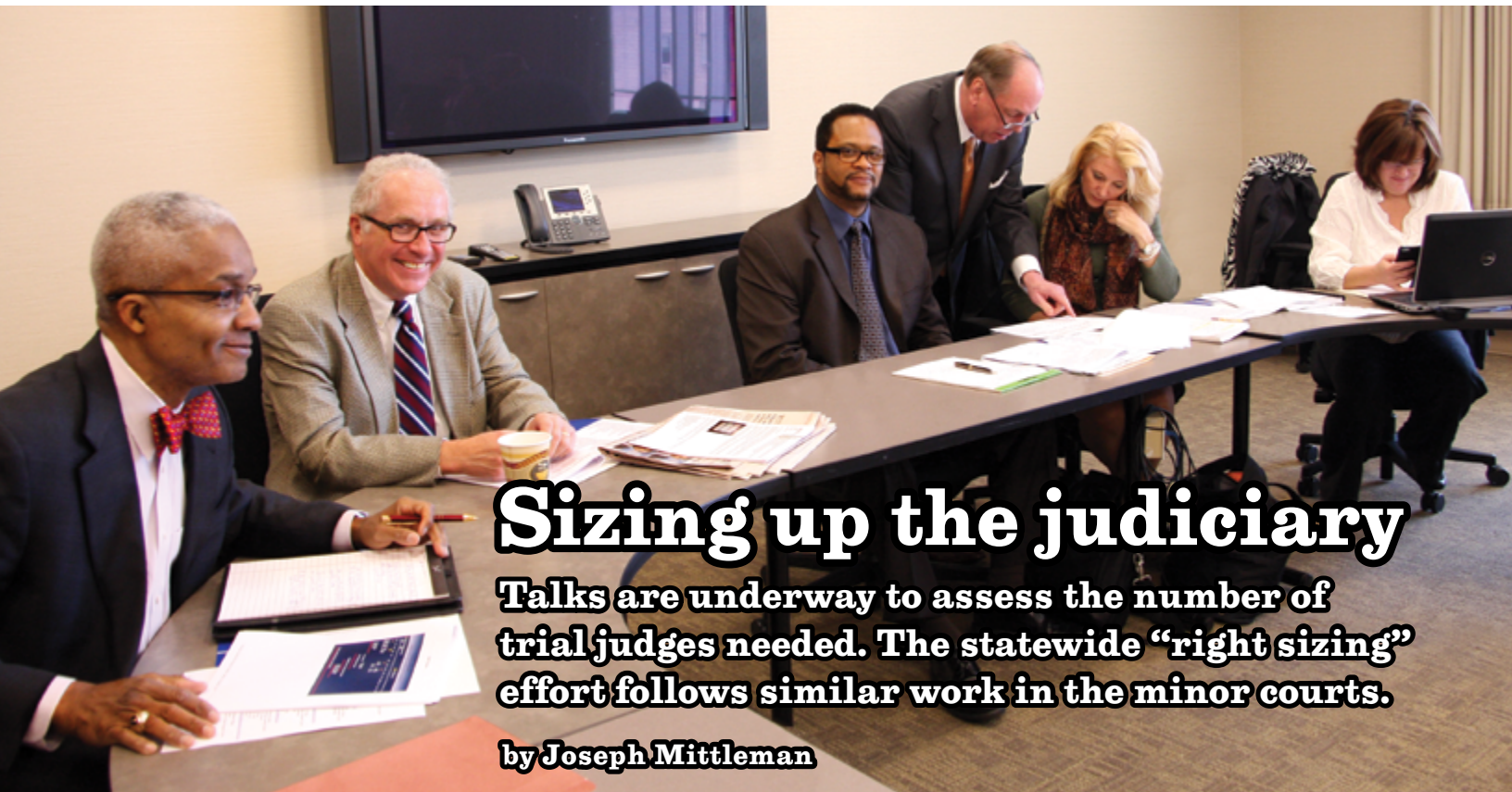


AOPC CONNECTED

ISSUE 4, 2013

NEWSLETTER OF THE ADMINISTRATIVE OFFICE OF PA COURTS



Sizing up the judiciary

Talks are underway to assess the number of trial judges needed. The statewide “right sizing” effort follows similar work in the minor courts.

by Joseph Mittleman

The Supreme Court has embarked on a venture never before attempted in Pennsylvania — an evidence-based study to calculate how many Common Pleas Court judges are needed to handle the workload in each judicial district.

“Right sizing” the Commonwealth’s judicial complement has been a concern for a number of years.

Having the right number of judges in each judicial district is an economic imperative and fundamental to ensuring that Pennsylvania’s courts can continue to provide a high level of quality service.

Studies of this kind are also known as weighted caseload studies since they measure not only the number of cases handled by each court, but also the amount of a judge’s time needed to perform the various tasks related to a case.

The National Center for State Courts (NCSC) has been hired to perform the study. Suzanne Tallarico, NCSC principal court management consultant, will serve as project director, assisted by John Douglas, also from NCSC. Tallarico and Douglas have done similar work in 16 other states.

A judicial steering committee, composed of Common Pleas Court judges from different sized counties across the state — along with AOPC staff — is overseeing the project. The committee will advise the NCSC on identifying general

case types, (e.g., criminal, civil, family, orphans, juvenile), on the general lengths of time cases take to complete, and on reviewing the results.

The first committee meeting took place November 15 in the Pennsylvania Judicial Center with members outlining to the NCSC consultants the desired structure of the study.

The study requires Pennsylvania’s Common Pleas Court judges, using a secure, Web-based system, to report for one month the amount of time they spend on various cases and tasks they perform. For example, time spent on holding hearings, conducting settlement conferences or writing opinions, as well as non-case-related activities like administrative duties.

The time measurement — when considered along with a judicial district’s caseload — will indicate the number of judges needed to handle the work of that district.

NCSC staff will travel throughout the state to provide training for the judges participating in the study and to answer any questions.

