Engaging families to combat truancy

Pennsylvania schools and magisterial district courts focus on improving school attendance.
Magisterial district courts: Engaging families to combat truancy

Research shows that roughly nine percent of Pennsylvania students are habitually truant with many of these truancy cases beginning in elementary and middle school, according to the Pennsylvania Department of Education. Following passage of a new truancy law in 2016, Pennsylvania schools and magisterial district courts continue to focus on improving school attendance using approaches that best help truant students by engaging their families to support attendance and preserve family unity.

“With the new truancy law, truancy cases have become more manageable and we have seen a reduction in the number of truancy referrals to magisterial district courts.”
– Judge Joanne Corbett

Magisterial District Judge Joanne P. Corbett, from Lackawanna County, said that often times attendance problems are adopted by younger siblings, and to prevent family truancy patterns, early intervention and discovering the root cause of truant behavior is critical.

The 2016 truancy law requires schools and courts to use approaches that identify and address attendance issues as early as possible using credible interventions. Among some of the law’s most significant changes to how truancy cases are handled include:

- The restriction of truancy disciplinary actions that result in excluding students from the regular classroom
- Considerable discretion for magisterial district judges to impose appropriate penalties in individual cases.

Both Judge Corbett and Magisterial District Judge David H. Judy, from Dauphin County, were involved in discussions concerning the 2016 truancy law during their time as members of the Pennsylvania State Roundtable’s Educational Success and Truancy Workgroup launched in 2009. The group was tasked with identifying the systemic issues in Pennsylvania relating to truancy and outlining an approach for how to combat these issues – part of which was the development of the new truancy law.

Judge Corbett said, “With the new truancy law, truancy cases have become more manageable and we have seen a reduction in the number of truancy referrals to magisterial district courts.”

Pennsylvania schools are now mandated to hold school attendance improvement conferences with the student and their family before any court referral, but Judge Judy explained that truancy cases will go to magisterial district courts when the student/parent(s) are absent or uncooperative.

When explaining how he handles those truancy cases brought before him, Judge Judy said, “I try to stress the importance of education and getting a high school diploma and hopefully give the student and parents a wake-up call.

“If I’m getting cooperation, I’ll put the case on hold and review it again in 60-90 days, and if there are no further problems, I’ll dismiss the case,” he said.

“We’re not just judges. In some of these cases, we’re social workers . . . and counselors to these students.”
– Judge David Judy

He said that more often than not in truancy cases, there are deeper family problems that explain the root of the student’s attendance issues, and his goal is to help solve those problems rather than just fine the student or parent.

“We’re not just judges. In some of these cases, we’re social workers . . . and counselors to these students,” said Judge Judy.

Judge Corbett agreed that the majority of truancy cases are the result of an issue at home. She explained that a
student’s attendance problems usually have a specific cause whether it’s a lack of reliable transportation, a need to work, an inability to afford school uniforms or a responsibility to care for younger siblings.

She went on to express appreciation for the Children and Youth Services (CYS) school liaisons in Lackawanna County who greatly assist the schools and courts in handling truancy cases early and effectively.

The goal of any truancy case is to deter further attendance issues, address the root cause of the problem and ultimately help the student get on the right track.

Interpreter Certification Program continually engaged in recruitment and outreach

By Osvaldo R. Avilés, Interpreter Certification Program administrator

Since its inception, AOPC’s Interpreter Certification Program (ICP) has continually strived to recruit qualified candidates in all languages for the interpreter roster to help the judiciary provide access to court services for all Pennsylvanians.

As the linguistic diversity in the Commonwealth continues to grow, the program has focused interpreter recruitment efforts on languages other than Spanish (LOTS).

The current interpreter roster consists of over 200 interpreters representing 34 languages. The majority of them are American Sign Language and Spanish interpreters, which are the two languages of highest demand in the court system. However, as the demand for LOTS languages continues to grow, recruiting candidates that have the necessary language and interpreting skills to become qualified in languages such as Arabic, Korean, Nepali, Swahili and Vietnamese is imperative.

In an attempt to attract qualified interpreters with the necessary combination of skills, the ICP has worked closely with organizations including:

- The Pennsylvania Immigrant Citizenship Coalition
- The Mayor’s Commission of Afro-Caribbean Affairs
- Professional interpreter organizations.

