

**Report of the
Administrative Office of
Pennsylvania Courts
2009**

Supreme Court of Pennsylvania

Chief Ronald D. Castille

Justice Thomas G. Saylor

Justice J. Michael Eakin

Justice Max Baer

Justice Debra Todd

Justice Seamus P. McCaffery

Justice Joan Orié Melvin

*'09 in Brief
(listed chronologically)*

*Supreme Court adopts
rules to expedite
children's court cases
involving dependency,
custody, adoption,
termination of parental
rights and paternity*

*Latest med mal data
shows continued
decline in number of
new cases and verdicts*

*Former Chief Justice
Ralph J. Cappy passes
away at the age of 65*

*Commonwealth judges
attend public health
law seminar as part of
continuing efforts to
prepare for public
threats in the event a
pandemic hits the
United States*

Unified Judicial System's first permanent home, the Pennsylvania Judicial Center, opens in the Capitol Complex in Harrisburg. Construction of the nine-story structure began in 2006 and was completed on time and under budget

Inaugural state Children's Roundtable Summit held to develop plans to help abused, neglected children find safe, timely, permanent homes

Supreme Court adopts rules for maintaining court operations in event of public emergency

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To: The Honorable Chief Justice of Pennsylvania, and Honorable Justices of the Supreme Court of Pennsylvania, and to the Citizens of the Commonwealth

I am pleased to present this Report of the Administrative Office of Pennsylvania Courts (AOPC) for 2009, outlining many of the programs and services that define the Commonwealth's state court system. This report highlights noteworthy accomplishments in the administration of the state court system that took place during what was both a very busy and significant year.

Of chief importance during the year was the opening of the Pennsylvania Judicial Center, heralding the end of many years of collaborative discussions and support from a number of governors and the General Assembly.

The site of the nine-story, limestone-concrete-steel-glass structure overlooking the Capitol rotunda was once a parking garage in downtown Harrisburg. Built for the present and future, the center was championed by the late Chief Justice Ralph J. Cappy and developed based on a concept paper authored at Cappy's request by deputy court administrator Thomas B. Darr, who also oversaw the building's construction for the judiciary. It can accommodate up to 400 occupants from the appellate courts, AOPC and various judicial boards and committees.

Employees began moving into the building in June during the first of several planned phases. The three-month occupancy process concluded with the opening of three courtrooms for Commonwealth Court's September sessions. The court previously met just across the street in the Capitol's Irvis (South) Office Building.

With its consolidated office space, courtrooms and location in the heart of the state Capitol complex, the new judicial center buttresses the Unified Judicial System's (UJS) identity as a coequal branch of government based on impartial justice for all our citizens.

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Construction of the new building began in 2006. It was finished on time and \$350,000 under budget. Vitetta, a Philadelphia architectural and engineering firm, designed the center. The Massaro Corporation, a Pittsburgh area construction firm, built it.

Supreme Court justices and distinguished guests participated in a ribbon cutting to symbolically renew the pledge to serve the Commonwealth with “equal justice under law” and to say to all Pennsylvanians that the state judiciary is open and accessible whether in the Pennsylvania Judicial Center or in any of Pennsylvania’s courthouses.

Strengthening Integrity in the Justice System

Also in 2009, the Interbranch Commission on Juvenile Justice was created by an act of the General Assembly with support from the Supreme Court and the governor to investigate the underlying causes of judicial corruption that surfaced in Luzerne County.

The eleven-member commission—four appointed by the chief justice, three appointed by the governor and four appointed by the leaders of the Senate and the House of Representatives—specifically was charged with three tasks: 1) ascertain how the county’s juvenile justice system failed and whether such failings exist elsewhere; 2) restore public confidence in the administration of justice; and 3) prevent similar events from occurring in the future.

Superior Court Judge John M. Cleland, a member of the state Juvenile Court Judges Commission, chaired the group. The commission held public hearings and filed a final report with recommendations to the Supreme Court, the governor and the legislature.

The commission’s role was different from that of a special master, who was appointed in February 2009 by the Supreme Court to review individual juvenile cases in Luzerne County. The special master, Senior Judge Arthur E. Grim of Berks County, recommended to the Supreme Court that 800 juvenile adjudications be vacated and the records of those cases be expunged. The Supreme Court approved that recommendation.

Promoting Preparedness

Among the year’s many initiatives was an extraordinary three-day educational conference on Public Health Law and Science held in State College.

The program familiarized Pennsylvania trial court judges to the science and the law behind public health practice. Nationally

recognized infectious disease experts and public health practitioners discussed the nature of infectious diseases and the science behind public health practice.

Planning for the course began shortly after completion of the 2007 Pennsylvania Public Health Law Benchbook. The timing of the course coincided with the heightened state of concern in Pennsylvania and elsewhere over an influenza pandemic.

Members of the planning committee met with representatives from the U.S. Center for Disease Control and other entities to help develop a national model based on the Pennsylvania prototype and experience—reinforcing the Pennsylvania judiciary’s role as a national, and perhaps an international, leader in the critical area of public health preparedness.

In addition, AOPC staff participated in a session on pandemic planning at the National Association for Court Management’s annual conference in Boston. While it is impossible to predict the impact a specific virus may have on the workforce, court managers are becoming increasingly prepared to deal with this type of emergency.

Taking a Lead Role in Technological Advancements

At the National Center for State Courts’ Court Technology Conference in Denver, participants from across the country got an inside look at several Pennsylvania court initiatives.

Judicial automation staff discussed the AOPC’s development of a child dependency court tracking module for Pennsylvania’s Common Pleas Courts and the challenges in providing a cost-effective, yet highly available, judicial system network. The dependency tracking module was created by the AOPC’s Judicial Automation Department at the request of the Supreme Court’s Office of Children and Families in the Courts.

Several courts during 2009 turned to providing an e-filing option to litigants as a means to increase efficiency and decrease the need to store paper files. For the most part, e-filing is optional. Only Philadelphia civil and Allegheny dependency cases are required to be filed electronically.

Allegheny is the only county providing an e-filing option for criminal complaints. A model e-filing system was installed there in July 2008, resulting in more than 15,000 criminal complaints being filed electronically in the first six months, saving the county’s magisterial district court staff an estimated 1,500 hours that would have been needed to enter the data manually.

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As of January 5, 2009, all civil cases in Philadelphia had to be filed on the court's Civil Electronic Filing System. The system is designed to allow the user/filer to submit an electronic pleading or legal writing and exhibits to the prothonotary; provide for the payment of the filing fees; generate an acknowledgement of the clerk's receipt of the pleading and provide notification after review of the pleading by the clerk, either confirming that the pleading has been accepted for filing or setting forth reasons why the pleading was rejected—all in an electronic setting.

Reinforcing Commitment to Diversity

A series of seminars was held during the year to promote the Supreme Court's commitment to nondiscriminatory practices. Representatives from the magisterial district courts across Pennsylvania attended training on how to properly investigate and adjudicate claims of discrimination and/or harassment because of one's race, color, sex, sexual orientation, national origin, age, disability and/or religion. The training, led by AOPC Human Resources staff and attorneys specializing in employment law, focused on the steps required to effectively perform investigatory responsibilities, general concepts of the UJS policy, proper enforcement and adjudication of the policy as well as remedial actions and reporting procedures. An overview of the policy was presented to president judges during a June conference in State College.

The Supreme Court announced the UJS' Policy on Non-Discrimination and Equal Employment Opportunity effective Jan. 1, 2008, to ensure that all individuals having business with the UJS are treated in a dignified, civil, respectful and nondiscriminatory manner.

Tailoring Treatment to Local Needs and Means

Support for so-called "problem-solving courts" ramped up during the year as communities across Pennsylvania welcomed alternatives to incarceration to curb costs, reduce recidivism and address societal ills through treatment rather than punishment.

Court managers from around the state gathered in Erie in June for the first ever Problem-Solving Court Coordinators' Symposium. The symposium provided an invaluable opportunity for newly hired coordinators to meet and network with coordinators from longer operating programs and for the AOPC to learn more about the needs and issues facing counties. The meeting was supported with funds from the Pennsylvania Commission on Crime and Delinquency. Highlights included a presentation from the president of the Pennsylvania Association of Drug Court Professionals, Judge William

Cunningham, who presides over Erie County’s drug and mental health courts. The event also focused on new programming for veterans.

Boosting Civic Understanding of State Government

The Judicial Independence Commission worked collaboratively with the Pennsylvania Bar Association, the Conference of County Bar Leaders, the Office of First Lady Marjorie O. Rendell and the Pennsylvania Coalition for a Representative Democracy, or PennCORD, in advocating improved civics education. The commission was formed by the Supreme Court to foster a better understanding of the role of the courts in a democracy and counter unfair attacks on the judiciary.

Under the initiative Supreme Court justices Thomas G. Saylor and J. Michael Eakin and Superior Court Judge Jack Panella among others, participated in a number of civics programs across the Commonwealth.

Strengthening Pennsylvania Families

Representatives from more than 50 counties across the state participated in Pennsylvania’s inaugural Children’s Roundtable Summit hosted by the Supreme Court. Dependency court judges, solicitors and children and youth service professionals collaborated with national experts at the three-day event to develop county-specific plans aimed at helping abused and neglected children find safe, timely, permanent homes.

The summit allowed county teams to examine current child dependency practices within their counties, specifically in the areas of collaboration, culture, trauma and data-informed systems change. Teams created county-specific plans, along with action steps to implement them, to enhance the experience of children and their families who come into contact with the dependency court.

Standardizing Court Reporter Criteria

At the recommendation of the Supreme Court’s Judicial Council, I established the Advisory Committee on Court Reporting and Transcripts to review rules for court reporters. The committee, chaired by the Honorable Robert A. Freedberg, consisted of judges, district court administrators, prothonotaries, representatives from public interest groups and AOPC staff. Members reviewed and revised the Rules of Judicial Administration regarding the uniform and equitable production

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of and fee schedules for official transcripts of court hearings, depositions and other proceedings.

The making of the official record of court proceedings is vital to an open and credible judicial system. Court reporter rules had remained unchanged since 1981. The committee collected data from every county to better understand court reporter operations and reviewed practices around the country as well as in the federal courts and consulted the Pennsylvania Court Reporters Association and other experts.

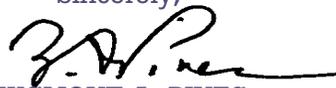
Sharing Best Practices with Global Partners

Technology professionals from Jordan’s Ministry of Justice met with the Judicial Automation staffs of the AOPC and the First Judicial District in Philadelphia to gain insight into developing criminal case management systems. Jordan—a country the size of the state of Indiana and located in the Middle East—plans to automate and link its 54 courts scattered throughout the country. During the Jordanians’ four-day visit, they studied operations at the First Judicial District and the UJS Network Operations Center in Mechanicsburg. AOPC staff provided operational overviews, covering numerous magisterial district and Common Pleas courts systems, including hardware and software, help desk procedures and data center functions.

Judges of the First Judicial District gathered to discuss Pennsylvania’s judicial system with about 50 students visiting from Temple’s Beijing campus, located at Tsinghua University School of Law. The judges and students gathered in the historic Supreme Court courtroom in Philadelphia’s City Hall. The audience was interested in learning about these pre- and post-adjudicatory programs, premised on the concept that the root causes of criminal activity should be dealt with to reduce recidivism and provide program “graduates” with the tools to become productive citizens.

Judicial ethics—and the means by which information and education of the subject is conveyed to judicial officers—also was discussed. The advisory, investigatory and adjudicatory nature of the process was explored in describing the roles of the Judicial Ethics Committee (and the similar committee that serves the minor judiciary), the Judicial Conduct Board and the Court of Judicial Discipline.