The final product will provide a data-based standard for the number of judicial positions needed for each judicial district. The resulting calculations will give the General Assembly an objective measure to assess the necessity of
(continued on page 3)

Transitions

New to the Judicial Branch

COUNTY

[Paul Hindmarsh](#) - Luzerne - deputy court administrator
[Rayna Kitchen](#) - Bradford - deputy court administrator
[Robert Pollock](#) - Bucks - deputy court administrator

AOPC

[Christina Brown](#) - Judicial Services - clerical assistant
[Melvin Collins](#) - Judicial Automation - IT specialist
[Kathryn Ersoz](#) - Judicial Automation - IT specialist
[William Fonticoba](#) - Judicial Automation - business analyst
[Colin Haviland](#) - Legal - staff attorney - litigation
[Richard Michaels](#) - Judicial Automation - database developer
[Ryan Seiders](#) - Judicial Automation - AV technician

Appointments

COUNTY

[Brian W. Edgcomb](#) - Tioga - magisterial district judge - sr. judge
[David B. Harding](#) - Lehigh - sr. magisterial district judge
[Rick A. Williams](#) - Mifflin - Common Pleas Court judge - sr. judge

APPELLATES

[Correale Stevens](#) - Supreme Court Justice
[John T. Bender](#) - elected Superior Court president judge

Retirements

COUNTY

[Joseph Lanzalotti](#) - Philadelphia - deputy court administrator
[Cathy Marburger](#) - Berks - deputy court administrator

Resignations

COUNTY

[Alan M. Black](#) - Lehigh - sr. Common Pleas Court judge
[Jesse J. Cramer](#) - Fayette - magisterial district judge
[Deborah Higgins](#) - Huntingdon - district court administrator
[Joseph R. Lefaiver](#) - Erie - magisterial district judge
[Timothy McCullough](#) - Washington - deputy court administrator
[Joseph I. Papalini](#) - Philadelphia - sr. Common Pleas Court judge

AOPC

[Scott Black](#) - Judicial Automation - AV technician
[Brenda Ickes](#) - Finance - accountant
[Jennifer Keagy](#) - Judicial Automation - systems trainer
[Prutha Pathak](#) - Judicial Automation - student IT intern
[Shan Shanmuganathan](#) - Judicial Automation - Crystal Reports developer
[Matthew Somerville](#) - Judicial Automation - EDI programmer analyst

Supreme Court Committees

[Hon. Donna R. Butler](#) - apptd. to Minor Court Rules Committee
[James W. Diehm](#) - apptd. to Committee on Rules of Evidence
[Thomas Dolgenos, Esq.](#) - reaptd. to Committee on Rules of Evidence
[Hon. Justin M. Johnson](#) - reaptd. to Interest on Lawyers Trust Account Board
[Lawrence M. Kelly, Esq.](#) - apptd. to Disciplinary Board
[Donna M. Malpezzi, Esq.](#) - apptd. to Continuing Legal Education Board

[Kathy M. Manderino, Esq.](#) - reaptd. to Interest on Lawyers Trust Account Board
[Joy G. McNally, Esq.](#) - apptd. to Committee on Rules of Evidence
[Leonard Packel, Esq.](#) - reaptd. official reporter for Committee on Rules of Evidence
[Hon. Jacqueline L. Russell](#) - apptd. to Interest on Lawyers Trust Account Board
[James C. Schwartzman, Esq.](#) - apptd. chair of Interest on Lawyers Trust Account Board
[Tiffany Elizabeth Sizemore, Esq.](#) - apptd. to Juvenile Court Procedural Rules Committee
[Hon. Carol L. Van Horn](#) - reaptd. to Domestic Relations Procedural Rules Committee
[Hon. Margherita Patti-Worthington](#) - apptd. vice chair of Interest on Lawyers Trust Account Board

Other Boards/Committees

[Eugene J. Dooley](#) - reaptd. to Judicial Conduct Board
[Hon. Jayne F. Duncan](#) - apptd. to Judicial Conduct Board
[Hon. Jack A. Panella](#) - apptd. to Court of Judicial Discipline

Deaths

[Patti S. Bednarik](#) - Board of Law Examiners staff
[Matthew W. Bullock Jr.](#) - Philadelphia - former Common Pleas Court judge
[John J. Chiovero](#) - Philadelphia - former Common Pleas Court (sr.) judge
[James M. Cox](#) - Bradford - former district justice
[H. Warren Hogeland](#) - Bucks - former (sr.) magisterial district judge
[Eleanor Martin](#) - Supreme Court - former stenographer/typist
[Anna O. McCall](#) - Erie - former district justice
[Thomas G. Peoples Jr.](#) - Blair - former Common Pleas Court (sr.) judge
[Frances I. Rhodes](#) - Warren - former district justice
[Joseph T. Labrum Jr.](#) - Delaware - former Common Pleas Court judge
[Edwin L. Snyder](#) - Jefferson - former Common Pleas Court (sr.) judge
[Robert C. Wyda](#) - Allegheny - magisterial district judge

What's Happening?

AOPConnected is looking for stories from the AOPC and Pennsylvania Judiciary. Do you know of a court-related community project or award? Contact Art Heinz, editor, with the scoop!

Email him: CommunicationsOffice@pacourts.us



Into the light

by Zig Pines

The Puritans of New England never really had a chance. They had denounced Christmas as a popish invention without biblical basis, and they had forbidden the use of evergreens, viewed by them as a symbol of heathen superstition. The Puritans sought a life of austerity and darkness, while others sought joy and light. Eventually, the forces of light prevailed.

The celebration of the winter solstice holiday season is a reflection of culture and character. While the holiday season has historically been more secular than sectarian, there has always been a strong moral underpinning.

In 1867 Charles Dickens made a spectacularly successful tour of the United States as he read *A Christmas Carol* to enraptured audiences. They understood the important social message of the Cratchit family tale. As Professor Karal Ann Marling's wonderful book on the history of Christmas noted, the tale was a charity sermon, emphasizing an important social message — the need for a renewed spirit of benevolence, kindness and generosity. Years later we recognize the same spirit when we see Frank Capra's 1946 film, "It's a Wonderful Life."

There are symbols of the season that possess a transformative power. The exchange of cards and colorfully wrapped presents, the joyful music, the Salvation Army kettle, glass ornaments on trees, and, as Professor Marling again noted, "the green leaves and red berries of the holly tree remind[ing] squire and peasant alike that hope could flower, even in the depths of winter."

The great paradox of the holiday season is the light, a source of both joy and inspiration. Ancient Romans

celebrated the feast of Saturnalia as a victory of light over darkness. Candles on trees (a danger requiring a nearby pail of water) was an old English tradition before the advent of electrical lighting in the late 1880s. In the midst of our winter, we take delight in the magical radiance of the menorah, the evergreen tree dressed in starlike orbs of colorful lights and the solitary candle against a window pane. We are reminded that the light, which brilliantly illuminates our houses and homes, reflects the light within ourselves.