The program also regularly presents at different organizations throughout Pennsylvania to promote the use of qualified interpreters, explain the role of interpreters in legal settings and educate the professional community about the requirements of the Court Interpreters and Administrative Proceedings Act (Act 172). Many of these presentations are now aimed at familiarizing not only interpreters, but also judges, administrators, the legal community and other stakeholders with Act 172 and its regulations.

Interested parties can learn more about the ICP and how to qualify as an interpreter on the judiciary’s website.

[Osvaldo R. Avilés is the Interpreter Certification Program administrator.]

https://www.pacourts.us/judicial-administration/court-programs/interpreter-program

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Justice
Looking at animal abuse data in Pennsylvania as we approach the anniversary of Libre’s Law

What is Libre’s Law?
Libre, a Boston Terrier puppy who was found badly neglected and abused in July of 2016, inspired an anti-cruelty law (Act 10) that strengthened protection for animals and increased penalties in Pennsylvania - including the ability for aggravated animal cruelty to now be charged as a felony.

All data refers to cases and offences filed from 8/27/17-6/30/18.

Top 10 counties with the highest number of animal abuse cases:

- Allegheny: 9%
- Somerset: 8%
- Jefferson: 5%
- Mercer: 4%
- Armstrong: 4%
- Bucks: 3%
- York: 3%
- Montgomery: 3%
- Bradford: 3%
- Luzerne: 3%

Total # of cases filed = 1,570

Gender of defendants:
- 53% of defendants in animal abuse cases are male
- 38% female
- <10% unreported

Age of defendants:

- Under 18: <2%
- 19-25: 15%
- 26-35: 24%
- 36-45: 19%
- 46-65: 25%
- 66 and over: 6%
- Unreported: 10%

Multiple offenses can be filed against a defendant in an animal abuse case.

While over 4,000 animal abuse offenses were committed this past year, only 1,034 defendants were involved in 1,570 cases.

***All data refers to cases and offences filed from 8/27/2017-6/30/2018 for Title 18: Sections 5532 (Neglect of animal), 5533 (Cruelty to animal) and 5534 (Aggravated cruelty to animal) as recorded in the Magisterial District Judge System (MDJS) and Common Pleas Case Management System (CPCMS).
Looking up court data just became easier

Data dashboards are used to identify court trends and are heavily relied upon by judges and court staff to manage court operations. In addition to being a valuable resource for court management, the dashboards also help to assure court data is easily accessible and transparent.

The AOPC recently redesigned the dashboard homepage and created six new data dashboards.

The new dashboards come as the latest in a series of interactive, digital data visuals that simplify how users look up court data. They allow court staff, researchers, reporters and the public to quickly sift through caseload data and analyze and interpret court statistics at a glance.

A wide range of caseload data is accessible through the dashboards including civil, criminal, magisterial district court, orphans’ court, custody and divorce, child dependency, paternity and support, juvenile delinquency, problem-solving courts and protection from abuse statistics.

Data are used by the judiciary in policy development, program evaluation and workload analysis – and also by organizations outside the judiciary including the Legislature and other county, state and federal agencies.

The AOPC publishes caseload statistics annually and this data is available both statewide and at the county level on the judiciary’s website at www.pacourts.us under the “Research and Statistics” page.

more INFORMATION
Do you read AOPConnected? What are your favorite stories? Would you like an electronic or printed version? What improvements can we make?

These are just a few of the questions we asked in a recent newsletter readership survey – and 326 of you responded!

We are pleased to report that 66 percent of respondents say they always read AOPConnected, with 73 percent responding they are satisfied or very satisfied with the newsletter. Readers also gave the newsletter high marks in overall content, layout and graphics.

Once again, the survey findings failed to put to rest the “print vs. electronic” debate with 47 percent saying printed, 30 percent electronic and 23 percent no preference. Some of the comments suggested an “opt in” for an electronic version.

Some of you said we should highlight AOPC departments – while others would like to see more articles on magisterial district courts, clerks and prothonotaries.

One thing is clear – while feedback was mostly positive – we are always open to your ideas and comments. Have a story idea? Interested in being a guest columnist? Share with us at CommunicationsOffice@pacourts.us.