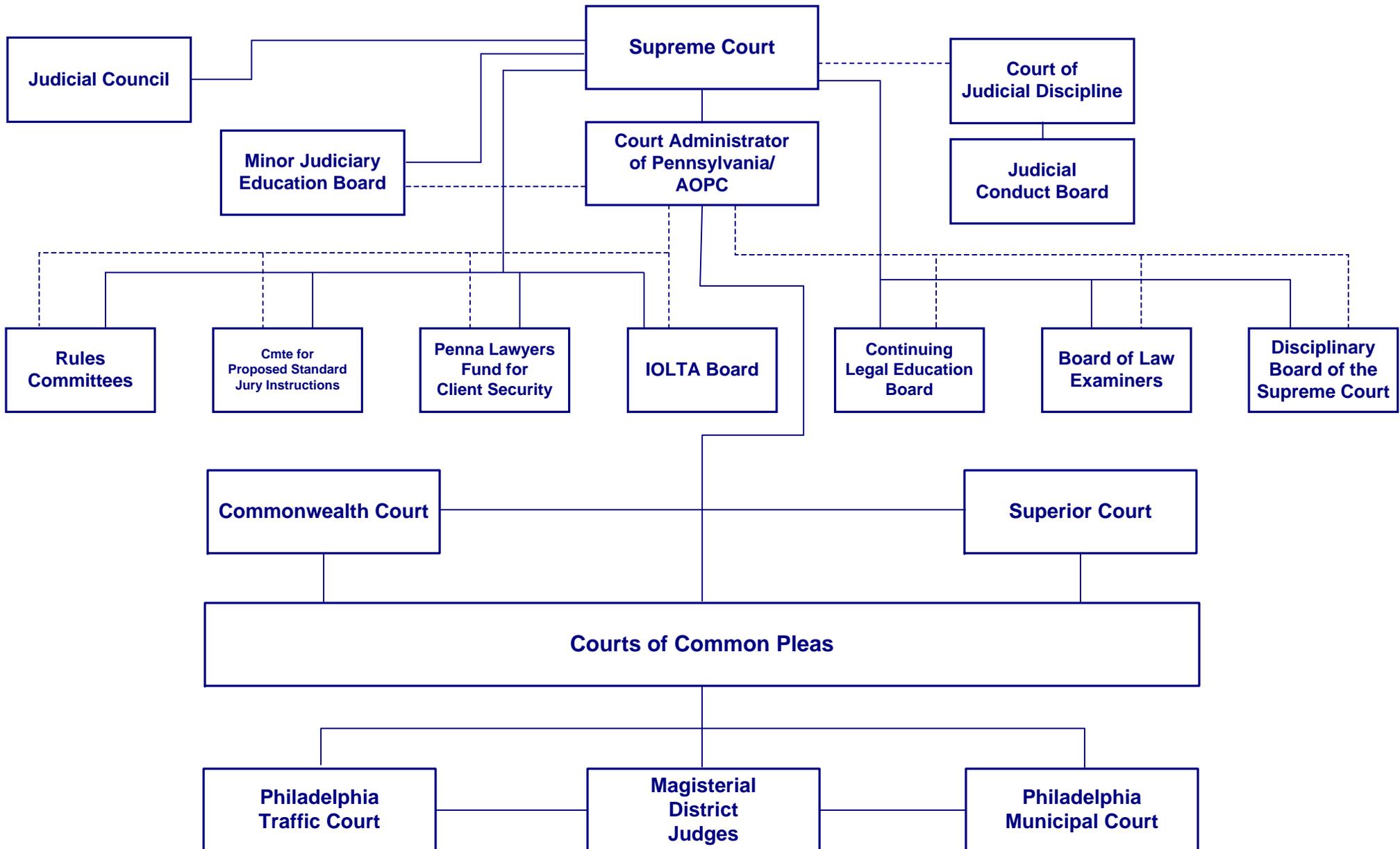
Sincerely,



ZYGMONT A. PINES

Court Administrator of Pennsylvania

Pennsylvania's Unified Judicial System



Administrative Office of Pennsylvania Courts

The Administrative Office of Pennsylvania Courts, also called the Administrative Office and the AOPC, is the administrative arm of the Pennsylvania Supreme Court. It was established in January 1969 following the Constitutional Convention of 1967-68, which defined the Supreme Court's authority for supervision and administration of all state courts.

The Court Administrator of Pennsylvania has been empowered to carry out the Supreme Court's administrative duties and is responsible for assuring that the business of the courts is promptly and properly disposed.

The Administrative Office conducts business from offices in Philadelphia and the Harrisburg area. In addition to the court administrator's office, the departments in Philadelphia include Research and Statistics, Legal and Judicial Services. The deputy court administrator's office is located in Harrisburg and includes Communications/Legislative Affairs, Administrative Services and Payroll. Also found in Harrisburg are the Finance, Human Resources, Judicial Education and Judicial Security departments. Judicial Automation is in Mechanicsburg. Judicial Programs has offices in both Harrisburg and Philadelphia.

The Administrative Office's supervisory, administrative and long-range planning duties include:

- reviewing practices, procedures and efficiency at all levels of the court system and in all related offices
- developing recommendations to the Supreme Court regarding improvement of the system and related offices
- representing the judicial system before legislative bodies

- examining administrative and business methods used by offices in or related to the court system
- collecting statistical data
- examining the state of the dockets and making recommendations for expediting litigation
- managing fiscal affairs, including budget preparation, disbursements approval and goods and services procurement
- overseeing the security of court facilities
- supervising all administrative matters relating to offices engaged in clerical functions
- maintaining personnel records
- conducting education programs for system personnel
- receiving and responding to comments from the public
- providing legal services to system personnel
- publishing an annual report.

A brief description of each unit of the AOPC and its functions follows.

Research and Statistics Department

The Administrative Office's Research and Statistics Department analyzes and evaluates the operations of the Unified Judicial System's (UJS) various components. During any given year, the department conducts a variety of studies, ranging from caseload management reviews of individual trial courts to statewide evaluations of the safety and security of court facilities.

A core function of the department is to systematically assemble data on the caseloads

of county and local courts, including the numbers and types of new, disposed and pending cases, and, for certain case types, the ages of the cases awaiting adjudication. The statistical information is reviewed and periodically verified through audits of county dockets. The Administrative Office annually publishes the data in the Caseload Statistics of the Unified Judicial System of Pennsylvania. This report is available from the AOPC page on the UJS Web site at www.pacourts.us.

The Administrative Office uses the statistical information gathered for many purposes, including the monitoring of county court system operations and development of policy initiatives consistent with its mandate under the Rules of Judicial Administration.

Among the departmental projects recently completed or now in progress are:

- implementation of a statewide civil cover sheet, in keeping with national trends that favor more detailed civil court data that informs caseload trends in changing economic times
- revision of the Protection from Abuse (PFA) data collection forms to capture the range of practices in processing PFA complaints across the state and to keep in step with statutory changes
- statistical compilation of annual medical malpractice filings and jury verdicts across the state
- a statewide assessment of court reporting and transcript operations in the Courts of Common Pleas
- support services and training to various committees and associations such as the Pennsylvania Association of Court Management and the Mid-Atlantic Association of Court Management
- on-site support for local courts in compiling and analyzing caseload statistics

- selection of participating counties and jurors in regional and statewide investigating grand juries in keeping with Pennsylvania Rule of Criminal Procedure 241
- completion of the "Going Green" campaign, eliminating paper reporting forms and collecting all caseload data solely by electronic means.

Another responsibility of the department lies in the design of the many forms used in the state court system. The development of new forms and the modification of existing forms require extensive consultation with system personnel, especially those using the forms on a daily basis.

Legal Department

The Legal Department provides advice and counsel to the state court administrator and to the Unified Judicial System (UJS) generally while also assisting in various administrative areas.

The chief counsel's staff represent UJS personnel in state and federal litigation. Representation is not provided in criminal or disciplinary actions. Actions involving UJS personnel often include suits filed in the federal district courts that raise various civil rights and constitutional issues. Other court proceedings involving court personnel include petitions for review of governmental actions, petitions to determine the rights and duties of public officials, employment matters and related appeals.

Significant activities include:

- active participation in planning and implementing the statewide Judicial Automation System and related automation programs
- reviewing and negotiating leases and contracts

- providing legal assistance and advice to the personnel of the UJS
- assisting in procurement matters
- reviewing legislation affecting the judiciary.

Judicial Services Department

The Judicial Services Department provides logistical planning, coordination, administration and staffing for an extensive schedule of educational conferences, seminars and meetings for the Supreme Court, the Administrative Office and affiliated groups.

In 2009 the department coordinated the following conferences:

- *Civil Court Regional Forums*
May 14, 21; October 1, 22, 29
- *Office of Children and Families Roundtable*
May 27, 28
- *Criminal Court Regional Forums*
June 4, 11, 18; September 10, 17, 24
- *President Judges/Pennsylvania Association of Court Management Annual Conference*
June 6-8
- *Appellate Courts Conference*
June 15-17
- *Pennsylvania Conference of State Trial Judges Annual Conference*
July 21-24
- *Evidence with Ohlbaum*
September 2
- *Orphans' Court Regional Forums*
September 10, 17, 24
- *Pennsylvania Children's Roundtable Summit*
September 23-25

- *Computer Skills for Judges*
October 14, 15

Judicial Programs

The mission of the Judicial Programs Department is twofold: to assist court administrators, judges and staff throughout Pennsylvania to ensure the efficient operation of Pennsylvania's minor and trial courts and to promote equitable access to and administration of justice.

In addition to providing support to judicial districts on issues related to their administrative functions, the department works closely with the Supreme Court and other departments within the AOPC to assist with implementation of policies, procedures, rule changes and reporting standards. This assistance includes:

- reviewing and assessing local court requests for state-level court administration personnel and other related human resources needs
- collecting, analyzing and disseminating data and information regarding court operations
- establishing standards and procedures for program performance, audits and evaluation
- devising, developing and conducting training and continuing education programs for local court staff
- analyzing the impact of legislation related to judicial operations and devising solutions for implementation of new statutes and statutory changes
- overseeing senior judicial requests, assignments for change of venue/venire and AOPC communication with judicial districts concerning president judge elections
- overseeing training, testing and certification of court interpreters

- assisting judicial districts in planning, implementing and maintaining problem-solving courts.

In 2009 the department was involved in several noteworthy endeavors as follows.

Office of Children and Families in the Courts

The Office of Children and Families in the Courts (OCFC) Mission and Guiding Principles was adopted in May 2009 by the State Roundtable as the philosophical foundation for the OCFC and dependency courts. These principles are:

- protect children
- promote strong families
- promote child well-being
- provide timely permanency

The document is endorsed by the state roundtable, Supreme Court; Department of Public Welfare/Office of Children, Youth and Families; Juvenile Court Judge's Commission (JCJC) and County Commissioners' Association of Pennsylvania (CCAP).

The inaugural Children's Welfare Summit was held in Pittsburgh in November 2009. More than 300 judges, county child welfare directors and other officials from throughout the state met for three days to hear from international experts in child welfare and child development.

The primary focus of the summit was to strengthen the Court Improvement Project (CIP) reform infrastructure of the Children's Roundtable Initiative with specific emphasis on local Children's Roundtables. Teams from local jurisdictions, including the dependency judge and Children and Youth Services administrators, attended, enhancing court/agency partnerships and developing planning action steps regarding

- the local Children's Roundtable structure
- mission and goals
- reducing trauma in the system
- making lasting and real culture change
- increasing the use of data in system reform efforts.

The OCFC also expanded its successful Permanency Practice Initiative (PPI). Fourteen counties completed Phase One of the program, which provides training and technical assistance to counties implementing three internationally recognized programs designed to improve outcomes for children as follows:

- Family Group Decision-Making, a method of planning for a child in care that is a collaborative effort involving a child's family
- Family Finding, a program to find members of a child's extended family
- Family Development Credentialing, which seeks to improve the quality of care and oversight by the education and credentialing of those in the child welfare system

Phase Two began in 2009 with 13 new counties scheduled for the training and implementation of the three programs.

Problem-Solving Courts

The Judicial Programs Department continued its efforts in 2009 to assist judicial districts in the creation, expansion or maintenance of problem-solving courts, such as drug courts, DUI courts and mental health courts. By the end of 2009, 72 problem-solving courts existed in Pennsylvania, the most common being drug courts, with 19 counties having such courts in operation, and mental health courts, which existed in 14 judicial districts. Other examples of problem-solving courts found in Pennsylvania are DUI courts and juvenile drug courts.

In 2009, Pennsylvania moved into the forefront of a national movement by developing three veterans courts. These courts were established to serve veterans who find themselves in the criminal justice system due to substance abuse or mental health issues. Treatment and assistance are provided through cooperation with local officials, volunteers and federal veterans affairs officials to address the problems that led to the entanglement with the criminal justice system

In 2009 work began to establish an accreditation program for problem-solving courts in Pennsylvania. Statewide performance measures for Pennsylvania's adult drug and DUI courts were developed by a group that included judges and court coordinators from around the Commonwealth as well as representatives from the treatment community, Pennsylvania District Attorneys Association and defense bar, with assistance from experts from the National Center for State Courts.

A committee has since been formed to develop a program for accrediting problem-solving courts. This accreditation is not intended as a requirement for a problem-solving court to operate in Pennsylvania; it is a way of

- ensuring that minimum acceptable operating criteria are being met so that sentencing guidelines intended for drug courts are being used only by those courts operating according to the ten key components of drug courts
- providing an assessment of a problem-solving court's operation, with recommendations for improvement
- providing technical assistance where appropriate.

Court Interpreters

The Judicial Programs Department's Interpreter Certification Program in 2009 continued its mission, as mandated by of Act 172 of 2006, of ensuring that foreign language and

sign language interpreters working in the courts of the Commonwealth be certified by the AOPC.

In 2009 two orientation sessions were held to provide interpreter certification candidates with information about Pennsylvania's court system, the role of the court interpreter and Pennsylvania's certification program. Ninety-six individuals attended the sessions.