It is no accident that we couple our season's greetings with wishes for a happy new year. We journey through the receding darkness of the season and cross the portal into a new year, one that brings the promise of rebirth and renewal. As with nature, silent and stark in its skeletal simplicity, we gravitate toward the light of a new year and the hope that it symbolizes.

The editorial staff and I extend our best wishes for a joyful holiday and a new year filled with good works and good will. **AOPC**

(Zygmunt Pines is the Court Administrator of Pennsylvania.)



(continued from cover)

filling judicial vacancies and/or creating new judgeships. It also will give the Supreme Court data to enable it to use senior judges more efficiently. Judicial districts can use the results to match their existing judicial resources as efficiently as possible.

Studies of this sort are typically usable for five to eight years and can be updated annually with new caseload data. Funding for the project is being provided in part through a grant from the State Justice Institute. **AOPC**

Judicial Needs Assessment Committee Members:

Judges

Mark Bernstein	Philadelphia
Jeffrey Manning	Allegheny
Thomas DelRicci	Montgomery
Tina Polachek Gartley	Luzerne
Todd Hoover	Dauphin
Margherita Patti Worthington	Monroe
Dudley Anderson	Lycoming
John Cascio	Somerset
John Foradora	Jefferson
Michael Sholley	Snyder/Union
Nathaniel Nichols	Delaware

AOPC Staff

Amy Ceraso	AOPC Judicial Automation
Barb Holmes	AOPC Judicial Automation
Kim Nieves	AOPC Research & Statistics
Laurie Sacerdote	AOPC Research & Statistics
Amy Kehner	AOPC Judicial Programs
Joe Mittleman	AOPC Judicial Programs

(Joe Mittleman is Director of Judicial Programs.)



Scottish links

A Pennsylvania judge observes similarities and differences to the US court system during a visit to the United Kingdom

by Judge Richard A. Masson



My wife, Marti, and I were on vacation in Edinburgh, Scotland, in September during the city's Doors Open Days — a yearly event that provides free access to buildings that are normally not open to the public.

It gave us an opportunity for a behind-the-scenes look at several court- and city-related offices.

Court administration staff were happy to talk about their work and the Scottish court system, particularly when they learned I was a judge. Interacting with them was a highlight of our trip. Marti and I learned much about the Scottish justice system.

After the police file charges, the procurator fiscal — the public prosecutor in Scotland — determines if enough evidence exists to take a case to court and where a case will proceed: either in the sheriff's court, where sentences of less than six years can be handed down by the sheriff, who is a judge, or in the High Court of Justiciary, where longer sentences can be imposed by a panel of three judges, who are addressed as lords.

Once the determination is made that the case will proceed to trial a jury must be selected. Summonses are sent to 60 people, and after the usual excusals and deferments, 30 names are placed in a glass bowl. Fifteen names are pulled from the bowl and those individuals are seated as the jurors. There is no voir dire; conflicts between jurors and the defendant are raised on appeal. There also are no alternate jurors, so if a juror cannot continue on the panel during the course of the trial, the trial is cancelled and another panel is selected for a later date.

Before the start of a trial, the mace, an ornate gold or silver staff representing the Queen's authority, is brought into the courtroom by the macer and displayed behind the bench. The macer, also a court official, then opens court by loudly announcing, "Court," and the three-judge panel is seated, each dressed in red robes with cream mantles and short wigs. (Red mantles are worn for civil matters.) The advocates are dressed in black robes and wigs, with the senior advocates also wearing the required blue and white striped shirts with white-winged collars.



Parliament Hall

Evidence is presented and closing arguments are given, then the jury deliberates whether to find the defendant guilty, not guilty, or not proven — meaning the jurors believe the defendant may be guilty but are not convinced beyond a reasonable doubt.

The High Court of the Justiciary, composed of 34 judges, is also the appeals court. A new three-judge panel assigned from the pool of judges hears the appeals from the trial court level.

High Court judges also travel throughout Scotland to preside in other cities, traveling with a clerk and a macer, who carries a mace to each court. I found it interesting that the judges travel from court to court, as I do between Elk and Cameron counties, but their circuit encompasses the whole of Scotland.

While not all larger communities have a High Court, most towns have a sheriff's court and/or justice of the peace court.

Interestingly, there are no dependency courts. Local children's committees will intervene in dependency matters, listening to family members, social workers and educators before recommending a plan to address the issue.

Many of the same problems courts see in the US are evident in Scotland. Drugs, alcohol and mental health issues contribute to criminal behavior, and treatment is sometimes hard to come by.

Domestic violence is handled through the criminal court. If, as a result of their investigation, the police file criminal charges for domestic violence, the police also establish the initial bail/no contact. However, if a victim does not contact the police, s/he does not receive any type of protection order. When told of Pennsylvania's civil PFA laws, victim services personnel wished a similar remedy was available in Scotland because most victims do not want to contact law enforcement for help. [AOPC](#)

(Judge Richard A. Masson is President Judge of Elk and Cameron counties. His wife, Martha Masson, is district court administrator.)



“Dash”ing through court data

A new way of displaying court statistics provides quick comparisons among Pennsylvania counties. It also can be used to guide court operations.

A new feature soon will debut on the Pennsylvania judiciary’s website to make it quicker and easier for everyone to see how the state court system is doing.

Multiple dashboards — or interactive online displays of court data — are being developed by the AOPC’s Research and Statistics and Judicial Automation departments to provide timely information in a visually engaging way. Though the information has long been available online, the dashboards that are going up present the court statistics in a way so that they are easier to find and understand.

The judiciary will join other government entities that have online dashboards — including the governor’s budget office and various state agencies.

Dashboards are now a standard analytic online tool for regularly reporting on and evaluating performance.

Kim Nieves, AOPC director of research and statistics, with assistance from **Kimberly Cataldo** and **Laurie Sacerdote**, research analysts, are developing dashboards displaying civil case data. **Kelly McClain**, a lead systems analyst in judicial automation, is developing dashboards for criminal case data.

Dashboard (n) - an interactive way to present and interpret statistics at a glance

The dashboards will include: the top 10 counties with the highest rates of repeat juvenile offenders; the most common types of civil cases in any county statewide and the most frequent way they are resolved; areas with the fewest number of mortgage foreclosure cases; and counties with the most civil cases that are two years old or more.