Here are some of the other comments:

“I feel it is too long and would be better in a quick-hitting electronic format.”

“I think the newsletter is a great way to keep a pulse on what is happening with the Judiciary.”

“Feature all levels of the judiciary fairly and with respect.”

“I think it’s pretty good – you’ve done a good job with the variety and type of articles.”

Who reads AOPConnected?

Jurists: 35%
AOPC staff: 33%
Judicial district employees: 18%
A mix of others including appellate court staff: 14%
David W. Kutz has retired as the director of Human Resources after nearly 29 years of exemplary service at the AOPC.

In his 11 years as director, Kutz has worked hard to create a work culture that allows employees to perform their jobs unimpeded.

“We help people through some of their worst days, but we hope to treat everyone with respect and help as best we can,” said Kutz.

When asked about his time as director, Kutz expressed the immense gratitude he has for his staff.

“I need to give credit to the team,” Kutz said. “I’ve worked with an outstanding group of people and I am so proud of them.”

Prior to being hired as a retirements and benefits counselor at the AOPC in 1989, Kutz worked at the Pennsylvania Treasury Department for seven years as an auditing supervisor for public schools and State Employee Retirement Systems.

Kutz is a Cumberland County native, having grown up and lived his whole life in the area. Upon his retirement, Kutz said he is looking forward to spending time traveling with his wife and volunteering as much as he can.

“I love to talk with people when we travel,” Kutz said. “Everybody has a story and I love to hear them. It’s my favorite part of traveling.”

Kutz’s notable career truly illustrates the success that comes with compassion and hard work.

He is confident that he is leaving his department in the absolute best hands with Denise S. Parise, who succeeded him as director of Human Resources and Hillary Bower, as assistant director of Human Resources. AOPC
While no court hopes to be faced with the daunting task of managing a high-profile trial, Montgomery and Centre counties have found themselves subject to this challenge recently and are sharing the lessons learned from their experiences.

The AOPC/Communications office spoke with Michael R. Kehs, Esq., district court administrator for Montgomery County, and Kendra J. Miknis, district court administrator for Centre County, to learn how they were able to successfully manage several high-profile cases - the indictment of Bill Cosby, the Sandusky trial and the death of Beta Theta Pi pledge, Timothy Piazza at Penn State.

Kehs said that while it might seem improbable, high-profile cases can arise anywhere, at any time, and they don’t necessarily have to involve an international celebrity - a local homicide or civil case can generate widespread media interest just as well.

“Our courts conduct trials every day, but the “high profile” part encompasses all of the other, outside distractions. Our mindset going into our recent high-profile trials was - let the story be what happens inside the courtroom, not outside of it,” Kehs said.

“When a case attracts the attention of local, state, national and international news outlets, the preparation that goes into a typical court hearing can change significantly.” - Kendra Miknis

Kehs and Miknis agreed that there are three areas of focus that are most important to ensure a smooth trial – logistics, decorum orders and media relations.

Logistics

With such an extensive amount of media attention and public interest surrounding them, high-profile cases require an immense amount of logistical planning.

“Preparing for such cases come with early mornings and late evenings at the courthouse, where time is often spent planning for details like parking, staffing, media placement, courtroom logistics and security,” said Miknis.

Kehs also explained the logistical challenges involved with handling the jurors in a high-profile trial including accommodations for their security, transportation, hotel, food, etc.

In addition to developing a website specific to the trial, Montgomery County most recently worked closely with the County Office of Public Safety to utilize the ReadyNotify alert system for all trial-related communications. Kehs praised the system saying, “it worked like a charm.”

“The alert system allowed individuals from both the media and the public to sign up for alerts, while avoiding the potential for inappropriate “responses” under a Twitter-like account.

“Individuals received alerts via the app, text and/or e-mail within seconds of transmission, and in this modern media era, every second counts,” he said.
The Decorum Order

Miknis and Kehs both agreed that decorum orders are another essential part of ensuring court proceedings run smoothly.

These orders can include issues related to any prohibitions on electronic devices, seating availability, transmittal of information, etc.

Miknis explained that decorum orders allow for the media and public attending the hearing to have a clear understanding of what will and will not be permitted during the proceedings, and are crucial to maintaining order in the courtroom.