Those who complete the training session are eligible to take a three-part test necessary to be certified. Applicants first must pass a written examination that measures the candidate's general English language proficiency and usage, knowledge of court-related terms and familiarity with ethical and professional conduct. They then must pass a written exam that assesses their knowledge of the foreign language they speak.

Candidates who pass both written exams must then take an oral performance exam that is a simulation of an actual courtroom interpretation. Those who complete this rigorous process become certified interpreters, able to work in any court in the Commonwealth. Those who do not pass have the opportunity for further training and retesting. They still may work as court interpreters under limited circumstances.

Statistics for 2009 are as follows:

- 79 interpreters became certified
- 12 foreign language interpreters passed all phases of the examination
- 52 American Sign Language interpreters attended orientation and had proper certification
- 15 interpreters certified in other states were granted certification in Pennsylvania through reciprocity
- 18 interpreters were classified as registered because no examination exists for their languages. These interpreters have attended

training and demonstrated an adequate knowledge of English, the foreign language and legal and other terminology typically encountered in court.

The interpreter registry currently has more than 600 interpreters in 65 languages and is updated regularly. This registry lists interpreters by language and by counties in which the interpreters are willing to work to assist judges and administrators in locating interpreters. It includes interpreters who have been certified as well as those who are in the process of obtaining certification, but have not yet completed all phases.

Judicial Automation

The AOPC's Judicial Automation Department is responsible for developing and maintaining case management and other software applications for courts and administrative staff in the Unified Judicial System. This department also provides general technology support to the Supreme Court justices, their staffs and the administrative court staff in Pennsylvania.

The highlights of several important projects undertaken by this department are described below.

Pennsylvania Appellate Court Case Management System (PACMS)

PACMS is an integrated case management system designed for Pennsylvania's appellate courts—Supreme, Superior and Commonwealth.

The PACMS rewrite project continued throughout early 2009, and by mid-year data from the legacy PACMS system was migrated into the new system. Judicial Automation staff provided training throughout the process for Supreme, Superior and Commonwealth Court staff.

Discussions were held between the PACMS, Disciplinary Board, Pennsylvania Board of Law Examiners and Administrative Support Application Project groups to discuss interface plans for their various systems with the new system. The development of many forms and reports continued or was completed, such as a new docket type for Commonwealth Court to handle its insurance liquidation cases. A new event track was also added to PACMS to handle Children's Fast Track cases.

A vendor was selected to work with the AOPC on the document management portion of the PACMS rewrite project, and work began on entering document images into PACMS.

Common Pleas Case Management System (CPCMS)

CPCMS is a statewide case management system for Pennsylvania's trial courts that includes docketing, accounting and other important case management functions. The first phase of development covered criminal courts and is used primarily by clerks of courts, court administration and judges and their staffs.

The system produces more than 400 forms and reports, including master account reports. It provides a facility to export report data from the system to other applications such as Microsoft Excel and Access so that counties can customize the presentation of information, if desired.

CPCMS continues to be used by all clerks of courts offices, court administration offices and criminal judges within the Commonwealth. Many regional training sessions and other ongoing training programs were held this year for both new and existing system-users. The training sessions focus on enhancements to the system as well as providing advanced training in complex areas such as accounting.

The use of the public and secure Web docket sheets continues in popularity with an average of one million hits per month.

In 2009 in conjunction with the Office of Children and Families in the Courts, Judicial Automation continued work on a dependency case module for CPCMS. The focus of the system is to be able to generate local and state-wide statistical information based on national performance measures that will allow the courts to assess their efficiency in handling dependency matters.

All counties but Philadelphia and Allegheny were using CPCMS for dependency case processing in 2009. Regular meetings with these two remaining counties were held to ensure that necessary tasks are being completed for the implementation of the CPCMS dependency module in the spring of 2010. Judicial Automation staff reviewed county data in an effort to complete and standardize the data to produce accurate dependency caseload statistics. In addition, systemwide modifications were made as requested by dependency courts, the Juvenile Court Procedural Rules Committee, the Department of Public Welfare and users.

Judicial Automation staff worked with Philadelphia and Beaver counties to set up CPCMS to interact with an outside collection agency, and Carbon, Washington, Columbia, Mercer and Armstrong counties were set up to begin using a third party's Prosecutorial Management Software applications for electronically filing Bills of Information into CPCMS. Clarion and Potter counties began using the AOPC-developed DA Link for this functionality.

Work continued to implement an e-commerce application that will allow defendants to pay outstanding monies owed to the Common Pleas and magisterial district judge (MDJ) courts via the Internet. Payments will be processed through the UJS Web Portal site and will be integrated with CPCMS and the new MDJ system. The online payment system will be provided to the counties at no cost, but defendants using the system will be charged a modest convenience fee. At a later time, this functionality will be expanded to allow the payment of filing fees associated with electronically-filed documents.

Judicial Automation staff responded to new issues and requests for system enhancements. For example, efforts were underway to provide system data to agencies such as Pennsylvania's Victim Notification Service, and the bulk check process was enhanced. Changes were made to comply with Senate Bill 100 of 2007 (Home Improvement Fraud), meeting the attorney general's office requirement to report any suspension or revocation of a home contractor's certificate resulting from a conviction of a newly defined crime.

Magisterial District Judge System (MDJS)

The Magisterial District Judge System provides case management and accounting functions to all magisterial district judges (MDJs) and their staffs statewide, approximately 3,500 users. The system has been in place since 1992 and generates all forms needed for civil, criminal and traffic case-processing.

Development and design of the MDJS rewrite project kicked off early in 2008. A Joint Application Development team composed of magisterial district judges and their staffs, MDJ court administrators and Judicial Automation staff continued to meet to develop system requirements throughout 2009. These requirements, including new screens and functionality, are being built in-house using a modern Windows-based system that will be much more flexible and easier to use than the current system.

Adams, Westmoreland and Lancaster counties were selected as the pilot sites for testing the new MDJS. Training for Adams County court staff was completed in October in preparation for its system go-live in November 2009.

The Adams County MDJS pilot went very well, with only minor issues being discovered. Training in Westmoreland then began for its early 2010 system go-live.

In conjunction with the system rollout, the data migration team worked with various agencies and departments in preparation for data transfer changes required by the new MDJS. Data from approximately 25 million cases will eventually be transferred from the old to new system.

The AOPC is organizing and standardizing local ordinances for each district court using a county-wide approach. Users can no longer add local ordinances to the system themselves, but must instead contact the MDJS help desk to have them added. This will provide more consistency in how the ordinances are entered and tracked. Adams County was the first county to use the new approach, in preparation for the rewrite pilot.

Many rule changes were reviewed and implemented in the MDJS legacy system. In addition, many other improvements and updates were made to the system involving other state agencies, such as the elimination of paper copies of drivers license suspension notices for out-of-state drivers. All suspension requests are now sent electronically to the Department of Transportation (PennDOT) without accompanying paper copies.

In 2009 the Pennsylvania State Police traffic citation e-filing project was successfully piloted and will be expanded statewide after the first of the year. No paper is filed with the district courts. The MDJS has the ability to produce a hard copy of the citation as filed, if needed. Judicial Automation staff is working to allow CNET, the system used by many municipal police agencies, to provide the e-filing of citations into the MDJS to its members.

Allegheny County continued filing criminal complaints electronically. Approximately 40,000 cases had been accepted by year's end. While the paper complaints still need to be filed, this program has saved enormous amounts of data entry time for district court staff.

Administrative Support Application Project (ASAP)

ASAP is a software application that was developed in-house at the AOPC to support the administrative functions of the appellate courts, AOPC and First Judicial District (Philadelphia). The system includes payroll, human resources and finance modules. Developers supporting this project continue to enhance the system and add new reports based on user requests. The ASAP team also supports applications developed for the Board of Law Examiners.

The new online bar application for the Pennsylvania Board of Law Examiners went live in June with users running a parallel test of the new system grading during the grading process for the February bar exam. Users' response to the new applications has been very positive, particularly in the area of testing as staff resolved minor issues related to the new Bar Exam Applicant Registry.

The 2008 financial disclosure filing year was opened on February 17, 2009. By the close on May 1, 53 percent of judicial officers had filed online.

ASAP staff also spent a significant amount of time in 2009 working on payroll issues related to the budget impasse. Significant extra work was involved in this process for Finance, Payroll, ASAP and the Treasury Department.

Systems Support

The Systems Support team was focused on the following efforts during 2009:

- implementation of UJSNET, a new wide area network, for the 67 Common Pleas sites and 40 appellate court locations
- establishment of the IT Service Desk as the "one stop shop" for all issues. Providing one contact number/e-mail address for all IT

issues and problems should eliminate user confusion in trying to obtain IT assistance.

- installation of a wireless network into various AOPC and Supreme Court sites, including the Capitol Building in Harrisburg, Philadelphia City Hall, 1515 Market Street in Philadelphia and Oxford Centre and the city-county buildings in Pittsburgh
- improving network security and providing user training to help prevent network attacks and breaches.

Web Team/Data Hub Team

The Rule 509 (Access to Financial Records) Web site for the AOPC, the appellate courts, court-related boards and entities and county courts to post public access information was completed and went live on January 1, 2009. Administrative and public user guides were developed and posted on the Web site.

Changes to the Interpreter Application were made, and all counties all except Philadelphia began participating in the Statewide Warrant Data Exchange.

Miscellaneous

Judicial Automation staff spent three days with Jordanian court staff, giving them an overview of the various court technology projects. The meetings went into technical details about such topics as database structure and management, data exchange, etc. The Jordanian team also spent time observing the various AOPC case management applications and help desks as well as the Network Operations Center.

Staff worked with the Research Department and Pennsylvania State Police to prepare data for the federal NICS initiative and handled preparation for moving staff to the Pennsylvania Judicial Center and 5095 Ritter Road.

Deputy Court Administrator's Office

Communications/Legislative Affairs

In its role as both legislative and media liaison, the Office of Communications and Legislative Affairs represents the AOPC before the state's executive and legislative branches of government as well as to the media. As media liaison, staff

- field inquiries from reporters
- draft press releases
- publish
 - the AOPC annual report
 - *Pennsylvania's Judicial System: A Citizen's Guide*, a brochure about Pennsylvania's courts
 - *Pennsylvania's Courts: A Video Introduction*, an educational video guide to Pennsylvania's Courts
 - *AOPCConnected*, the Administrative Office's quarterly newsletter
- develop other publications
- set up news conferences.

The office also monitors the progress of legislation in the General Assembly; compiles and publishes a legislative summary when the General Assembly is in session and, when appropriate, comments on the effect legislation may have on the fiscal and administrative operations of the judicial system. With the computerization of the magisterial district judge and Common Pleas courts, staff also monitor and report on legislation that may necessitate changes to the respective software programs.

Administrative Services

The Office of Administrative Services was established in 1993 in an effort to unify the administrative service functions between the

AOPC's Philadelphia and Mechanicsburg offices. The department is responsible for a variety of administrative-related tasks, including procurement for the Administrative Office, issues relating to facility management, fixed asset control, mail and messenger services and fleet vehicle management.

A significant responsibility of the department over the past several years has been to act as the judiciary's representative in the building of the new Pennsylvania Judicial Center (PJC) in the Capitol Complex in Harrisburg and collaboratively with the Judicial Automation Department in renovations of its facilities. Staff have been involved with all aspects of both projects, including building design and layout; selection and placement of office furniture, workstations and office equipment; developing policies and procedures for building access, parking and security; budget and asset management system preparation and review of commercial leases.

Judicial Security

The goal of Judicial Security is to support efforts to ensure that every state court facility in Pennsylvania is a safe place, not only for jurists and their staff, but for litigants and their families, jurors, witnesses, victims of crime and the general public to conduct their business.

In 2009 the AOPC continued its comprehensive project to provide magisterial district courts with the ability to conduct preliminary arraignments via videoconferencing technology. The initiative is intended to reduce defendant transports from jails, prisons, state police barracks and booking centers to magisterial district courts, thereby minimizing the risk of incidents that cause injury or harm to participants in these judicial proceedings. In addition, cost savings are realized for participating counties and law enforcement agencies.

In addition, the AOPC provided Common Pleas Courts with videoconferencing systems.

As with magisterial district courts, this technology will enhance court safety and security, achieve cost savings and increase court efficiencies.

The AOPC concluded a project to reimburse counties for the purchase of firearm safety holsters for deputy sheriffs assigned to perform courthouse security duties. The holsters are designed to be grab resistant in order to prevent the removal of the firearm by in-custody defendants who intend escape and otherwise jeopardize safety and security in courthouses.

The AOPC started a project to reimburse counties for the purchase of exterior lighting to create “safety zones” around courthouses that lack or have insufficient light to illuminate access points and walkways. This low-cost security enhancement will serve as a deterrent to attacks on court personnel and court facilities.

