity in the complex, fact-intensive and time-consuming area of employment law litigation. In 2010 our limited litigation staff was faced with six

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Acting Supreme Court Prothonotary Made Permanent

by Art Heinz

Irene M. Bizzoso, Esq., has been appointed prothonotary of the Supreme Court of Pennsylvania after serving nearly a year in the post in an acting capacity.

In addition to overseeing the daily administrative operations of filing offices in Harrisburg, Philadelphia and Pittsburgh, the prothonotary is basically the chief record keeper for the state's highest court—responsible for preparing schedules, argument lists and orders. The office also coordinates attorney admission ceremonies and other events for the court.

Bizzoso has more than a dozen years experience in the office of the prothonotary, beginning in April 1998 as a legal assistant responsible for preliminarily reviewing all direct appeals and other filings. She followed that with a 10-year stint as a deputy prothonotary, overseeing daily operations in the Supreme Court's Middle District filing office in Harrisburg. Bizzoso was appointed acting prothonotary in Jan. 2010, succeeding Charles Johns who retired.

"I am extremely honored to have the opportunity to serve both the Court and the citizens of Pennsylvania,"

Bizzoso said. "This office will continue to focus on the Court's priorities while also providing a level of efficient service that lawyers, litigants and the general public have come to expect."

Prior to her employment with the judiciary, Bizzoso had served as an assistant counsel for the Unemployment Compensation Board of Review. She also has worked as a corporate law clerk in Pennsylvania and New Jersey. Bizzoso holds a Juris Doctor from the Widener University School of Law and a Bachelor of Arts from Catholic University of America, Washington, D.C. She is an officer in the National Conference of Appellate Court Clerks and member of the James S. Bowman American Inn of Court.



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new employment cases from one judicial district. In the face of these challenges, the Legal Department has tried to be proactive by going out into the field, so to speak, to advise judges and staff about the dos and don'ts of employee management. **Mary Butler's** presentations to our magisterial district judges have been especially well-received. Ditto for the presentations to court and AOPC employees by **Taylor Williams, Gerri St. Joseph** and **Mike Daley**. Meanwhile, in 2010 our legal department was involved in important right-to-know litigation; provided legal support to automation staff and addressed many thorny issues under federal statutes (Family Medical Leave Act, Civil Rights Acts, Americans with Disabilities Act, Fair Labor Standards Act, etc.).

Research & Statistics: One of the important things that we do is keep our eye on exactly how many cases come in and out of our judicial system, both state and county levels. The Research & Statistics Department, supervised by its new director (**Dr. Kim Nieves**), successfully implemented the judiciary's new statewide civil cover sheet. While this may seem like a minor bureaucratic accomplishment, it is not. This comprehensive form, which may be a model for other states, will help us turn the corner in the collection of civil case data. Our prothonotaries have been very helpful and

cooperative in this endeavor. In 2010 the department has taken other steps to improve data collection in order to meet national standards (National Center for State Courts). In addition, on the heels of the Interbranch Commission's recommendations regarding Luzerne County, the department has begun to establish a more formalized relationship with the Juvenile Court Judges' Commission (JCJC) for the purpose of addressing issues of mutual interest in the area of data collection and delinquent children.

* * *

Frankly, this information is only the tip of the iceberg. More could be said about the work we did in 2010 regarding public access to information, the Web portal for comments from our citizens, court interpretation and, of course, the many initiatives we took in court security. And it would take another article to discuss the issues of concern (especially chronically insufficient staff size) and potential projects of interest that the seniors identified at the December meeting.

Of course, many of you might be asking, "Any predictions?" As a book-end to the quote offered at the beginning of this year-in-review article, it is probably prudent to simply rely on the wisdom of Yogi Berra, who said, "It's tough to make predictions—especially about the future."

In the News



The **New York Times** published an op-ed piece from Chief Justice of Pennsylvania **Ronald Castille**, who wrote to advocate the use of special courts for veterans facing criminal charges. Chief Justice Castille explained the difficulties that post-traumatic stress disorder often cause for veterans returning from war and described how veterans courts work. He noted that “90 percent of participants complete the program without a single case of recidivism.”

The **Doylestown Intelligencer** applauded Chief Justice of Pennsylvania **Ronald Castille’s** plea to impose a moratorium on new judgeships because of the Judiciary’s projected budget deficit. Calling Pennsylvania’s budget a “train wreck,” the Bucks County newspaper went on to say “there aren’t enough like [the chief justice] in Harrisburg. And that’s a big part of the reason why the Commonwealth’s balance sheet is so far out of balance.”

The **Pittsburgh Post-Gazette** profiled several historic courthouses in Western Pennsylvania, including those in Allegheny, Butler, Fayette, Washington and Westmoreland counties. Observing how the interiors “bear witness” to everything from birth to death, the newspaper noted with accompanying photographs how the structures where “the drama of justice unfolds daily” were once primitive log cabins that gave way “to grandiose architectural gems that have been rebuilt and reincarnated over the past two-plus centuries.”

The **Reading Eagle** shared Berks County Senior Judge Arthur E. Grim’s observations about a recent trip to China as part of a delegation to discuss juvenile justice. The paper noted how Judge Grim traveled to the Far East with the China Yale Law School to offer his thoughts on programs to divert offenders from the court system to community-based programs. (See story on China trip by Judge Grim on page nine.)