Media Relations

“Developing a relationship with the media is critical to successfully managing a high-profile trial,” said Kehs. “AOPC Communications has already developed an outstanding relationship with the media, so reach out to them for guidance.”

In agreement with Kehs, Miknis said the most important part of effectively preparing for a high-profile case is having good working relationships with all parties involved, including the media.

“Since becoming Centre County’s District Court Administrator in 2015, I have worked with numerous visiting and/or senior judges, Commonwealth attorneys, defense attorneys, news personalities and news producers, and the relationships that I have developed with these individuals have proven to be immensely beneficial, assisting in productive planning and consistently open communication,” said Miknis.

While a large media presence at the trial can certainly create logistical challenges, Kehs said that Pennsylvania’s Newsmedia and Broadcasters Associations were extremely helpful throughout the process and assisted the Court with press credentialing and communication with their members.

Final Thoughts

Kehs stressed the importance of remembering that the high-profile trial is likely not the only event taking place at the courthouse that day, and the regular business of the Court must continue.

“Cooperation on all fronts is critical to maintaining a sense of normalcy in the courthouse. Everyone needs to understand that the entire justice system is “on trial” in these cases – we sink or swim together,” he said.

“If we do our jobs well, the story is the trial. If we do our jobs poorly, however, we become part of the story.” - Michael Kehs

“High-profile cases require increased attention outside the normal amount of time, resources and planning spent on routine court proceedings. Adjusting normal practices only ensures that all involved remain safe, and disruptions and unexpected situations remain minimal,” Miknis concluded.
Robert Krandel Esq., legal counsel for the AOPC, has been a volunteer firefighter for almost seven years. In January of 2011, Bob recognized a need for more volunteer firefighters in his community and decided to answer the call. “It was something that the community in my town really needed,” said Krandel. “I thought if I could help, then I should.”

Krandel said that while being a volunteer firefighter is definitely a lot of work, it’s something he enjoys doing. He recalled times when he’s been on a site putting out a fire where despite atrocious living conditions, the home still had working smoke alarms.

“It’s important to educate and engage children about fire safety at a young age while their minds are still sponges,” said Krandel.

Talking about the importance of having working smoke alarms and preventing fire hazards with kids can help save lives. 

The Vietnam Veterans Memorial Fund unveiled a half-scale replica of the Vietnam Veterans Memorial in Washington, D.C. in 1996, designed to travel to communities throughout the United States. Since its dedication, The Wall That Heals has been on display in nearly 600 communities throughout the nation.

The exhibit is 375 feet in length and 7.5 feet high at its tallest point.

This spring it was on display in Harrisburg and AOPC photographer Justin Scott captured some touching moments.
The legislature wrapped up its spring session at the end of June and several pieces of legislation of interest advanced or were enacted.

**Domestic violence (DV) –**
The governor signed legislation allowing president judges to adopt pretrial risk assessment tools for use by bail-issuing authorities in DV cases to determine whether a defendant poses a threat of danger to the victim and whether to admit a defendant to bail. The Sentencing Commission is required to develop a model risk assessment tool, however adoption of the model and use of the tools by president judges is discretionary.

Other pending legislation enacts significant changes to the Protection from Abuse (PFA) statute including the:

- Creation of a new Extreme Risk Protection Order
- Enhancement of the firearm relinquishment requirements following convictions for misdemeanor DV offenses and the issuance of PFA orders or consent agreements

The legislature may consider these additional DV initiatives this fall.

**Clean Slate –**
The legislature expanded the “limited access” provisions enacted in Act 5 of 2016, allowing for the petition for removal of criminal history record information from public view for qualifying misdemeanors and ungraded offenses punishable by no more than five years imprisonment. The expanded petition process takes effect Dec. 25, 2018.

Additionally, the legislature enacted new provisions to automatically remove criminal history record information from public view for second and third degree misdemeanors, misdemeanors punishable by no more than two years imprisonment, summary offenses after the passage of 10 years as well as non-conviction information. The automatic process will take effect June 28, 2019.

Certain offenses are exempt from limited access and clean slate eligibility and individuals with extensive conviction records or convictions for serious offenses are ineligible. Both enactments require the completion of all court-ordered obligations.