Also in 2009 funds were appropriated to reimburse counties for the purchase of security cameras at entry points and other vulnerable locations in courthouses. The installation of these cameras in magisterial district courts demonstrated that certain security incidents were averted and others were captured for evidence in related law enforcement investigations. It is anticipated that security cameras will serve the same deterrence, detection and prevention functions in trial court facilities.

In the fall a fifth round of regional workshops was conducted for all local court security committees throughout the Commonwealth. These committees, comprised primarily of president judges, sheriffs, court administrators and county executives, are encouraged to meet regularly in order to formulate and implement plans to respond to security incidents and emergency situations that occur in their courts. The fifth round of workshops focused on the impact of a pandemic on court operations.

Judicial Education

The Judicial Education Department was formed in 2005 to provide continuing education to Pennsylvania’s jurists. The department works closely with various planning committees to design programs that address new and emerging areas of law and issues of import and interest to judges.

Supreme Court, Superior Court and Commonwealth Court

Since 2004 jurists on Pennsylvania’s three appellate courts have attended an annual appellate courts conference. The conference addresses the needs specific to judges serving appellate duties. In addition to educational programs, members of each court hold administrative sessions at these conferences.

The conference featured these programs in 2009:

- United States Supreme Court Update
- The Nature of the Judicial Function
- The Life and Work of Justice Robert H. Jackson

Courts of Common Pleas

During 2009 more than 85 percent of all trial judges in the Commonwealth attended state-sponsored continuing education programs. Primarily, these programs were held at conferences of the Pennsylvania Conference of State Trial Judges, which meets twice a year. Staff of the Judicial Education Department worked with the Education Committee of the conference to provide support for the conferences. The three-day conferences provided state-of-the-art educational programs and allowed judges to discuss issues of common interest and concern.

Among the programs at the conference's 2009 meetings were:

- Preparing for Litigation in the Natural Gas Fields of the Keystone State
- Implementation of Act 172
- Technocorrections
- Trust Modifications/Change of Situs
- Expungement of Juvenile Records
- Best Practices in Managing Pro Se Litigants
- Child Custody Evaluations for the Courts
- Problem-Solving Courts
- Criminal Law Update
- The Judicial Response to the Debtors' Crisis
- DNA: Implications, Ramifications, and the Latest Developments
- Handling High Conflict Custody Litigants
- Innovations in Reentry and Aftercare Services for Juvenile Delinquents
- Powers of Attorney: Uses and Abuses
- The New Right to Know Law
- Evidence-Based Sentencing: Part II
- Judicial Ethics Update
- Civil Law Update
- Sentencing Legislation and Guidelines Revisions
- The Judicial Role in Society

Symposia

The Judicial Education Department also presents symposia across the Commonwealth. These two-day programs allow jurists opportunities for in-depth examination of discrete areas of law in smaller, more intensive groups. Often these sessions are repeated in different regions of the state to maintain small group size and encourage open and critical discourse.

The department presented the following symposia in 2009:

- **Managing Capital Cases in Pennsylvania**
The Judicial Education Department facilitated a two-day, interdisciplinary symposium for trial judges, prosecutors and defense attorneys on managing capital cases in Pennsylvania. Faculty included national experts in constitutional law and capital litigation practice. The program will be repeated in Spring 2010.
- **Opinion-Writing Workshop**
The Judicial Education Department facilitated a two-day opinion writing workshop for trial judges led by national expert, Professor Emeritus James Raymond (University of Alabama).

Special Programs

The Judicial Education Department facilitated several special programs during 2009.

- **Faculty Development Workshop**
This was a faculty development workshop for those teaching at the 2010 new judge school and for members of the Pennsylvania Conference of State Trial Judges' Education Committee. The program included discussions of adult learning theories and methods by which to incorporate the principals of adult learning into educational programming.
- **An Introduction to Public Health Law and Science**

This program focused on public health law and the science supporting public health crises. Faculty included national experts in the fields of public health and epidemiology. The Centers for Disease Control and the University of Pittsburgh School of Public Health collaborated on this project.

- Villanova Sentencing Workshop
Each year, the Judicial Education Department collaborates with Villanova Law School and the Pennsylvania Sentencing Commission to produce a sentencing workshop. The workshop combines third-year law students from Villanova and Common Pleas judges in an exercise to better understand and utilize sentencing guidelines. This highly successful program garners high praise from judges who attend.
- Teachers Institute on the Judiciary
This one-day institute, established and overseen by the Supreme Court's Judicial Independence Commission, is geared toward junior high and high school teachers. It was developed in collaboration with the Office of the First Lady and the Pennsylvania Coalition for Representative Democracy (PennCORD). The program centered on civics education with specific focus on the role of the judiciary in a democratic society. Prominent constitutional scholars provided lecture material that complimented the day's activities and offered teachers alternative methods of teaching about the courts. Judges described the function of their courts in the Pennsylvania system and facilitated mock Supreme Court arguments. More presentations are planned for 2010.
- Understanding the Pennsylvania Parole System
In collaboration with the Pennsylvania Board of Probation and Parole, the Judicial Education Department facilitated a one-day program for judges hearing criminal cases in the western part of the Commonwealth.

New Product Development

Several new products were developed during 2009 to enhance the educational experience of judges and to increase efficiency in the delivery of educational programs. In addition, department staff contributed to the development of educational materials to enhance civic education about the judiciary and its role in our democracy. Included in these products:

- Legislators' Guide to the Pennsylvania Judiciary
The Judicial Education Department collaborated with staff from the Supreme Court's Judicial Council and the AOPC's Office of Communications and Legislative Affairs to produce a guide to the Pennsylvania judiciary for new legislators. Included in the guide are descriptions of the overall court system, the roles of the various courts, the committees that support the judiciary's activities and the history of the Pennsylvania judiciary.
- Public Health Law CD
The department collaborated with the Pittsburgh School of Public Health to produce an electronic version of the Pennsylvania Public Health Law Bench Book. The CD includes the full text of the bench book as well as the full text of all cases and statutes referenced therein, hyperlinked from the text for convenience. The electronic version was distributed to all trial judges in the Commonwealth.
- Conference Materials on CD
Select conference materials are now being provided on CD rather than in hard copy. The protocol for this was developed by the Judicial Education Department staff and effectively demonstrated at the 2007 annual meeting of the Pennsylvania Conference of State Trial Judges. The CD, with a table of contents, included all written materials from the conference as well as supplemental and non-essential materials. The purpose was to make supplemental material easily accessible, to reduce the size of the conference binder and to reduce costs. The new format

has become the standard for judicial education conferences throughout the state.

- Faculty Handbook

A faculty handbook was developed for distribution to conference speakers in advance of their arrivals at conferences. The handbook provides logistical information useful for an individual teaching at a judicial education conference. It also provides speakers with suggested presentation techniques and tips on developing effective PowerPoint presentations.

Human Resources

The Department of Human Resources

- monitors and ensures UJS compliance with state and federal employment statutes
- maintains all UJS fringe benefit programs and counsels judiciary personnel regarding their provisions and utilization
- administers the UJS employee leave accounting program and the UJS Unemployment Compensation and Workers Compensation programs
- formulates and administers the personnel policies and procedures that govern the personnel operations of the UJS
- assists managers in the recruiting, interviewing and hiring of new staff and develops and administers AOPC hiring procedures
- formulates and administers position classification and pay plans for the UJS
- monitors and administers the UJS performance management system

- develops training curriculum, policies and procedures for judiciary personnel.

Finance

The Finance Department is responsible for managing the budget, accounting and payroll systems for the Unified Judicial System. It serves as the primary resource for the various components comprising the UJS regarding financial matters. It fulfills its responsibility through the following activities:

- developing necessary policies and procedures on accounting and budget issues, and training staff at all levels in their use
- monitoring and preparing the budget for some 41 UJS line items in the Commonwealth's annual budget. These line-item appropriations include funding for the Administrative Office, state-funded courts, most Supreme Court advisory procedural rules committees, juror cost reimbursements and county court grants.
- managing \$369.7 million in annual appropriations, including \$39.5 million in grants to counties
- participating in the annual financial audit of the UJS
- serving as the central clearinghouse for all financial transactions impacting the judiciary
- assisting in the management of the finances of the First Judicial District/AOPC Procurement Unit, including recommending investment and banking strategy.

AOPC

2009 Membership

Honorable Maureen Lally-Green, *Chair*
Abraham J. Gafni, Esq., *Vice Chair*
Charles L. Becker, Esq.
Larry Bendesky, Esq.
William P. Bresnahan II, Esq.
Robert L. Byer, Esq.
Honorable Renée Cohn Jubelirer
David R. Fine, Esq.
Fredrick N. Frank, Esq.
Marcel L. Groen, Esq.
Honorable Richard B. Klein
James J. Kutz, Esq.
William J. McKim, Esq.
Susan E. Moyer, Esq.
James C. Sargent, Jr., Esq.

Staff

Dean R. Phillips, Esq., *Counsel*
D. Alicia Hickok, Esq., *Deputy Counsel*
Scot R. Withers, Esq., *Deputy Counsel*
Elizabeth J. Knott, *Administrative Assistant*

Legal Authorization

Pa. Constitution Article V, § 10(c)
42 Pa. C.S., § 1722

About the Committee

The principle function of the Appellate Court Procedural Rules Committee is to make recommendations to the Supreme Court for refining and updating the Rules of Appellate Procedure in light of experience, developing case law and new legislation.

Appellate

Court

Procedural

Rules

Committee

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Publication

Prior to submitting a recommendation to the Court, the committee publishes the proposal, together with an explanatory statement, to allow the bench, bar and public to comment. All comments are considered and, when appropriate, proposals are modified before submission to the Court. On occasion, proposals may be submitted to the Court without publication. This may occur in the interest of justice, when exigent circumstances warrant prompt action or the proposed changes are technical or perfunctory in nature.

2009 Activities

The committee held three full committee meetings in various locations throughout the Commonwealth.

Recommendations Adopted by the Supreme Court

The following recommendations were adopted by the Supreme Court in 2009:

Recommendation 7 of 2008: Amendments to Rules 102, 904, 905, 1112, 1113, 1116, 1123, 1925, 1931, 1972, 2113, 2154, 2172, 2185, 2542, 2545, 2572 and 3723 to implement a broad Family Fast Track to speed up the appellate process in cases involving the **rights of children**—dependency, termination of parental rights, adoptions, custody and paternity. Adopted 1-13-09, effective 3-13-09.

Recommendation 2 of 2009: Amendment to Pa.R.A.P 311 to conform the rule to the 2003 amendments to the Pennsylvania Rules of Civil Procedure abolishing **actions in equity** and thus eliminating the decree *nisi*. Adopted 10-14-09, effective 11-14-09.

Recommendations Pending with the Supreme Court

The following recommendation remained pending before the Supreme Court as of December 31, 2009:

Recommendation 1 of 2009: Amendment to Rule 1114 dealing with the **procedure for challenging an order** from the intermediate appellate court quashing an appeal.

Recommendations Pending with the Committee

The following recommendations were pending with the committee as of December 31, 2009:

Amendment to Rule 1736 concerning **exemption from security**.

Amendment to Rule 512 concerning **notice of appeal**.

Amendment to Rule 120 concerning the **entry and withdrawal of counsel**.

Amendments to Rules 1561 and 1701 and proposal to add new Rule 1765 to permit the **Post-Conviction Relief Act** (PCRA) trial court, after an appeal has been taken, to “consider any **petition for bail** where post-conviction relief is granted or where an intermediate appellate court has reversed the denial of post-conviction relief” as well as to permit review of a PCRA trial court’s bail determination while the disposition of the petition is on appeal.

New Rule 912 to codify the procedure to be followed when a **failure to file a document** required for an appeal to proceed jeopardizes an appeal on a first petition filed under the Post-Conviction Relief Act.

Looking Ahead to 2010

In 2010 the committee plans to

- continue monitoring the application of the amendments to Pa.R.A.P. 1925(b)
- continue work on
 - Pa.R.A.P.s 2113, 2185 and 531 regarding service and filing of briefs
 - Pa.R.A.P. 1513 regarding scope and standard of review
 - Chapter 17 regarding stays and *supersedeas* generally

- Pa.R.A.P. 1931 regarding the original record
- monitor the Children's Fast Track program and continue work with the ad hoc decertification subcommittee regarding expediting of appeals involving transfers of juveniles from juvenile to criminal and from criminal to juvenile.

Additionally, the committee will continue to monitor legislation, practice and procedure and make recommendations that will facilitate the practice of law in the Commonwealth. **AOPC**

2009 Membership

Karen Engro, Esq., *Chair*
Barbara W. Mather, Esq., *Vice Chair*
Patti S. Bednarik, Esq.
Stewart W. Davidson, Esq.
Robert C. Saidis, Esq.
Honorable M. Teresa Sarmina
Richard W. Stewart, Esq.