A medical malpractice dashboard will chart the steady spiraling of case filings over the last decade and include an interactive map showing areas with the most and fewest number of verdicts for plaintiffs.

A protection from abuse (PFA) dashboard will display how often a county approves or denies a temporary restraining order and what counties have the most or fewest number of requests for such orders filed. It is being built with input from the Pennsylvania Coalition Against Domestic Violence and the Pennsylvania Commission on Crime and Delinquency Victim Advocates office to help identify key performance measures for professionals in the field.

Judges, court staff and others are expected to use the dashboards to make more informed decisions about their operations. Average caseload size and age for different classes of counties, for instance, allow judicial districts to assess whether their statistics are typical or atypical. Also, medical malpractice and mortgage foreclosure data historically have been topics of high interest to the media, state legislature and advocacy groups. **AOPC**

The dashboards will appear on the Research and Statistics page of the website: <http://www.pacourts.us/news-and-statistics/research-and-statistics>

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Justice

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Justice

Max Baer

Justice

Debra M. Todd

Justice

Seamus P. McCaffery

Justice

Correale F. Stevens

Justice



(L to R:) Kelly McClain, Barb Holmes and Steve Crouse

AOPC staff head workshops at national conference

Annual event draws more than 1,200 for three days of educational sessions and exhibits about how technology can help court operations

Four AOPC staffers shared Pennsylvania's judicial automation successes with the rest of the country at the National Center for State Courts' Court Technology Conference 2013 in Baltimore.

The annual event, which draws judges, court administrators, technology experts and others for three days of professional development, education and networking. This year's program covered six themes: self-represented litigants, court technology use by judicial officials, managing court information technology, video-remote interpretation, court technology benefits and new case management systems.

Amy Ceraso, the AOPC's director of Judicial Automation, helped recruit presenters for six conference sessions and co-hosted one of her own, "Case Management Systems and Data Management Systems: What's the Big Idea?"

"Those attending the conference found the discussion of new programs, and approaches to operational problems, helpful in finding solutions to the challenges we face every day," Ceraso said. "To have this type of representation at such a well-regarded national conference is a testament to

the level of professionalism and expertise in Pennsylvania's court automation."

Ceraso has been automation director since 2000 and oversees technological support for the court system. She previously was the deputy prothonotary for the Western District of the Supreme Court of Pennsylvania, a staff attorney to the Judicial Automation Department and law clerk to former Justice Stephen A. Zappala.

Barb Holmes, a design architect in the AOPC's Judicial Automation Department, and **Steven Crouse**, a systems analyst, jointly presented a panel on using software to rapidly develop court applications. **Kelly McClain**, lead systems analyst, gave a presentation on the use of software to display data that measures court performance, in a digital display format commonly known as a "dashboard."

Holmes manages analysts and database staff for statewide court case management systems and is the recipient of the first Court Technology Innovation Award from the Court Information Technology Officers Consortium (CITOC). She also is a member of the Global Justice and CITOC Standards committees. Crouse has been the lead analyst for the courts' electronic filing system, known as PACFile. He also is the lead analyst for the courts' nationally recognized interpreters software application and the Call Manager Project—a replacement for courts' call-tracking system.

McClain supervises teams designing and supporting electronic content management, online payments and statistical reporting. He also has been involved in a public access project focused on providing court data to the public and governmental entities. **AOPC**



photo by the National Center for State Courts

Photo stream from NCSC:

<http://www.flickr.com/photos/statecourts>



(L to R:) Isabelle Wozniak, Jeanne Rensberger, Jordan Lane, Amy Vaccaro

Making Scents

A growing community of state workers are doing something about their surroundings

Few people stop to smell the roses along a busy walkway in downtown Harrisburg. But no one would blame Pennsylvania Judicial Center employees and visitors if they did.

Thanks to state court system staffers, a small area of an otherwise cavernous concrete pedestrian plaza between the judicial center and the state Department of Health and Welfare Building was transformed into an oasis of plants and flowers.

The five women — four from the Superior Court of Pennsylvania and one from the Interest on Lawyers Trust Account (IOLTA) — volunteered their time, money and resources to create a more pleasing environment for the hundreds of people using the plaza on a daily basis.

Jeanne Rensberger, Amy Vaccaro, Jordan Lane and **Mary Graybill** from the Superior Court and **Isabelle Wozniak**, of IOLTA used their own money and volunteered their time to make it happen. They toiled in the soil before work, after work and on their lunch hours to landscape two flower bed areas as part of the PJC's first "Adopt-a-Bed" program.



"We just wanted to make it look beautiful," said Rensberger, who helped coordinate the activity that began in the spring and ran through early summer.

The Adopt-A-Bed program is being enlisted through donations and volunteer labor in the capital city under the auspices of the state Department of General Services to enhance the appearances of approaches to government buildings. Last year, employees from the state Department of Labor and Industry reworked 18 beds and planters at Forster and Seventh streets, where trees had been cut down or died, with assorted flower gardens.

The AOPC's Administrative Services Department began soliciting interest in such a project for the PJC in the fall 2012. A spirited group of volunteers quickly emerged from folks who saw the work as an extension of their home gardening.

The planter areas were small enough so as to not be overwhelming, yet large enough to permit variety.

Compliments from passersby, and eye-catching blooms made the work rewarding.

"When everybody works together, no one person has to bear the burden," Lane said. **AOPC**



Photos worth a thousand gestures

A judge's reflections on work, worship and water in Guatemala

Cambria County Judge **Linda Fleming** found an unusual way to help impoverished families in Guatemala.

She took pictures.



When she initially volunteered for a second mission trip to the Central American country, Judge Fleming imagined a week of manual labor. Instead, the jurist — who happens to be an amateur photographer — was asked to document events and people through her camera lens.

It was quite a change from her

first mission trip in 2012, when she worked with crews that installed floors and stoves and assisted in medical and eyeglass clinics. During that first trip, she also helped distribute nearly 4,000 pounds of donated clothing and shoes to needy villagers.

Crews also ran a Vacation Bible School for children under the auspices of Now-Is-The-Time, a faith-based organization that sponsored the mission.

“Although I was physically exhausted from the travel and the long days, my spirit was renewed, and I returned home with a newfound appreciation for the blessings we all take for granted — clean water, an abundance of everything, even flushing toilets,” Judge Fleming said.