**Constitutional amendments for merit selection and judicial district elections –**
Both amendments deal with the Supreme, Superior and Commonwealth Courts. Under the merit selection proposal, the legislature creates three judicial districts – eastern, middle and western – from which the governor appoints individuals recommended by a nominating commission to fill judicial vacancies. A two-thirds Senate vote is required to confirm appointees.

Under the judicial election proposal, an independent commission draws districts for the three appellate courts. Upon expiration of a current appellate jurist’s term, he/she runs in a competitive election for a full term and retention thereafter.

The process of amending the Constitution requires the House and Senate to pass identical resolutions in back-to-back legislative sessions, which has not yet happened, followed by the passage of a ballot question.

(Damian Wachter is the assistant director of Legislative Affairs.)
OCFC represents Pennsylvania on national opioid task force

Office of Children and Families in the Courts (OCFC) Director Sandra E. Moore was named to the National Judicial Opioid Task Force along with judges, probation officers and attorneys and representatives from children and family services. The Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) established the task force to make recommendations that address the opioid epidemic’s ongoing impact on the justice system.

National prescription drug take back day

Justice Sallie Updyke Mundy joined Tioga County Commissioner Erick Coolidge, Wellsboro Police Chief Jim Bodine and Region 3 Health and Human Services director Matt Baker to recognize National Prescription Drug Take Back Day in April.

Sexual harassment and transgender training

AOPC’s Judicial District Operations and Programs department hosted over 50 court managers in Harrisburg for sexual harassment and transgender awareness training presented by AOPC Legal staff Geri St. Joseph, Esq. and Bob Krandel, Esq.

Problem-solving courts recognized

Cumberland County Treatment Court and Opioid Intervention Court both received Community Impact awards from the Partnership for Better Health in June.

Distinguished Sandra Day O’Connor Award

Congratulations to Administrative Judge Jacqueline F. Allen, Philadelphia Court of Common Pleas, Trial Division, on receiving the 2018 Sandra Day O’Connor Award during the Philadelphia Bar Association Quarterly Meeting in June. The Sandra Day O’Connor Award is given annually to an outstanding woman attorney in the Philadelphia area who exemplifies the qualities that Justice O’Connor demonstrated in her life and work such as those women who have openly and visibly used their position and stature in the community to mentor, promote and advance other women lawyers.

Congratulations are in order

Laurie A. Sacerdote, AOPC/Research and Statistics, has been promoted to assistant director. Laurie’s experience and education will assist the AOPC in improving the quality of the Judiciary’s data and its application to operations and improvements related to the administration of justice.
Opening remarks at Family Group Decision Making conference

Justice Max Baer gave opening remarks in Hershey at the Family Group Decision Making (FGDM) conference. Using a strengths-based model, FGDM aims to unite the wider family group, including relatives, friends, community members and others, to make decisions and resolve issues together. Over 98 percent of Pennsylvania's counties are utilizing FGDM to engage families in planning and service delivery.

Andrea Tuominen reappointed to Women in the Profession committee

Assistant Court Administrator of Pennsylvania Andrea B. Tuominen, Esq., was reappointed as co-chair of the Pennsylvania Bar Association’s Commission on Women in the Profession, which evaluates the status of women in the legal profession and recommends solutions to problems that prevent women from full participation in the workplace, responsibilities and rewards of the legal profession.

Distinguished public service award

On March 24, 2018, Judge Ida K. Chen, Philadelphia Court of Common Pleas and Osvaldo R. Avilés, AOPC Interpreter Program administrator, received the Inaugural Distinguished Public Service Award of the American Association of Applied Linguistics (AAAL). The award was presented at the association’s recent conference held in Chicago, IL.

Advisory Council on Elder Justice in the Courts

At its June meeting, the Appellate Court Procedural Rules Committee thanked Alicia Hickok, Esq., for her many years of service as counsel to the Committee: (pictured L-R) Kevin McKeon, past Chair; Judge Mary Jane Bowes; Judge Patricia McCullough; Chair; Alicia Hickok; Judge Renee Cohn Jubelirer, past Chair.

Appreciating Alicia’s aid

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Advisory Council on Elder Justice in the Courts

Advisory Council on Elder Justice in the Courts at June 2018 quarterly meeting in Harrisburg, Pennsylvania.