Staff

Mark S. Dows, *Executive Director*
Joseph S. Rengert, Esq., *Counsel and Supervising Law Examiner*
Jill E. Fuchs, *Deputy Executive Director*
Brenda K. Kovanic, *Director of Testing*
Brian S. Mihalic, *Director of Information Technology*

Legal Authorization

Pa. Constitution Article V, § 10(c)
Pa.B.A.R. 104 (c) (3)

About the Board

The Pennsylvania Board of Law Examiners holds the responsibility for recommending the admission of persons to the bar and thus the practice of law in Pennsylvania. Such responsibility includes reviewing admission applications, both for those wishing to sit for the bar examination and for those practicing attorneys from other states seeking admittance to the bar without sitting for the exam; administering the bar exam itself; and recommending rules pertaining to admission to the bar and the practice of law.

Members are appointed to three-year terms, and each member may serve two consecutive terms. Board office staff includes the executive director, deputy executive director, counsel to the board/supervising law examiner, director of testing, and six administrative support staff. The board also employs seven examiners, who are responsible for writing and grading the Pennsylvania Bar Essay Examination, and 14 readers, who assist the examiners in grading the essay answers. Additionally, many proctors are employed temporarily to assist in the administration of the bar exam.

Board of Law Examiners

Pennsylvania Judicial
Center
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www.pabarexam.org

Bar Procedures

The Board of Law Examiners administers Pennsylvania's bar exam over two days twice a year, on the last Tuesdays and Wednesdays in February and July. In February the exam was held in Philadelphia and Pittsburgh. In July it was held in Philadelphia, Carlisle and Pittsburgh.

The exam comprises two parts, an essay section, which is administered the first day, and the multiple choice Multistate Bar Examination (MBE), which is administered the second day.

The essay portion of the exam includes seven questions developed by the examiners and approved by the board, including one performance test (PT) question. The subject matter covers a variety of subjects, and applicants are expected to demonstrate their knowledge of Pennsylvania law where applicable.

The PT question tests an applicant's ability to use fundamental lawyering skills in a realistic situation. Some of the tasks an applicant might be required to complete in responding to a question include writing a memorandum to a supervising attorney, a letter to a client, a persuasive memorandum or brief, a statement of facts, a contract provision, a will, a counseling plan, a proposal for settlement, an agreement, a discovery plan, a witness examination plan or a closing argument. It is weighted at one and a half times an essay question and is combined with the scores for the remaining six questions.

The MBE is a national exam, prepared by the National Conference of Bar Examiners in conjunction with American College Testing (ACT). Its 200 questions are not Pennsylvania specific and cover contracts, criminal law, constitutional law, real property, evidence and torts.

Successful applicants for admission to the bar must attain a total combined scaled score of at least 272 with the essay portion

weighted 55 percent and the MBE portion weighted 45 percent. In addition, applicants must also score at least 75 on the Multistate Professional Responsibility Examination (MPRE).

The MPRE is a standardized test used to demonstrate an applicant's knowledge of the professional responsibility and ethical obligations of the legal profession. Applicants may take it at any point during law school or their legal careers prior to taking the bar exam. Indeed, they are encouraged to take it while in law school, shortly after they have completed a course on professional responsibility or ethics. They do, however, have up to three months after sitting for the bar exam to take it.

If an applicant is not successful on the MPRE within six months from the date results are released for the bar exam for which he/she sat, he/she will be required to submit to the board an Application for Supplemental Statement and for Character and Fitness as required under Pa.B.A.R. 231. This supplemental application process requires a character and fitness review and may take up to six months or longer to complete.

If an applicant is not successful on the MPRE within three years of the date his/her successful bar exam results were released, he/she must reapply for permission to sit for the bar exam, successfully retake the bar exam and meet all of the requirements at that time.

Grading the Bar Exam

At the conclusion of each bar exam, board staff send copies of the essay questions (including the PT question), the examiners' proposed analyses and the grading guidelines to representatives from each of the Commonwealth's law schools. The representatives circulate the questions and analyses to the respective professors who teach the subject material covered by the questions and solicit comments and suggestions from each. These comments and suggestions are then shared with

the examiners and the board. The examiners use this feedback to revise their analyses and grading guidelines in order to grade the applicants' essay answers in the fairest and most equitable manner possible.

The final draft of each question and analysis is forwarded to the board office, which then formats, edits and publishes it. Many unsuccessful applicants obtain copies of the questions and analyses along with copies of their own answers.

Rereads are automatically conducted for all applicants receiving a combined score of nine points or less below passing, (i.e., 263-271).

The MBE is graded by ACT.

The most recent results of the bar exam can be found on the Board of Law Examiners home page at www.pabarexam.org.

Application Approval/Denial and Hearing Process

In addition to passing the bar exam, prospective members of Pennsylvania's bar must meet certain requirements relating to character and prior conduct. To aid the board in determining whether applicants have met such requirements, a candidate must file with the board office a written application setting forth those matters the board deems necessary. This includes background information pertaining to character, education and employment. Board office staff then review the applications, occasionally investigating further, to determine an applicant's fitness and qualifications.

If, upon initial review, the board's executive director finds that the applicant does not appear to possess the fitness and general qualifications requisite for a member of the bar, the applicant is notified in writing. Unless the denial was for scholastic reasons, the applicant then has 30 days to request a hearing appealing the denial. Present at the hearing are the

applicant; the applicant's counsel, if he/she has retained counsel and a board member who serves as the hearing officer. A stenographer is also present to record the hearing.

Only one applicant is considered at a hearing, and only applicants who are denied permission to sit for a bar examination or certification recommending admission may request one.

Seventeen hearings were held in 2009.

2009 Statistics

Statistics for 2009, including a comparison with 2008's figures, can be found in Table 3.2.1 on page 28. Chart 3.2.2 on page 29 details the percentage of those passing the bar since 1998 while Chart 3.2.3 on page 30 is a comparison of the number of persons who have sat for the exam versus the number who have passed it over the past ten years.

In addition, office staff processed 303 applications for admission on motion and for character and fitness determination.

2009 Activities

The board met six times in 2009 to review bar admission rules and recommend rule changes, review proposed essay questions and analyses, approve examination results and set policy. It also held two semi-annual meetings, one following each of the two bar examinations, to review the essay exam questions, analyses and proposed grading guidelines.

Recommendations to the Supreme Court

The following recommendation was submitted to the Supreme Court in 2009:

Amendment to Pa.B.A.R. 204 and 311 regarding requirements for admitting to the Pennsylvania

bar attorneys who are licensed to practice law in another state. Adopted 4-28-09, effective immediately.

Filing Fees

The filing fees charged for processing applications in 2009 are as follows:

For new applicants:

- \$500 first-time filing fee
- \$650 late first filing fee
- \$950 second late filing fee
- \$1,350 final filing fee

For re-applicants:

- \$250 first-time filing fee
- \$400 late first filing fee
- \$650 second late filing fee
- \$950 final filing fee

Other:

- \$1,000 for admission on motion
- \$650 for limited in-house counsel license
- \$200 for attorney participants in defender or legal services programs
- \$650 for licensing of foreign legal consultants.

AOPC

Admission applications	approx. 3,000	
Sitting for the February Exam	557	
Change from 2008	(95)	(14.57)%
Persons passing February exam	318	
Persons failing February exam	239	
Passing Percentage	57.09%	
2008 Passing Percentage	60.58%	
Sitting for July exam	1,998	
Change from 2008	87	4.55%
Persons passing July exam	1,625	
Persons failing July exam	373	
Passing Percentage	81.33%	
2008 Passing percentage	82.78%	

Table 3.2.1

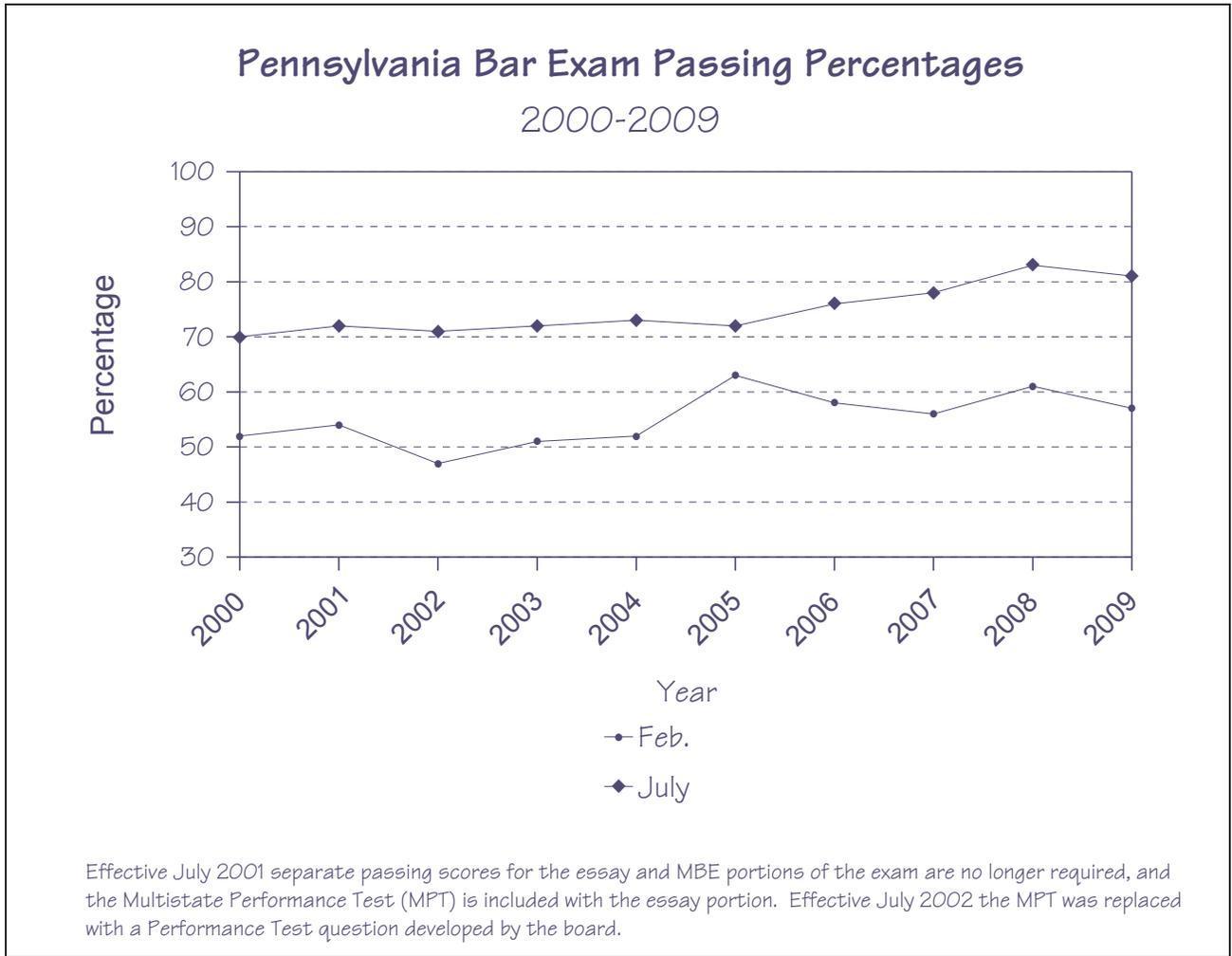
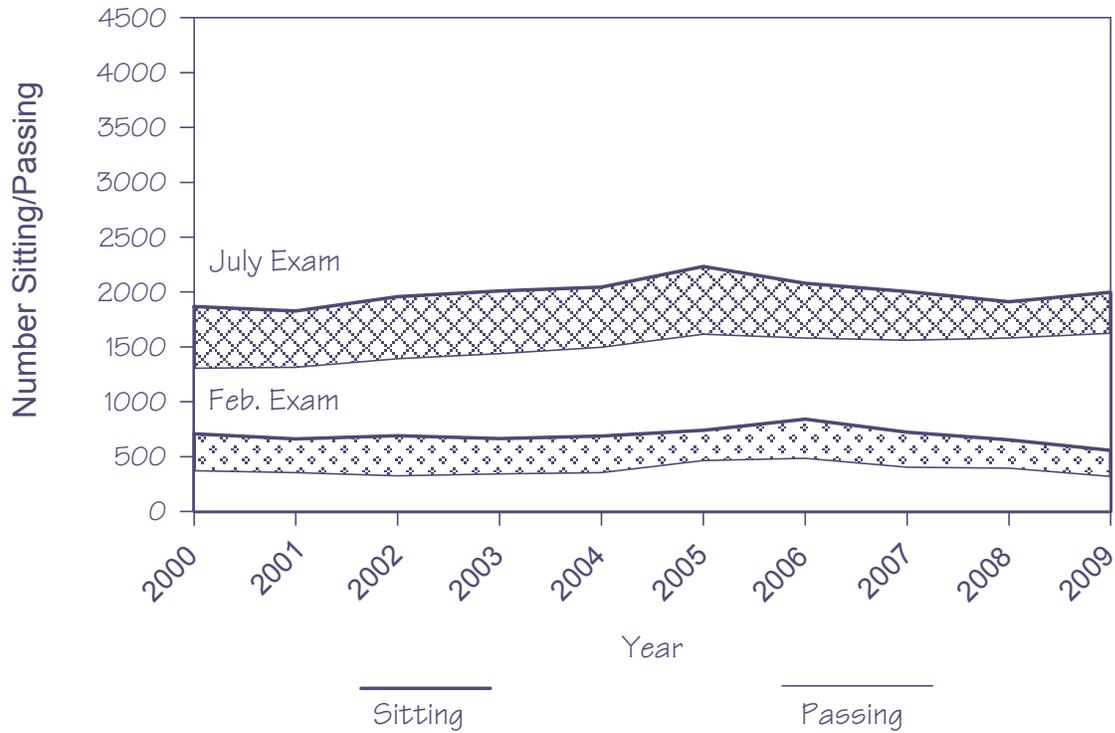


Table 3.2.2

Comparison of Applicants Sitting to Applicants Passing



Effective July 2001 separate passing scores for the essay and MBE portions of the exam are no longer required, and the Multistate Performance Test (MPT) is included with the essay portion. Effective July 2002 the MPT was replaced with a Performance Test question developed by the board.