When she volunteered for a second trip, the judge was asked to be mission photographer. Although somewhat reluctant to take on what she thought was a relatively “cushy” assignment, she quickly learned it required long hours and was important to the overall mission.

Judge Fleming’s duties included documenting work projects at every stage of completion, photographing each team member at work, and capturing the cultural experiences of Guatemala.

Each afternoon, she assembled her best photos into a slide show that was played for the missionaries after



“You perform mission work because you want to give, but you end up receiving more love than you ever imagined.”

evening worship. Then she uploaded photographs to the Internet, allowing the volunteers’ families and friends to view the week’s activities back in the States.

When all was said and done, Judge Fleming had documented every





aspect of the mission experience and taken nearly 3,000 pictures.

Despite the availability of software and other tech tools, the volume of pictures and short period of time discouraged her from much editing. The mission director's notion that "done beats undone" was something the judge said she uses today as a source of inspiration when faced with writing judicial opinions.

But her greatest takeaway came from the Guatemalan people, who warmly welcomed the American volunteers into their community. She hopes to return in 2014.

"You perform mission work because you want to give, but you end up receiving more love than you ever imagined," she said. [AOPC](#)

Judge Fleming's photographs can be viewed on YouTube at [Now-Is-The-Time: Santa Maria de Jesus](#).

(Judge Fleming was elected in 2009 to the Court of Common Pleas and is Cambria County's first female trial-court judge.)





(L to R:) Sonja Waters, Lisa Polonia, Jeffrey Dunlap

Hard work pays off for AOPC automation employees

Credentialing program upgrades technical and people skills

The Pennsylvania Judiciary continues to boost its ranks of certified technology managers to provide employees with the skills they need to better manage statewide court automation systems.

Three AOPC Judicial Automation employees recently joined the number of employees who have completed the Certified Government Chief Information Program at Harrisburg University of Science and Technology.

Jeffrey Dunlap, information technology services manager; **Lisa Polonia**, an information technology manager for the Magisterial District Judge system and **Sonja Waters**, an

information technology manager, are the newly certified staffers.

“This course has proven to be a good tool for our staff to upgrade their management, project and interpersonal skills as well as to expose them to activities going on in other government agencies,” said **Amy Ceraso**, AOPC automation director. “They’ve also had the opportunity to hear from IT leaders in various aspects of the industry.”

The three are the latest of six staffers who’ve earned the nationally recognized professional certifications through a specialized program at Harrisburg University.

Course work included lectures, interactive exercises, case studies and group discussion. Classes were held two days per week over a 10-month period. The employees continued work commitments and project responsibilities during the course period.

“The program taught me to think on a broader scale and to be more cognitive about looking at the AOPC as a whole when working on projects, finding resolutions, or making improvements,” Polonia said. “The way the program integrated the learning aspects of the curriculum with a real life project proposal was a valuable and rewarding experience.”

Each student was required to identify a business issue relevant to judicial automation and develop a plan to address it using the core curriculum presented throughout the program. Practical application of the course material was invaluable, the staffers said.

“This program gave me the tools to prepare for managing the constant expanding and changing infrastructure within AOPC,” Dunlap noted.

AOPC staffers **Mark Rothermel**, **Damon Kline** and **Denise Aylward** completed the program in 2012. [AOPC](#)

Stabile elected to Superior Court of Pennsylvania



Vic Stabile, a Harrisburg-area attorney, was elected to the Superior Court of Pennsylvania in what was the only statewide race on the November ballot.

Judge-elect Stabile has worked at the law firm of Dilworth Paxson since 1987 and has been a partner since 1992. A resident of Cumberland County, he began his career as an appellate court clerk in Commonwealth Court and also served in the attorney general’s office, litigating on behalf of state agencies.

He served for more than 10 years as a Middlesex Township Supervisor and was a founding member of a regional planning task force. Judge-elect Stabile graduated from the State University of New York at Stony Brook, and Dickinson Law School in Carlisle in 1982.

Judge-elect Stabile “has strong writing skills, administrative ability and experience in handling cases in

the appellate courts,” the Pennsylvania Bar Association said in its pre-election recommendation for the court seat. “He is held in high regard by his peers, who have noted his intellect, strong work ethic and integrity. He also serves as a township supervisor and has an exemplary record of pro bono and community service.”

Also in the November election, Chief Justice of Pennsylvania **Ronald D. Castille** and Justice **Max Baer** were retained by voters and will continue to serve on the state’s highest court. Chief Justice Castille, who was first elected to the Supreme Court in 1993, will remain chief justice until the end of 2014 when he reaches the mandatory retirement age of 70. Justice Baer has been on the state’s highest court since 2004.

On the Superior Court, Judge **Susan Peikes Gantman** and Judge **Jack A. Panella** were retained. Both have served on Superior Court since 2004. [AOPC](#)

A Namath guarantee: Judge James was one of the best

Beaver County Senior Judge **George James** was among five people inducted into the Circle of Achievement at the Sports Museum at the Carnegie Free Library of Beaver Falls.

Judge James was recognized for the all-star recognition he achieved as a scholar-athlete at Beaver Falls High School in football, basketball and baseball. He accepted a full academic scholarship to Westminster College where he played football and baseball. Judge James, known affectionately as “Tookie” by his classmates, later turned down offers to play professional baseball to attend Dickinson School of Law.

He was elected to the Beaver County Court of Common Pleas in November 1999 following work in private practice

and as an assistant district attorney and assistant county solicitor. He became a senior judge in January 2008 after reaching mandatory retirement age.

This has been a special year for the senior jurist. In March, he celebrated his 50th wedding anniversary with his wife, Regina. During the same month, he commemorated his 50th year as a member of the Pennsylvania Bar Association.

Those in attendance to support Judge James at this year’s Circle of Achievement induction ceremonies included Joe Namath, a former Beaver

Falls High School quarterback who later achieved fame as a Super Bowl champion and screen star. **AOPC**



(L to R): Joe Namath, Regina James and Judge George James

Public access to records in trial and appellate courts

By Andrea B. Tuominen

“All courts shall be open; and every man for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay”

The principle that our courts shall be open dates back to the Declaration of Rights contained in the Pennsylvania Constitution of 1790. It has been interpreted in case law to secure a general right of public access to court proceedings and records — but it is not an unfettered right.

It is, however, this presumption of openness that underlies the Supreme Court’s public access policies. Over the last decade, the AOPC has worked to develop policies governing access to court records. With the Supreme Court’s approval, it has implemented statewide protocols for access to electronic case records in the statewide case management systems (2007); magisterial district court case records (1994, last amended in 2010) and financial records maintained by the judiciary (2007, last amended in 2012).

An e-filing project for the appellate courts, along with similar endeavors in some of the judicial districts, prompted the recent formation of a working group to develop a proposed policy on access to the case records of the trial and appellate courts. Co-chaired by Commonwealth Court Judge **Renée Cohn Jubelirer** and Montgomery County Common Pleas Court Judge **Lois E. Murphy**, the working group is composed of a diverse group of individuals including judges, state-level and local court personnel, attorneys and AOPC staff.

The working group will consider the constitutional presumption of openness of trial and appellate court records and issues related to personal privacy and security as well

as practical, administrative ramifications when drafting its proposal.

Long removed are we from the days when court proceedings were held in taverns or at the town square. The judiciary’s caseloads have geometrically grown, along with Pennsylvania’s population. Today e-initiatives and the 24/7 expectation of access in our world certainly heightens the tension between openness, privacy and efficient administration.

To accomplish its charge, the working group is assessing: the applicable statutes, rules and other legal authorities that impact accessibility of certain court records; established access procedures and best practices, within and outside of Pennsylvania; what type of sensitive data are contained in trial and appellate court records; what sensitive data should or must be restricted — by what method and by whom; and what practical and ethical concerns may arise for court personnel, lawyers and parties in a case, with regard to sensitive data.

The members of the working group have already met several times to tackle these complex issues. In the coming year it is anticipated that a proposal will be published for public comment, consistent with the judiciary’s past practice on this topic. **AOPC**



(Andrea Tuominen is the Assistant Court Administrator of Pennsylvania.)



Confidential help for judges in distress

Impaired lawyers and judges aided by statewide assistance program

A program that has helped lawyers and their families battle ills like drug and alcohol abuse is expanding its reach by offering similar aid specifically tailored for judges.

Lawyers Concerned for Lawyers (LCL) has gotten plenty of notice in the legal ranks since the non-profit group's creation in January 1988, by helping Pennsylvania attorneys deal with substance abuse, stress, depression and other troubles.

By providing a menu of support whose key tools are an informational website and statewide confidential hotline, the organization has helped an estimated 6,000 people during the last 25 years.

Despite the successes one pool of participants was noticeably absent: judges.

Troubled jurists were reluctant to seek help from the ranks of lawyers who may come before them to try cases. Although the program is confidential, the fear among jurists had been that word or suspicion of impairment might taint impressions of their ability to make sound decisions.

"No judge is ever going to call a lawyers' group and 'out' himself," Montgomery County Judge **Thomas DelRicci** said. "It's just not going to happen."

It was Judge DelRicci who first took steps to help bridge that gap by

laying the groundwork for a group exclusively devoted to those on the bench: Judges Concerned for Judges (JCJ). The judge had been moved to action because of his familiarity with the work of LCL in Montgomery County.

"If we save one life with this, if we save just one career with this, if we've saved one client from getting a bad result — we've succeeded."

— Judge Thomas DelRicci

While serving as president of the Conference of State Trial Court Judges, Judge DelRicci spearheaded the development of a plan for such a group to the Supreme Court, which approved the concept in May 2012.

"I was in a position to do something about it," he said, crediting Justices **J. Michael Eakin** and **Max Baer** with strong support for the idea.

Here's how it works: judges can call a confidential hotline with questions or seek online advice from the newly created JCJ website. Judges can simply get information and referrals, or direct conversation with a trained colleague if desired.

Kenneth Hagreen, executive director of LCL/JCJ, is putting word out about the aid programs at conferences for trial judges and magisterial district judges. In addition to the conferences, word-of-mouth has accelerated interest. Use of the JCJ helpline has increased over the previous year, Hagreen noted.

Proponents are anxious to build on the momentum and encourage those needing help to call.

"If we save one life with this, if we save just one career with this, if we've saved one client from getting a bad result — we've succeeded," Judge DelRicci concluded. **AOPC**

For more information contact Kenneth J. Hagreen, Esq., LCL/JCJ Executive Director at 800-335-2572 or ken@lclpa.org. Call the Judges Confidential Helpline (888) 999-9706 or visit the JCJ website at: www.jcjp.org

Philadelphia courts take creative steps to promote public safety and curb recidivism

New program boosts efforts to prepare inmates and families for their return to society. Supporters say the trail-blazing successes can be duplicated elsewhere.

A desire to help inmates re-entering society has led to the development of a first-of-its-kind program in the First Judicial District.

The program, accessible via the Internet, gathers into one place a plethora of information to give ex-inmates the resources they need to succeed upon release. The program is the brainchild of Common Pleas Court Judge **Ramy Djerassi**, President Judge **Sheila Woods-Skipper** (former criminal division supervising judge) and Judges **Daniel Anders**, **Denis Cohen**, **Ellen Ceisler** and **Linda Carpenter**.

Hoping to create a bench book of referral services, Judge Djerassi had court interns research re-entry sources. With help from the Pennsylvania Prison Society, the interns discovered that a number of organizations had already developed such resources, but that no one had thought to bring them together in one place.

The judges ultimately realized that because providers and requirements for various programs change often, keeping a bench book up to date would be difficult. A website made more sense.

Staff learned of a company, Trilogy Integrated Resources,

which had experience with creating just the sort of database the judges were seeking. Dr. Arthur Evans, commissioner of the Philadelphia Department of Behavioral Health and Intellectual Disability Services, had a similar database for mental health resources and allowed the court to use the database's existing platform.

The site was originally envisioned as a resource for case managers and social service providers, but has shown itself to be valuable for former inmates and their families as well. It contains a wide variety of information, from contacts to social services organizations, to a place for inmates to keep private health records, from information about the justice system, to ways to become involved with legislative advocacy on issues that affect former inmates, and from educational information, to forums and blogs.

Judges **Lisa Rau** and **Michael Erdos** have been working on a mentoring program for returning inmates and have expressed interest in the site, and it has been suggested that it might be used by probation officers for monitoring probationers and parolees.

The site is hosted by the Department of Behavioral Health and Intellectual Disability Services and partly managed by the Pennsylvania Prison Society. Information comes from the prison society, the Philadelphia Adult Probation and Parole Department and the U.S. District Court for the Eastern District of Pennsylvania's re-entry court.

"The site has received good feedback thus far," Judge Djerassi said.

Because all 67 counties have the same mental health resources database as Philadelphia, developing similar programs in other districts would not be difficult, mainly involving a commitment of time to assure that the resource information is kept up to date. **AOPC**

For more information visit
<http://philadelphia.pa.networkofcare.org/>

2013-2014 State Trial Court Officers



Monroe County President Judge **Margherita Patti-Worthington** (center) is serving as president of the Pennsylvania Conference of Trial Court Judges following her election to the post during the organization's summer conference in Hershey. Others pictured left to right: Lycoming County Judge **Dudley N. Anderson**, immediate past president; Delaware County Judge **George A. Pagano**, secretary; Northampton County President Judge **Stephen G. Baratta**, president-elect; Judge Worthington; Allegheny County Administrative Judge **Kim Berkeley Clark**, first vice president; Philadelphia Administrative Judge **Kevin M. Dougherty**, second vice president and Jefferson County President Judge **John H. Foradora**, treasurer. **AOPC**

Honors & Dispatches



Supreme Court Justice **J. Michael Eakin** received the inaugural Commonwealth of Pennsylvania Pro Bono Service Provider Award from the Widener School of Law. Widener introduced

the new award to honor members of the Pennsylvania legal community, as part of a National Pro Bono Week observation. Justice Eakin's honor recognized his work to create pro bono opportunities for Widener students. Law students at the awards ceremony shared their recent pro bono experiences with Justice Eakin.

The university also gave an inaugural Pro Bono Recognition Award to Sandra Ballard, Esq., pro bono/public services coordinator for the Dauphin County Bar Association.

"I hope Sandra Ballard and Justice Eakin serve as an inspiration to fellow members of the bar," Law Dean Linda L. Ammons said. "They are examples of what is possible when attorneys put the words 'and justice for all' into action."



Supreme Court Justice **Max Baer** joined other jurists and community leaders in speaking before a Pennsylvania Senate Judiciary Committee public hearing on "Civil Legal Representation of the Indigent: Have We Achieved Equal Access to Justice?" at the Allegheny County Bar Association in Pittsburgh.

Others making presentations included Westmoreland County President Judge **Gary Caruso** and Allegheny County Judge **Kathryn Hens-Greco**.

Sponsors said the hearing was designed to promote awareness of the need for civil legal services by low-income Pennsylvanians confronting legal problems.

Cosgrove to head AOPC legal department



A veteran Luzerne County attorney has been named chief legal counsel for the AOPC's Legal Department, Court Administrator of Pennsylvania **Zygmunt A. Pines** has announced.

Joseph Cosgrove, who briefly served on the Luzerne County bench, has more than 30 years of experience as a private practitioner, public defender, conflict counsel and educator. He succeeds **A. Taylor Williams**, who served as acting chief legal counsel after **Howard Holmes** retired earlier this year. Holmes, a 25-year veteran of the legal department, had been chief legal counsel since 2000. Williams is AOPC's chief of litigation.

"I am confident that Joe's experience and expertise will benefit the AOPC and judiciary immensely," Pines said. "I also want to take this opportunity to acknowledge the superior and dedicated efforts by

Taylor during this time of transition."

Cosgrove is a graduate of the University of Notre Dame Law School. He received a master's degree in theology from Notre Dame, and a master of arts degree from Marywood University in Scranton. He also has been an adjunct faculty member at King's College in Wilkes-Barre for more than 20 years. He also has served on the ethics committee at Misericordia University near Scranton.

Cosgrove served as a judge of the Luzerne County Court of Common Pleas, an interim appointment he accepted from former Gov. Ed Rendell. He replaced former Judge Mark Ciavarella.

In addition to providing general counsel to the Supreme Court and the AOPC, the Legal Department supports nearly 2,000 jurists and staff of Pennsylvania's Unified Judicial System, primarily in the areas of litigation and transactional law. **AOPC**

Northampton County Judge **Edward G. Smith** was nominated by President Barack Obama to a judgeship on a federal district court.

Judge Smith has served on the county court since January 2002 and was elected to a second 10-year term in November 2011. The president tapped him to serve on the U.S. District Court for Eastern Pennsylvania. He must be confirmed by the U.S. Senate before he can begin serving on the federal bench.

Judge Smith earned a bachelor's degree from Franklin and Marshall College and a law degree from Dickinson Law School. A Navy veteran of the Iraq war, where he served a seven-month combat tour in 2007, Judge Smith is a commanding officer of the Naval Reserve Naval Justice School.

A new program under development by the York County Court of Common Pleas will be used as a statewide model to help educate individuals and organizations on the duties and rights of legal guardians.

Guardians are responsible for the care and property interests of incapacitated individuals. The goal of the new training program is to help prepare both York County and Pennsylvania to accommodate the projected growth in guardians.

"The Pennsylvania Data Center projects that York County will be home to nearly 98,000 seniors by 2015," York County Judge **Penny Blackwell** said. "We have an obligation in York County and throughout Pennsylvania to prepare for the fact that

some of these seniors will need help with their affairs as they age."

Two nationally certified local guardians will work with court staff, Judge Blackwell and an advisory panel composed primarily of local attorneys and officials with the county aging office in developing the program. Under the program local attorneys, at no cost, monitor local guardianships to protect against fraud and other forms of financial malfeasance.



Philadelphia Judge **Frederica Massiah-Jackson** was presented with the 2013 University of Pennsylvania Law School Alumni Award of Merit.

The award is presented each year to a Penn Law graduate who has

shown significant achievement throughout a career coupled with outstanding service to the law school. She was presented with the honor at an alumni awards ceremony and reception held at the law school in Philadelphia.

Judge Massiah-Jackson was elected in 1983 to the Common Pleas Court where she presides over medical malpractice and products liability cases, commercial litigation and personal injury matters. She served as president judge of the First Judicial District from 2001 to 2006, overseeing its \$110 million budget, 250

employees and more than 130 judges. As president judge she coordinated employee appreciation events, increased pay for court-appointed counsel, opened an information center and promoted race and gender fairness within the court system.



Erie County Judge **Stephanie Domitrovich** was honored by the Women's Care Center of Erie County Inc. for her contribution to family-related matters over the last 20 years.

The center, which serves parts of western New York and northeastern Ohio in addition to northwestern Pennsylvania, recognized the judge at the group's annual banquet "in gratitude and sincere appreciation for presiding over birth parent and adoptive family hearings with integrity, wisdom and compassion." The organization also lauded the judge's dedication and commitment to making the courtroom a welcome place for all of the participants at adoption hearings.

Judge Domitrovich was elected to the Erie Court of Common Pleas in 1989 and retained twice by voters to additional terms. She is a former president of the Pennsylvania Conference of State Trial Judges and a former secretary of the National Conference of State Trial Judges.

Patricia Miles, counsel to the Domestic Relations Procedural Rules Committee, was awarded the 2014 Domestic Relations Association of Pennsylvania's (DRAP) President's Award.

The award, presented at the group's annual training conference in Harrisburg, is given to an individual who has made significant contributions to DRAP and Pennsylvania's Child Support Enforcement program. DRAP is a nonprofit statewide corporation of more than 1,400 child support professionals dedicated to improving child support services in Pennsylvania.

"Ms. Miles has given countless hours of time and energy at the annual conference over many years, providing the membership with Rules of Civil Procedure updates concerning child support," said Ann Marie Oldani, DRAP president. "She has been a dedicated supporter of DRAP through her presentations, knowledge and helpful guidance."

The First Judicial District hosted the 2013 National Conference of Metropolitan Courts. The conference, which attracted top court leaders from around the country, addressed challenges facing urban courts. Participants shared management strategies and discussed problem-solving skills.

Former Philadelphia President Judge **Pamela Pryor Dembe** and District Court Administrator **Joseph Evers** helped develop the program, which commemorated the conference's 50 years of service.

A special session was held on ways to secure grants for pilot projects and experimental changes. Another session focused on how to nurture leadership skills and recruit productive and capable employees in the midst of a lackluster economy.

The organization is committed to enhancing the administration of justice in metropolitan courts by strengthening leadership, modernizing court processes, technology and facilities, streamlining performance and promoting trial court innovation.

The AOPC's Judicial Programs, Judicial Security, Communications and Audio-Video departments collaborated on a multimedia project to help largely rural judicial districts deal with high-profile cases.

The result was an hour-long video, and corresponding PowerPoint presentation and discussion, given at several county court security committee workshops by **Kyle Ramberger**, AOPC judicial security specialist and **James Hazen**, judicial security advisor.

In the video Centre County President Judge **Thomas Kistler** and McKean County Senior Judge **John Cleland** both discussed the impact the Sandusky case played on court operations. **Maxine Ishler**, county district court administrator, discussed the impact of the case both on the selection of jurors and on other unrelated court business. **Jim Koval**, AOPC communications manager and **Steve Schell**, an AOPC communications coordinator, talked about managing trial media. The video was produced by **Richard Pierce**, an AOPC judicial programs administrator, and **Leo Perrong**, an AOPC AV technician.

Superior Court Judge **Cheryl Lynn Allen** was among 22 Penn State alumni honored for their professional accomplishments and given the lifelong title of Alumni Fellow, the highest award given by the Penn State Alumni Association.

Judge Allen has served on the Superior Court bench for six years and has more

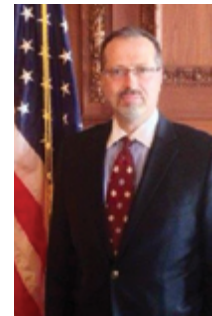


than 30 years of experience in the judicial system. She practiced law for 15 years with Neighborhood Legal Services, the Pennsylvania Human Relations Commission and the Allegheny County solicitor's office prior

to serving as a judge.

She served 17 years as a trial judge in Allegheny County prior to her election to Superior Court in 2007. In 2002, Gov. Mark Schweiker appointed her to the Pennsylvania Supreme Court's Juvenile Court Judges Commission.

Judge Allen has received numerous awards for her efforts on behalf of children and families, including the Juvenile Court Judge's Commission Award, the Pennsylvania Commission for Women's History Month Award, and the Allegheny County Bar Association's Juvenile Justice Award. She was the keynote speaker for Penn State's 2013 Law and Education Day, hosted by the Dickinson School of Law and the College of Education.



Joseph D. Seletyn, Esq., was appointed prothonotary of the Superior Court of Pennsylvania by President Judge **John T. Bender**.

A native of Lackawanna County, Seletyn earned degrees at the University of

Scranton and the Duquesne University School of Law. He has interned for the district attorney of Allegheny County and clerked for Allegheny County Judge **Livingstone M. Johnson**. Seletyn began his career in the Superior Court in 1998 as a judicial law clerk, and later serving, as chief judicial clerk for Judge **Justin M. Johnson**.

Following Judge Johnson's retirement, Seletyn continued with Judge Bender as chief judicial clerk, and later became administrative assistant to the president judge.

He also serves as an ex officio member of the Supreme Court's Appellate Procedural Rules Committee, and as a voting member of the AOPC's Public Access Working Group, and the E-Filing Implementation Committee. Seletyn is a member of the Allegheny County and Philadelphia Bar associations and currently resides in Pittsburgh.



Deputy Court Administrator **Tom Darr** (left) attended the annual meeting of the Conference of Court Public Information Officers (CCPIO) in Salt Lake City, UT. Darr, who oversees communications and legislative affairs at the AOPC, among other responsibilities, is a past president of CCPIO, a board member, and was elected treasurer for the next two years. **Art Heinz**, an AOPC communications coordinator, also attended.

The organization is dedicated to promoting best practices and support for court public information officers in the United States and worldwide. Attendees came from all over the U.S., Canada, Guam and the Phillipines.

Sessions were held at the Utah Supreme Court's Matheson Courthouse and at the Little America Hotel conference center, where topics included managing public trust and confidence in the courts and handling high-profile cases. Elizabeth Smart, the Utah woman who was abducted in June 2002 as a teenager and rescued nine months later, was among the guest speakers.

Delaware County Judge **Patricia Jenkins** was confirmed to fill a vacancy on the Superior Court of Pennsylvania.

Judge Jenkins will serve until Jan. 2016. Pennsylvania voters will choose someone in the Nov. 2015 general election to serve in the seat for a full 10-year term. She fills a spot created when Supreme Court Justice



Correale Stevens was appointed to the state's highest court.

Judge Jenkins has served in the Delaware County Court of Common Pleas since 1993. Before that she was a private practitioner and a county human services solicitor.

She also has taught at Widener University and Villanova University.

She holds an undergraduate degree in political science from Albright College, a master's in tax law from Villanova and a law degree from Dickinson School of Law.

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