First Row L-R: Judge Lois E. Murphy, President Judge Sheila A. Woods-Skipper, Judge Paula Francisco Ott, Justice Debra Todd, Zygmunt A. Pines, Esq., Judge George N. Zanic.

Second Row L-R: Lisa Grayson, Esq., Keelin S. Barry, Esq., Pamela Walz, Esq., Diane Menio, Robert Reed, Esq., Dr. Bruce M. Bushwick, Liana Walters, Esq., Secretary Teresa Osborne, Pa. Dept. of Aging; Joseph M. Olimpi, Esq., and Darren M. Breslin, Esq.


The Allegheny County Court of Common Pleas (Administrative Judge, Civil Division, Christine Ward and Judge John T. McVey, Jr.) held Juror Appreciation Day events at the Courthouse to recognize the contribution made by those reporting for jury service. During the event, Sen. Jay Costa from Allegheny County presented the Court with a citation on behalf of Allegheny County Executive Rich Fitzgerald, recognizing the importance of jury service.

The Pennsylvania Judicial Conduct Board and the Court of Judicial Discipline are both celebrating their 25th anniversary this year. Since their establishment in 1993, both organizations have been committed to ensuring Pennsylvania’s judicial system remains fair and just by investigating any allegations of ethical misconduct against judges.

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### Transitions

(Listings include changes from 3/21 to 7/23)

#### NEW TO THE JUDICIAL BRANCH

- **Tammy S. Cable** - Assistant Court Administrator - Fayette County
- **Keisha M. Carman** - Deputy Court Administrator - Susquehanna County
- **Matthew D. Combs** - OLS Infrastructure Technician - IT
- **Jessica M. Ebert** - District Court Administrator - Sullivan/Wyoming Counties
- **Janine M. Haughton** - Legal Intern - Legal
- **Harry L. Lorenzi** - Assistant Court Administrator - Blair County
- **Casey M. Scheffler** - Communications Intern - Court Administrator
- **Dianne S. Wainwright** - Deputy Court Administrator, Civil Division - Allegheny County

#### RETIREMENTS/RESIGNATIONS

- **Alma F. Custer** - District Court Administrator - Sullivan/Wyoming Counties
- **Cynthia S. James** - IT Specialist - IT

#### COMMITTEES, BOARDS AND ADVISORY GROUPS

- **David W. Kutz** - Director of Human Resources - HR
- **Carol A. McNicholas** - Help Desk Operator - IT
- **Mary F. Moscovits** - Assistant Court Administrator - Fayette County
- **Kenneth L. Norton** - Legal Intern - JDOP
- **Jacob D. Oldaker** - Legal Intern
- **Jason D. Pileski** - Senior Web Developer - IT
- **Nicole O. Pressel** - Budget Administrator - Finance
- **Sharif M. Rizal** - Server Technician - IT
- **Tina J. Woodley** - Assistant Court Administrator - Blair County

### Elder abuse and exploitation

_Elder Abuse and Exploitation: Practical Tools for Assuring Access to Justice_ is an educational program for judges and court staff that was developed by the Office of Elder Justice in the Courts and Temple University, Harrisburg. The program educates judges and court staff to improve the handling of cases involving elder abuse or where capacity is an issue. The program incorporates recommended guidelines from the American Bar Association and will be presented regionally across the Commonwealth in the fall of 2018.

### Montgomery Bar Association Summer 1L Diversity Program

The Montgomery Bar recognized Judge **Wendy G. Rothstein** at a recent reception celebrating the 10th year of the Bar’s Summer 1L Diversity Program. Since 2009, over 80 law students from diverse backgrounds have participated. Pictured left to right are Jerry Shoemaker, Carolyn Mirabile and Mary Pugh (Montgomery County Bar Association), Judge **Wendy Rothstein**, Judge **Daniel Clifford III** and Judge **Cheryl L. Austin**.

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Call for Entries

AOPConnected is always looking for stories. Do you know of a court-related community project or award? Contact the AOPC Communications Office with the scoop!

Email: CommunicationsOffice@pacourts.us

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Check out our newsletter archive online at http://www.pacourts.us/judicial-administration/office-of-communications-and-intergovernmental-relations/aopconnected