Table 3.2.3

2009 Membership

Honorable Stewart L. Kurtz, *Chair*
Nancy H. Fullam, Esq., *Vice Chair*
Jerrold P. Anders, Esq.
C. Lee Anderson, Esq.
Harry S. Cohen, Esq.
Robert C. Daniels, Esq.
Honorable Kevin A. Hess
Michael R. Kehs, Esq., *ex officio*
Robert O. Lampl, Esq.
Honorable William J. Manfredi
Howard F. Messer, Esq.
Diane W. Perer, Esq.
Leta V. Pittman, Esq.*
James R. Ronca, Esq.
Andrew J. Stern, Esq.
Jack M. Stover, Esq.
Honorable R. Stanton Wettick, Jr., *member emeritus*

Staff

Karla M. Shultz, Esq., *Research Assistant*
Elizabeth J. Knott, *Administrative Assistant*

* Term expired 6-30-09

Legal Authorization

Pa. Constitution, Article V, § 10(c)
42 Pa. C.S., § 1722

About the Committee

The Civil Procedural Rules Committee sets the rules of procedure and practice for civil actions in Pennsylvania's Courts of Common Pleas. This includes all aspects of civil matters, except those issues relating to the work of the orphans' court and family court divisions. It was first commissioned by the Supreme Court in 1937.

Committee members are appointed to three-year terms by the Court and each may serve a maximum of two full terms.

Civil

Procedural

Rules

Committee

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17106 (717) 231-9525
e-mail civil.rules@pacourts.us

Publication

Prior to submitting a recommendation to the Court, the committee publishes the proposal, together with an explanatory statement, to allow the bench, bar and public to comment. All comments are considered and, when appropriate, proposals are modified before submission to the Court. On occasion, proposals may be submitted to the Court without publication. This may occur in the interest of justice, when exigent circumstances warrant prompt action or the proposed changes are technical or perfunctory in nature.

2009 Activities

The committee held two full committee meetings in various locations throughout the Commonwealth in 2009.

Recommendations Promulgated by the Supreme Court

The following recommendations were approved by the Court in 2009:

Recommendation 7 of 2008: Adoption of new Rule 1036.1 governing **Reinstatement of Claim** Dismissed Upon Affidavit of Noninvolvement. Adopted 1-22-09, effective 3-1-09.

Recommendation 8 of 2008: Amendment of Rules 237.1, 3281, 3283 and 3284 governing Proceedings to Fix Fair Market Value of **Real Property** Sold. Adopted 12-2-09, effective 1-4-10.

Recommendation 1 of 2009: Amendment of Rule 234.2 governing the Issuance and Service of **Subpoenas**. Adopted 7-23-09, effective 9-1-09.

Recommendation 2 of 2009: Amendment of Rule 240 governing the Petition to Proceed **In Forma Pauperis**. Adopted 10-22-09, effective immediately.

Recommendations Pending with the Supreme Court

The following recommendations remained pending before the Supreme Court as of December 31, 2009:

Recommendation 5 of 2008: Amendment of Rule 240(h) governing the Petition to Proceed **In Forma Pauperis**.

Recommendation 3 of 2009: Amendment of Rules 3022 and 3023 governing the Priority of **Liens**.

Recommendation 4 of 2009: New Rule 233.1 governing **Frivolous Litigation** by *Pro Se* Plaintiffs.

Recommendation 5 of 2009: Amendment of Rules 3111.1, 3140, 3141 and 3253 governing Exemption from **Levy and Attachment**.

Recommendations Pending with the Committee

The following recommendations were pending with the committee as of December 31, 2009:

Amendment of Rule 1012.1 governing Motions for **Admission Pro Hac Vice**.

Amendment of Rule 212.3 governing **Pre-Trial Conferences** and new Rules 212.5 and 212.6 governing **Settlement Conferences**.

Rescission of Rule 4014; new Rules 4014.1, 4014.2 and 4014.3 governing **Request for Admission** and amendment of Rule 4019 governing **Sanctions**.

Amendment of Rule 1006(a.1) governing **Venue** in Medical Professional Liability Actions.

Amendment of Rule 206.1 governing **Petitions** and Rule 206.5 governing Rule[s] to **Show Cause**.

Looking Ahead to 2010

The committee will continue to monitor legislation, practice and procedure and make recommendations that will facilitate the practice of law in the Commonwealth.

AOPC

2009 Membership

Civil Jury Instructions Subcommittee

Lee C. Swartz, Esq., *Chair*
Honorable Jeannine Turgeon, *Vice Chair*
Barbara R. Axelrod, Esq., *Reporter*
Honorable Mark I. Bernstein
Barbara R. Binis, Esq.
Vanessa Browne-Barbour, Esq.
Gary S. Gildin, Esq.
Clifford A. Rieders, Esq.
Ira B. Silverstein, Esq.

Criminal Jury Instructions Subcommittee

Professor Bruce A. Antkowiak, *Chair*
Honorable Ernest J. DiSantis, Jr.
Ronald Eisenberg, Esq.
Jules Epstein, Esq.
Frank G. Fina, Esq.
James Robert Gilmore, Esq.
Honorable Robert A. Graci
Honorable Renee Cardwell Hughes
Honorable Jeffrey Alan Manning
Arthur Murphy, Esq., *member emeritus*
Honorable William H. Platt
Sandra Preuhs, Esq.
Bernard L. Siegel, Esq.
Stuart B. Suss, Esq.
Honorable Carolyn Engel Temin
James J. West, Esq.

Staff

Lydia L. Hack, Esq., *Pennsylvania Bar Institute Contact*

Legal Authorization

Pa. Constitution Article V, § 10(c)

About the Committee

The committee's mission is to assist the administration of justice in court proceedings by developing pattern jury instructions for use by both the bench and the bar.

Committee for Proposed Standard Jury Instructions

c/o Pa. Bar Institute
5080 Ritter Road
Mechanicsburg, PA
17055
(717) 796-0804
(800) 932-4637

Committee Activities

Civil Instructions

In 2009 the Civil Jury Instructions Subcommittee continued its mission of updating the *Suggested Standard Civil Jury Instructions* included in the Third Edition (2005) by releasing a 2009 supplement. The supplement included significant revisions to both the employment instructions and the intentional torts instructions. It also included the new instruction Vicarious Liability Based Upon Apparent Agency, Ostensible Agency or Agency Estoppel.

In addition, the supplement includes updated Subcommittee Notes; an updated searchable, companion CD; and an updated subject matter index.

The subcommittee continues to incorporate revisions based upon case law developments, new Rules of Civil Procedure and new legislation as well as comments from lawyers and judges. It also continues its plain-English objective to revise the instructions to make them more understandable to lay jurors. It is committed to updating the instructions every 18 to 24 months.

Criminal Instructions

In 2009 the subcommittee continued its mission of updating the Pennsylvania *Suggested Standard Criminal Jury Instructions* included in the Second Edition (2005).

This reference, which includes a searchable companion CD, contains hundreds of criminal instructions keyed numerically to the Crimes Code, with many offering alternative language depending on the case facts.

The committee members continually monitor pertinent case law to update the Subcommittee Notes, which offer commentary explaining the appropriate instruction application, identifying relevant case law citations and offering practical guidance. The subcommittee's ongoing goal is to improve the language of the instructions to ensure that a proper statement of law is conveyed and that the instructions are accessible to the jurors applying them. The subcommittee is committed to updating the instructions every 18 to 24 months. **AOPC**

2009 Membership

Professor Sandra D. Jordan, *Chair*
Bridget E. Montgomery, Esq., *Vice Chair*
Christopher H. Connors, Esq.*
Samuel G. Encarnacion, Esq.++
John J. Flannery, Jr., Esq.**
Michael J. Manzo, Esq.
Deborah D. Olszewski, Esq.
Professor Leonard Packel, Esq., *Reporter*
Neil R. Rosen, Esq.
Kelly M. Sekula, Esq.+
Honorable Clyde W. Waite

Staff

Richard L. Kearns, Esq., *Staff Counsel*
Terri L. Metil, *Administrative Assistant*

- * Appointed 1-23-09
- ** Appointed 6-3-09
- + Resigned 11-09
- ++ Appointed 12-10-09

Legal Authorization

Pa. Constitution, Article V, § 10(c)
42 Pa. C.S., § 1722

About the Committee

The Committee on Rules of Evidence was created by the Supreme Court of Pennsylvania as an advisory body to assist the Court in its constitutional and statutory responsibility to prescribe general rules governing court proceedings in Pennsylvania's Unified Judicial System. The committee studies and makes recommendations to the Court about matters affecting evidence law in the Commonwealth. It monitors the practical application of the new rules as well as developments in evidence law in Pennsylvania and in other jurisdictions as reflected in case law and statutory changes that have occurred since the rules' adoption.

Members are appointed to three-year terms, and each member may serve two consecutive terms.

Committee on Rules of Evidence

Pennsylvania Judicial
Center
601 Commonwealth
Ave., Suite 6200
P.O. Box 62635
Harrisburg, PA 17106
(717) 231-9535
e-mail [evidencerules@
pacourts.us](mailto:evidencerules@pacourts.us)

Publication

Prior to submitting a recommendation to the Court, the committee publishes the proposal, together with an explanatory statement, to allow the bench, bar and public to comment. All comments are considered and, when appropriate, proposals are modified before submission to the Court. On occasion, proposals may be submitted to the Court without publication. This may occur in the interest of justice, when exigent circumstances warrant prompt action or the proposed changes are technical or perfunctory in nature.

2009 Activities

The committee held three full committee meetings in various locations throughout the Commonwealth.

Recommendations Adopted by the Supreme Court

No committee recommendations were approved by the Court in 2009.

Recommendations Pending with the Supreme Court

The following recommendation was pending before the Court as of December 31, 2009:

Recommendation 1 of 2009: Suspension of §512 of the **M'Care Act** and amendment of Pa.R.E. 702 (**Testimony by Experts**). This recommendation was not published for comment.

Recommendations Pending with the Committee

The following recommendation was pending before the committee as of December 31, 2009:

Recommendation 2 of 2009: Deletion of Pa.R.E. 604 because the use of **interpreters** was governed by statute. Adverse comment to the recommendation caused the committee to reconsider.

Looking Ahead to 2010

In 2010, the committee plans to work on:

- changes to Pa.R.E. 104 (Preliminary Questions)
- changes in light of the amended Federal Rules of Evidence
- developing a rule on privilege.

Additionally, the committee will continue to monitor legislation, practice and procedure and make recommendations that will facilitate the practice of law in the Commonwealth. **AOPC**

2009 Membership

Robert C. Heim, Esq., *Chair*
Richard Antonelli, Esq., *Vice Chair*
Honorable Phyllis Beck
Samuel Tyrone Cooper III, Esq.
Leonard Dubin, Esq.
Martin Greitzer, Esq.
Abraham C. Reich, Esq.
Stuart Savett, Esq.
Kelly H. Shuster, Esq.
Lawrence Tabas, Esq.

Staff

Daniel Levering, *Administrator*
Katey Buggy, *Office Manager*

Legal Authorization

Title 204—Judicial System General Provisions Part V. Professional Ethics and Conduct [204 PA Code C. 82]
Pennsylvania Rules for Continuing Legal Education; No. 99 Supreme Court Rules Doc. No. 1

About the Board

The Continuing Legal Education Board administers the rules pertaining to continuing legal education (CLE) for attorneys.

The board is comprised of ten active Pennsylvania attorneys. Terms are three years in length, and members may serve two consecutive terms.

Continuing

Legal

Education

Board

Pennsylvania Judicial
Center
601 Commonwealth
Ave., Suite 3400
Harrisburg, PA 17120
(717) 231-3250
(800) 497-2253
e-mail pacleb@pacle.org
www.pacle.org

Compliance Requirements and Deadlines

Annual CLE credit-hour requirements are met by completion of accredited courses in the areas of substantive law, practice and procedure, ethics, professionalism or substance abuse. Lawyers must complete twelve hours of CLE, including a minimum of one hour of ethics, professionalism or substance abuse before the compliance year deadline.

Compliance deadlines and CLE requirements are based on one of three annual compliance periods to which lawyers have been randomly assigned. The annual deadline dates are April 30, August 31 or December 31.

Board Organization

To best accomplish the requirements set forth by the Pennsylvania Rules for Continuing Legal Education, the Continuing Legal Education Board is organized into three committees, each covering a major area of operations: Accreditation, Administration and Compliance. A description of each committee follows.

Accreditation Committee

The Accreditation Committee has three members: Samuel T. Cooper, III, Esq.; Leonard Dubin, Esq. and Stuart Savett, Esq. Its duties include oversight of the certification of providers and courses, CLE program standards, adequacy of course availability, and course and provider accreditation standards.

Administration Committee

The Administration Committee includes Robert C. Heim, Esq.; Richard Antonelli, Esq. and Samuel T. Cooper III, Esq. It handles matters involving staff, benefits, office equipment, office operations, fees, banking, and those enhancements to program administration

necessary to ensure quality and efficiency. This committee also oversees the budget, annual independent audit and review of board operations.

Compliance Committee

Martin Greitzer, Esq.; Richard Antonelli, Esq. and Lawrence Tabas, Esq. comprise the Compliance Committee. This committee oversees attorney compliance; reviews requests for waivers, extensions and deferrals; reviews determination of lawyer noncompliance and makes recommendations to the board for action regarding these issues.

2009 Board Actions and Operations Highlights

The board held three meetings in 2009.

Automated System for Accredited Providers (ASAP)

The board continued to provide training and technical support to over 280 accredited providers who use the Automated System for Accredited Providers (ASAP). The internally-developed Internet software allows for the paperless reporting of provider courses, course attendance and course evaluations. In 2009 82% of credit hours were reported electronically.

Bridge the Gap Program Updated

The Bridge the Gap program underwent a comprehensive redesign in 2009. The revised program incorporates several substantive updates, including changes in the Rules of Professional Conduct and the disciplinary system. The new program also reflects a modernized look and feel and uses contemporary video components. While the presentation has been

considerably refreshed, the core content remains fundamentally sound and focuses on subjects deemed essential for newly admitted attorneys by the Supreme Court of Pennsylvania.

Relocation to the Pennsylvania Judicial Center

The CLE board successfully relocated its office to Harrisburg's Pennsylvania Judicial Center in 2009. The move took place on June 11 and 12 and was accomplished without any disruption of service to lawyers or CLE course providers.

Online Payment Features

Two thousand nine was the first full year for online credit card-processing for lawyers. This programming was developed by the board to provide lawyers the option of paying late fees in a fast, easy and secure online environment.

The board continued to utilize Automated Clearing House (ACH), an automated payment system, to process payments from CLE providers. The number of participating providers increased from 90 to 104 in 2009.

Both automated payment methods minimize the manual efforts involved with the processing of incoming mail and checks. They also increase the speed in which lawyers can review their credits online and remedy non-compliance with the CLE requirement.

Law Firm Services

The board maintained its online CLE compliance transcript option for law firms. This program allows designated users access to the compliance status of all lawyers in their firms. The service is updated daily and includes secure password controls. Currently, 83 law firms participate.

CLEreg: National Organization for Continuing Legal Education Regulators

Pennsylvania maintained a strong and active presence in the Organization for Continuing Legal Education Regulators (CLEreg). Past President (2003) Dan Levering continued to serve as chair of the Technology Committee and on the Management Committee. CLE Board Office Manager and association Past President (2008) Katey Buggy serves as chair of the Management Committee and on the Membership Committee.

Two meetings were held in 2009.

PA CLE Providers Conference

The board's annual conference for CLE providers was held on May 15, 2009. In addition to news and updates on continuing legal education, the conference included a presentation on Effectively Leading Change and Moving Ideas into Motion, along with roundtable discussions.

Technology

Technology updates for 2009 include:

- completion of a comprehensive upgrade of the board's telephone system to Voice over Internet Protocol (VOIP) technology
- maintenance of Virtual Private Network (VPN) to provide highly secure access to CLE board systems through an encrypted Internet connection
- maintenance of a disaster recovery contingency plan to ensure operational continuity in the event of a disaster. IT personnel conducted exercises to help ensure the ability to restore essential services within 24 to 48 hours following a disaster.

- maintenance of high levels of support and development for the board proprietary software CLE Compliance Tracking System ("CLECTS")
- continued license arrangement for system services with the New Mexico Minimum Continuing Legal Education Board for consolidated automated services (CLECTS and Web sites)
- extension of system services proposals to the New York and Kansas continuing legal education boards
- per Rule of Criminal Procedure 801 (Qualifications for Defense Counsel in Capital Cases), administration and tracking of CLE for those attorneys wishing to provide defense in capital cases. This included
 - accrediting 61 capital counsel training programs
 - maintaining an online mechanism to identify lawyers with requisite credits.

Attorney Compliance

Lawyer compliance rates with the CLE requirement remain extremely positive. Chart

3.6.1 on page 43 indicates the high percentage of lawyers who meet the rule requirements.

Looking Ahead to 2010

The board will work or continue to work on the following in 2010:

- the annual conference for providers, which will be held in the spring of 2010. A presentation on critical thinking is planned.
- coordinating a development and servicing arrangement with the National Association of CLE Regulators (CLEreg) for the production of programs and expanded functionality on the CLEreg Web site. The intent of the programs is to offer an online service to collect, compile and publish a comparison of the various rules and regulations of all CLE jurisdictions.
- a continuing commitment to provide the highest levels of service to the Supreme Court and the lawyers licensed to practice law in the Commonwealth.

AOPC

Attorney Compliance				
Compliance Group/ Year Ending	# Lawyers Subject to Requirements	# Lawyers Complying	# Lawyers Involuntarily Inactivated	Compliance Rates (%)
Group 1 (April)				
92-93	17,100	16,959	141	99.2
93-94	17,300	17,179	121	99.3
94-95	17,619	17,552	67	99.6
95-96	17,873	17,768	105	99.4
96-97	17,804	17,639	165	99.1
97-98	17,665	17,523	142	99.2
98-99	17,864	17,751	113	99.4
99-00	18,132	18,018	114	99.4
00-01	18,426	18,295	131	99.3
01-02	18,480	18,342	138	99.2
02-03	18,668	18,539	129	99.3
03-04	18,224	18,720	104	99.4
04-05	19,223	19,141	82	99.6
05-06	19,672	19,602	70	99.6
06-07	20,214	20,117	97	99.5
07-08	20,427	20,276	151	99.3
08-09	20,757	20,643	114	99.4
Group 2 (August)				
92-93	17,124	16,868	256	98.5
93-94	17,289	17,134	155	99.1
94-95	17,649	17,540	109	99.4
95-96	17,595	17,507	87	99.5
96-97	17,410	17,294	116	99.3
97-98	17,613	17,511	102	99.5
98-99	17,756	17,666	90	99.5
99-00	18,087	17,974	113	99.4
00-01	18,181	18,100	81	99.6
01-02	18,143	18,011	132	99.3
02-03	18,572	18,493	79	99.6
03-04	18,753	15,664	89	99.5
04-05	19,098	19,019	79	99.6
05-06	19,556	19,443	113	99.4
06-07	19,934	19,842	92	99.5
07-08	20,342	20,206	136	99.3
08-09	20,385	20,311	74	99.6
				continued...

Table 3.6.1

Attorney Compliance, continued				
Compliance Group/ Year Ending	# Lawyers Subject to Requirements	# Lawyers Complying	# Lawyers Involuntarily Inactivated	Compliance Rates (%)
Group 3 (December)				
92-93	17,269	16,936	333	98.1
93-94	17,474	17,414	60	99.7
94-95	17,679	17,574	105	99.4
95-96	17,542	17,430	112	99.4
96-97	17,582	17,456	126	99.3
97-98	17,781	17,647	134	99.2
98-99	17,968	17,865	103	99.4
99-00	18,220	18,113	107	99.4
00-01	18,361	18,227	134	99.3
01-02	18,479	18,366	113	99.4
02-03	18,625	18,527	98	99.5
03-04	18,887	18,792	95	99.5
04-05	19,443	19,347	96	99.5
05-06	19,882	19,797	85	99.6
06-07	20,231	20,107	124	99.4
07-08	20,605	20,491	114	99.4
08-09	20,608	20,509	99	99.5

Table 3.6.1, cont'd.

2009 Membership

D. Peter Johnson, Esq., *Chair*
Honorable Lester G. Nauhaus, *Vice Chair*
Honorable Nancy L. Butts
John P. Delaney, Jr., Esq.
Risa Vetri Ferman, Esq.
Daniel E. Fitzsimmons, Esq.
Michele A. Goldfarb, Esq.
Charles J. Grant, Esq.
Stanley A. Greenfield, Esq.
Paul S. Kuntz, Esq., *ex officio**
Phillip D. Lauer, Esq.
William F. Manifesto, Esq.
Douglas R. Praul, Esq., *ex officio***
Caroline M. Roberto, Esq.
Hon. Thomas P. Rogers
Richard A. Sheetz, Jr., Esq.
Graham C. Showalter, Esq.

Staff

Anne T. Panfil, Esq., *Chief Staff Counsel*
Jeffery M. Wasileski, Esq., *Staff Counsel*
Suzanne M. Creavey, *Office Manager*

* Term expired 6-09

** Appointed 6-09

Legal Authorization

Pa. Constitution, Article V, § 10(c)
42 Pa. C.S., § 1722

About the Committee

The Criminal Procedural Rules Committee is an advisory arm to the Supreme Court, serving to assist the Court in achieving its constitutional mandate to prescribe general rules governing criminal practice and procedure throughout Pennsylvania.

Criminal

Procedural

Rules

Committee

Pennsylvania Judicial
Center
601 Commonwealth
Ave., Suite 6200
P.O. Box 62635
Harrisburg, PA 17106
(717) 231-9520
e-mail criminal.rules@pacourts.us

Publication

Prior to submitting a recommendation to the Court, the committee publishes the proposal, together with an explanatory statement, to allow the bench, bar and public to comment. All comments are considered and, when appropriate, proposals are modified before submission to the Court. On occasion, proposals may be submitted to the Court without publication. This may occur in the interest of justice, when exigent circumstances warrant prompt action or the proposed changes are technical or perfunctory in nature.

2009 Activities

The committee held five full-committee meetings in various locations throughout the Commonwealth.

Proposals Adopted by the Supreme Court

The following committee recommendations were approved by the court in 2009:

Recommendation 1 of 2009: Amendments to Rule 105 to

- require, contemporaneously with publishing in the *Pennsylvania Bulletin*, that all new **local rules** and local rule amendments be published on the Court's Web site
- change the **number of copies** the judicial district is required to send to the AOPC from seven to one
- clarify the requirements when **publishing in the *Pennsylvania Bulletin***.

Adopted 1-30-09, effective 2-1-09.

Recommendation 2 of 2009: Revision of the Comment to Rule 119 to clarify that a **hearing**

held pursuant to Rule 908(C) for purposes of the **Post Conviction Relief Act** may utilize two-way, simultaneous audio-visual communication, but only if the defendant consents. Approved 5-4-09, effective 8-1-09.

Recommendation 3 of 2009: Amendments to Rule 1002 bringing Philadelphia **non-traffic summary citation procedures** in line with the statewide non-traffic summary citation procedures. Adopted 5-12-09, effective 2-1-10.

Recommendation 4 of 2009: Amendments to Rule 103 (Definitions) that **change the references to "Philadelphia bail commissioner"** in definitions of "bail authority" and "issuing authority" to "Philadelphia arraignment court magistrate" in view of Act 98 of 2008. Adopted 5-6-09, effective immediately.

Recommendation 6 of 2009: Amendments to Rules 646 and 647 that permit the trial judge to provide to the **jury** for use **during deliberations** written copies of the portion of the charge on the elements of the offenses, lesser included offenses and any defense upon which the jury has been charged. Adopted 10-16-09, effective 2-1-10.

Recommendation 8 of 2009: New Rule 1037 and revisions to Comment to Rule 462 that provide the **procedures for appeals from the Philadelphia Traffic Court to the Court of Common Pleas**. Adopted 10-16-09, effective 2-1-10.

Proposals Withdrawn by the Committee

The following recommendation was withdrawn in 2009:

Recommendation 7 of 2008: Proposed amendments to Rule 722 that would delete the **Social Security number** from the expungement order form. Withdrawn 2-4-09.

Recommendations Pending with the Supreme Court

Recommendation 4 of 2004: Proposed revisions of the Comments to Rules 502, 503, and 504 clarifying that the **complaint** may be electronically prepared, verified and transmitted. (The Court put this proposal on hold 8-16-04 at the request of the staff of the automated Magisterial District Judge System (MDJS) and Common Pleas Case Management System (CPCMS) until the technology is in place to accommodate this change.)

Recommendation 6 of 2008: Proposed new Rule 600, amendments to Rules 106 and 542(D), revision of the Rule 312 Comment **clarifying the provisions of current Rule 600 and conforming to case law.** Additional amendments provide that the notice of the **continuance** advise the defendant of the date, time and place of the continued hearing and change the word “trial” in Rule 106 to “court proceeding” to make it clear that Rule 106 applies to all court proceedings, not just trial.

Recommendation 5 of 2009: Proposed new Rule 513.1 and amendments to Rules 504 and 513 and the Comments to Rules 540 and 547 to provide for the temporary delay in **disseminating arrest warrant information** to the public before execution to provide for the sealing of arrest warrant information and to make correlative changes to Rules 504, 540 and 547.

Recommendation 7 of 2009: Proposed amendments to Rules 515, 541, 543, 561, 589 and 1010 and the Comment to Rule 1002 to preclude the practice of **remanding cases** from the Court of Common Pleas to the magisterial district judge or the Philadelphia Municipal Court

- for a preliminary hearing where a defendant who was designated as *non est inventus* (NEI) is apprehended
- as remedies for a waived preliminary hearing

- without court involvement when the district attorney withdraws felony/misdemeanor charges prior to the filing of the information.

Recommendation 9 of 2009: Proposed amendments to Rules 409, 414, 424, 454, 456 and 706 to add a provision providing for the imposition of a **fee for issuance of an installment payment plan.**

Recommendation 10 of 2009: Proposed revision of the Comment to Rule 122 to **add a citation** to *Commonwealth v. Alberta*, 601 Pa. 473, 974 A.2d 1158 (2009).

Recommendation 11 of 2009: Proposed revisions to the Comments to Rules 202 and 507 clarifying that an **attorney for the Commonwealth** is not precluded from providing approval of search warrant applications, complaints and arrest warrant affidavits electronically.

Recommendations Pending with the Committee

The following proposals have been published for comment and were pending before the committee as of December 31, 2009:

Proposed changes to the Comments to the summary case rules to clarify the procedures for handling **summary truancy** arising under 24 P.S. §§13-333.

Proposed changes to summary case rules and Rule 550 concerning procedures when there is a **plea bargain** in a **summary case** or when the plea bargain reduces a court case to a summary case.

Proposed new Rules 490 and 790 that would provide for procedures for the **expungement of summary offenses** pursuant to Act 134 of 2008 and in court cases.

Proposed new Rules 151 and 152 establishing procedures for **orders to detain** and for temporary transfer of **custody orders.**

Proposed new Rule 911 establishing procedures governing motions for **bail** following the grant of a Post-Conviction Relief Act (PCRA) petition by the trial judge or the granting of an appeal following the denial of a PCRA petition.

Looking Ahead to 2010

In 2010 the committee plans to continue its work with the CPCMS, coordinating rule proposals with the automation of the criminal divisions of the Common Pleas Courts, and with

the AOPC during the initial phases of the rollout of the judiciary's redesigned MDJS. The committee also plans to continue examining detainer practices, guilty plea colloquy procedures, public access issues and local rules procedures.

Additionally, the committee will continue to monitor legislation, criminal practice and procedure and make recommendations that will facilitate the practice of law in the Commonwealth.

AOPC

2009 Membership

Smith Barton Gephart, Esq., *Chair***
William A. Pietragallo, Esq., *Chair+*
Francis X. O'Connor, Esq., *Vice Chair++*
Carl D. Buchholz, III, Esq. , *Vice Chair##*
Marc S. Baer
Gabriel L. Bevilacqua, Esq.
Laurence H. Brown, Esq.*
Sal Cagnetti, Jr., Esq.
Stewart L. Cohen, Esq.
Gary G. Gentile, Esq.#
Charlotte S. Jefferies, Esq.
Gerald Lawrence, Jr., Esq.
Douglas W. Leonard
R. Burke McLemore, Jr., Esq.
Albert Momjian, Esq.
David A. Nasatir, Esq.
Jonathan H. Newman, Esq.*
Marc S. Raspanti, Esq.*
Stephan K. Todd, Esq.

Staff

Joseph W. Farrell, *Executive Director*

- * Term expired 1-29-09
- ** Term as chair expired 4-1-09
- + Appointed chair 4-1-09
- ++ Served as vice chair 4-1-09 - 9-19-09
- # Term expired 4-1-09
- ## Appointed vice chair 9-19-09

Legal Authorization

Pa. Constitution, Article V, § 10(c)
Rule 103, Pa. Rules of Disciplinary Enforcement
Rule 205(a), Pa. Rules of Disciplinary Enforcement
Rule 205(c), Pa. Rules of Disciplinary Enforcement

About the Board

The Disciplinary Board was created by the Supreme Court in 1972 to consider and investigate the conduct of any person subject to the Pennsylvania Rules of Disciplinary Enforcement (Pa.R.D.E.). continued...

Disciplinary

Board

of the

Supreme

Court

601 Commonwealth
Ave., Suite 5600
P.O. Box 62625
Harrisburg, PA 17106
(717) 231-3380
fax (717) 231-3381
www.padisciplinaryboard.org

Such persons include:

- any attorney admitted to practice law in Pennsylvania
- any attorney from another jurisdiction specially admitted to the bar of the Supreme Court for a particular proceeding
- any disbarred, suspended or inactive attorney, with respect to violation of any rules committed prior to disbarment, suspension or transfer to inactivity
- any jurist with respect to any violation of rules committed prior to taking office, if the Judicial Conduct Board declines jurisdiction
- any attorney who resumes practice of law with respect to any nonjudicial acts performed while in office as a jurist.

Investigations may be initiated by the Disciplinary Board on its own motion or upon complaint from another person. (See Pa.R.D.E. Rules 103, 205(a) and 205 (c)(1)(2).)

2009 Statistics	
Attorneys	59,353*
Change from 2008	-1.95%
<small>*This figure does not include 10,547 inactive paid attorneys.</small>	
Complaints filed with board	4,755
Change from 2008	-0.67%
Pending at start of 2009	1,092
Complaints disposed of	4,695
Total complaints resulting in discipline	218
Total pending at end of 2009	904

Table 3.8.1

2009 Activities

Statistics for 2009 can be found in Table 3.8.1 above.

The board met six times in 2009. The results of the executive sessions can be found in Table 3.8.2 on page 51. A tabulation of the disciplinary actions taken since the beginning of the board's operations in 1972 is set forth on Table 3.8.4 on page 54. Comparisons of cumulative actions taken and actions taken in 2009 can be found in Chart 3.8.5 on page 56. Statistics for Joint Petitions for Discipline on Consent for 2009 can be found in Table 3.8.3 on page 52.

Rules Committee

The following rules changes were approved by the Supreme Court in 2009:

Pa.R.D.E. 321, 322, 324, 325, 327 and 328: Amendments to reflect the experience of the board with **conservatorships** appointed to protect the interests of clients of absent attorneys under the rules over the past several years. Adopted 3-26-09, effective 4-11-09.

Rule of Professional Conduct 1.15(u): Amendment to provide that every attorney who is required to pay an active **annual assessment** under Pa.R.D.E. 219 must pay an additional annual fee of \$25.00 for use by the IOLTA Board. Adopted 4-2-09, effective for the 2009-10 assessment year.

Pa.R.D.E. 102, 201, 204, 205, 217, 218, 219, 502, 531 and Rule of Professional Conduct 1.17: Amendments to create a **new registration status of administrative suspension** that distinguishes between attorneys who comply with the Pennsylvania Rules of Disciplinary Enforcement and Pennsylvania Rules for Continuing Legal Education, and those who do not and assessing inactive annual fees. Other changes reflect the experience during the past several years of the Office of Disciplinary Counsel and the Disciplinary Board with reinstatement matters under existing Rule 218. Adopted 4-16-09, effective mainly upon publication in the *Pennsylvania Bulletin*. The amendments to Rules 102, 201, 204, 217, 218

and 219 relating to administrative suspensions, retired status and assessing inactive fees, took effect at the beginning of the 2009-10 assessment year.

Pa.R.D.E. 205: Amendment to reduce the **number of lawyer members** on the Disciplinary Board to twelve. Adopted 4-3-09, effective immediately.

Pa.R.D.E. 504: Amendment to clarify that the **confidentiality of claims** filed with the PA Lawyers Fund does not prohibit disclosure of information to certain entities either while investigations are in progress or at any proceedings related thereto. Adopted 4-27-09, effective immediately.

Rules of Organization and Procedure of the Disciplinary Board: Amendments to make **conforming changes** to its rules to reflect the adoption of amendments to Pa.R.D.E. 219 (a), 502(b), 221, 208(a), 215(c), 402(c) and 205, which were approved by the Supreme Court. Effective 5-30-09.

Pa.R.D.E. 208(f)(1): Amendment to permit the Court to issue an order directing the president judge of the county where the respondent is located to take such further action as may be necessary to protect the rights and **interests of a fugitive or non-responsive lawyer’s clients** before a rule to show cause is issued by the Court. Adopted 7-24-09, effective 8-23-09.

Pa.R.D.E. 203, 214 and 216: Amendment to provide that Disciplinary Counsel and a respondent-attorney may file a **joint petition for temporary suspension** with the Court at

2009 Executive Session Results	
Action	Total
Adjudications involving formal charges	32
Board referrals to Supreme Court, including report and recommendation for public discipline	28
Oral arguments before three-member panels of board members	7
Considerations by three-member panels of recommendations for summary private reprimands	16
Appeals by Office of Disciplinary Counsel from Review Hearing Committee members before three-member panels	2
Respondents appearing before board or three-member panels to receive private reprimands	23
Hearing before one board member on a contempt petition filed with the board by the Office of Disciplinary Counsel	1
Approval of filing petitions with the Supreme Court for emergency temporary suspensions	4
Petitions for reinstatement to active status of attorneys inactive more than three years with no discipline involved*	71
<p><small>*In May 2009 Pa.R.D.E Rule 218 was amended to provide new procedures for attorneys petitioning for reinstatement from inactive or retired status for more than three years. The new procedures no longer require a meeting of the hearing committee. A board member may review the petition and Office of Disciplinary Counsel certification and make a recommendation. To this end the number of reinstatements is an increase of 12 over 2008.</small></p>	

Table 3.8.2

any time before or after a guilty plea. In addition, the amendments to Rule 216 recognize the different types of discipline imposed in other jurisdictions. Adopted 7-29-09, effective 8-28-09.

Rules of Organization and Procedure of the Disciplinary Board: Amendments to make **conforming changes** to the board rules to reflect adoption of amendments to Pa.R.D.E. 321, 322, 324, 325, 327, 328, 102, 201, 204, 205, 217, 218 and 219, which were approved by the Supreme Court. Effective 8-8-09.

Joint Petitions for Discipline on Consent	
Action	Total
Joint Petitions in Support of Discipline on Consent filed	34
Petitions filed prior to scheduled disciplinary hearings	9
Petitions approved	27
Private discipline	15
Public discipline	12
Petitions denied	7
Petitions not yet final as of 12-31-09	1

Table 3.8.3

Rules of Organization and Procedure of the Disciplinary Board: Amendments to **update** the **addresses** of the Chief Disciplinary Counsel, the board’s District III Office and the Office of the Secretary. Effective 11-21-09.

Education Committee

The Education Committee designed the program for the board’s retreat meeting in July 2009. The topics were “How the PA System Works”, “Client Bill of Rights” and “Survey Results.”

The guest speaker on the topic of how the Pennsylvania system works was Justice Max Baer. He described what happens to cases after they are filed with the Supreme Court. The chief disciplinary counsel described the workings of the Office of Disciplinary Counsel, while the board secretary presented a slide show on the procedures before the board and reviewed new responsibilities for board members.

The board debated the merits of adopting a client bill of rights and reviewed a summary of the survey results conducted by the board’s communications firm on the monthly Attorney E-Newsletter and the board’s Web site.

Due to the planned relocation of the board’s executive offices to the new judicial center in September 2009, the board did not hold a September board meeting or have a training session for hearing committee members.

Communications Committee

The role of the Communications Committee is to provide oversight to the board’s Web site and to explore ways of improving communications with the general public, attorneys, law students and others.

In 2009 Suasion, the board’s communications consultant, revised the layout of the board’s complaint brochure to make it more appealing to the consumer audience. It also created PDF forms for attorney registration and reinstatement that enable attorneys to complete the forms online and print the final product.

As mentioned in the Education Committee section, Suasion created an online survey to determine the perceptions of the attorney e-newsletter and the board’s Web site and to receive feedback for improvement. