

NEWS RELEASE

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Supreme Court Announces Six Initiatives

PHILADELPHIA, October 29, 1993 — Chief Justice Robert N. C. Nix, Jr. announced today on behalf of Pennsylvania's Supreme Court the commencement of six initiatives designed to further develop structures already in place in the Commonwealth's Judiciary.

The Chief Justice noted the importance of recognizing that the Supreme Court has been responsible for significant innovations during the past several years, all directed at enhancing the Judiciary's credibility, accountability and unity. The six initiatives, which the Court is announcing today, represent a continuation of the efforts to accomplish those ends.

Chief Justice Nix outlined the initiatives as follows:

1. Because of the Court's unique action in relieving one of its members from any further judicial and administrative responsibilities and to ensure that the Supreme Court is able to maintain the flow of cases and manage its workload efficiently, the Court will, for the first time in its history, assign a Senior Justice to fill its constitutional complement of seven justices. Justice Frank J. Montemuro, Jr., who was appointed by Governor Casey on November 19, 1992, to fill the term of the late Justice James T. McDermott, will begin the duties of Senior Justice on January 3, 1994, upon completion of his interim term of office. In addition to carrying a full caseload, Justice Montemuro has been assigned to assess the Supreme Court's need for formal internal operating procedures. In that role, he will draw upon his prior experience as a judge of the Superior Court, which conducts business according to an extensive set of defined procedures.
2. Consistent with the Court's commitment to professional education for both the bench and bar, Justice John P. Flaherty will explore the feasibility of establishing mandatory continuing education for all trial, appellate and senior judges in Pennsylvania. This initiative is a logical step following the establishment of mandatory continuing legal education for lawyers in 1992 and the recent extension of that program by the Court.

Currently, most judges participate in intensive, twice yearly educational programs developed by the Pennsylvania Conference of State Trial Judges along with other voluntary educational programs approved by the Court. Although education for newly-elected judges has been sponsored by the William Penn Foundation, judicial education for veteran judges is purely voluntary and currently not sufficiently funded by the state to ensure full participation of all judges. Additional funding will be sought to provide mandatory continuing education for each judge.

3. Recognizing that other state or federal models may be applied to promote more effective and efficient review of the various types of petitions which the court receives, Justice Ralph I. Cappy, who with Justice Nicholas P. Papadakos, was instrumental in setting the reform agenda in the Philadelphia courts, will analyze petition review processes currently used by the Court.
4. Historically, taxed, unvouchered expense accounts have been available to appellate court jurists in Pennsylvania. While the use of these accounts has met the courts' needs, it is clear that the negative view of unvouchered accounts suggests that history cannot necessarily dictate future practice. With greater public

disclosure as a goal, the Court has directed the State Court Administrator, Nancy M. Sobolevitch, to examine issues and recommendations, including specific ones made by state Senate leaders, related to tailoring a revised expense account plan for appellate court jurists. With the advice of appropriate counsel, it is hoped that a proposal will be in place by the beginning of Fiscal Year 1994- 1995.

5. Noting the importance of maintaining a fair and impartial system of justice for all Pennsylvanians, the Court will empanel a commission to conduct a detailed study of questions concerning racial, ethnic and gender equity throughout the Commonwealth's Judiciary. In so doing, Pennsylvania will join 19 other states which have studied ethnic/racial equity, and 38 states, which have undertaken gender equity studies. To accomplish this task, the Court intends to request adequate funding when it presents the General Assembly with an amended Fiscal Year 1994-1995 spending plan.
6. In addition to the analytical activities of the study commission, the Court has directed the State Court Administrator to enhance the policy planning component, including additional staff and additional funding, within the Administrative Office. Consistent with its efforts to establish a fully integrated computer system for Pennsylvania's Judiciary, the Court believes that enhanced planning capabilities will assist in assessing trends, analyzing policy options, and identifying management strengths and weaknesses as the Judiciary's future is charted to and beyond the century's turn.

The Chief Justice noted that while each of these initiatives demands considerable effort by individual justices; staff; and in some cases, citizens, the result will be to enable the Court to make informed decisions on issues of vital concern to all who are interested in the effective operation of Pennsylvania's judicial system. The Chief Justice expressed confidence that with the cooperation of the General Assembly, to whom the Court will need to turn for consideration of some additional funding, and others who will work with the Court, additions can be made to the list of significant innovations achieved over the past several years.

Among the recent innovations the Chief Justice cited as providing a foundation for these new initiatives are:

- envisioning the development of a statewide Judicial Computer Project and successfully implementing the project's first phase, computerization of the 541 district justice courts across the state on budget and on time;
- instituting successful reform and professionalization of Philadelphia's courts while holding firm on a pledge to a five-year, no growth budget;
- establishing, and recently extending, mandatory continuing education on ethics for Pennsylvania's attorneys (the extended CLE program will include substantive law, practice, procedure, professionalism and substance abuse affecting lawyers);
- proceeding with the development of the Judicial Computer Project's second phase, statewide automation of Common Pleas Courts; and
- consolidating many Supreme Court Administrative Office and Committee functions at a central location near Harrisburg.

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