Around the Judiciary

The Pennsylvania Judicial Center hosted several visitors from the Republic of Georgia recently. The delegates are part of a pilot project in the Republic of Georgia establishing victim assistance centers. While at the judicial center, they met with Commonwealth Court Senior Judge **Barry Feudale** (second from right), himself a former social worker, and Deputy Court Administrator **Tom Darr** (far left). Judge Feudale explained how the Commonwealth Court works and described some of the efforts Pennsylvania has made on behalf of victims.

The group was sponsored by the Pennsylvania Commission on Crime and Delinquency as part of the Open World program. Open World is managed by the Open World Leadership Center, an organization dedicated to helping Eurasian countries increase their understanding of the United States and providing opportunities for cooperation by developing a network of leaders who have gained firsthand experience with America’s democratic government and free-market system.



Honors & Dispatches, continued from page 8

A program to gauge mental health performance measures that was piloted in York County Common Pleas Court has become a countrywide role model for the National Center for State Courts.

York was one of four courts nationwide selected to test the performance measures, which were developed by the National Center with guidance from a number of experts including **P. Karen Blackburn**, the AOPC's problem-solving courts coordinator. Common Pleas Judge **Penny L. Blackwell** presides over the York County mental health court, which opened in May 2005. The measures are a management tool to monitor how a program performs and demonstrate accountability.

A "Judge's Perspective on Presiding Over Sexual Assault Juvenile Cases" was presented by Allegheny County Judge **Guido A. DeAngelis** during a conference of the Sexual Abuse Prevention and Education Network at their yearly meeting in State College.



Judge DeAngelis, who presides in Allegheny Common Pleas Court's Juvenile Section, addressed relevant issues in such proceedings with counselors, social service workers and juvenile probation officers. He also spoke about the judiciary's commitment to what is known as "Balanced and Restorative Justice" in Pennsylvania's Juvenile Justice System.

Judge DeAngelis emphasized the importance of juvenile probation assisting in the preparation of a case, including the gathering of discovery and obtaining the background of the victim, the alleged offender and families. He reminded the group of the sensitivities associated with these cases for the victim, alleged offender and families, and stressed the importance of the area of pre-trial detention; community protection and balanced, restorative justice. Also discussed was probation's role in disposition alternatives, including admissions and consent decrees. Judge DeAngelis provided important information with respect to treatment and rehabilitation, underscoring the necessity of collaboration between counsel, probation and rehabilitative providers for the best interest of the children and community.

The Hon. **Kathryn M. Hens-Greco** will become the new Administrative Judge of Allegheny County Court's Family Division. Judge Hens-Greco succeeds Judge David N. Wecht, who will transition to the court's civil division at his request. The appointment becomes effective Jan. 4, 2011.



As Administrative Judge of the Family Division, Judge Hens-Greco will head up Allegheny Common Pleas Court's largest and busiest division, which hears both adult family and juvenile dependency, delinquency and adoption matters.

AOPC Employee Service Milestones

A number of AOPC employees have reached service milestones between October and December 2010. They are:

15 Years

Loretta Blunt - Administrative Services
Sonja Griffin - Judicial Programs
Rob Persing - Judicial Automation
Melissa Ramsell - Judicial Automation

10 Years

Alice Rahn - Judicial Automation
Laverna Repman - Administrative Services
Cynthia Smith-Janasic - Judicial Automation

Errata

An item in Issue 3, 2010 of AOPCConnected mistakenly identified Luzerne County President Judge **Thomas F. Burke Jr.** as a member of the Interbranch Commission on Juvenile Justice. Judge Burke spoke to a visiting Latin American delegation about Pennsylvania's juvenile justice system, along with Magisterial District Judge James A. Gibbons, who was a commission member.

—AOPCConnected editors and staff

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and metal detectors and X-ray equipment have been placed in county courthouses. He also was instrumental in the creation of emergency preparedness manuals for judges and court staff, publications that now serve as national models for other court systems.

As co-chair of the Conference of Chief Justices and Conference of State Court Administrators Joint Committee on Court Security and Emergency Preparedness, Pines has used his experience in Pennsylvania to help courts nationwide focus on the critical issues they may face following natural disasters, security breaches, and pandemics. Earlier this year, the committee's work resulted in the publication of a handbook identifying the best practices for court security and emergency preparedness.

Appointed court administrator in 2000, Pines spent nine years previously as chief legal counsel for the AOPC. From 1978-91, he was assistant chief staff attorney for the Superior Court. He is the second Pennsylvania state court administrator to be honored nationally by peers. His predecessor, Nancy Sobolevitch, served as president of the Conference of State Court Administrators. In addition, he has authored several publications on criminal justice, appellate procedures and ethics, and has testified before a U.S. House subcommittee on court security. He received his master of law degree from the University of Pennsylvania Law School, his Juris Doctor from Cleveland-Marshall College of Law, and his bachelor's from Wilkes College in Wilkes-Barre, Pa.

From Chief Justice **Ronald Castille's** letter of recommendation to the National Center for State Courts:

"[Mr. Pines] recognizes that courts do not succeed without a commitment to principles of integrity and service. He exemplifies those principles in his life and his work with others within Pennsylvania or nationally."

From Superior Court President Judge **Kate Ford Elliott's** letter of recommendation:

"I know Mr. Pines' integrity to be beyond reproach. The confidentiality and sensitivity with which he deals with many high profile and controversial matters affecting the courts in recent times have gained him great respect from the members of the Pennsylvania Judiciary."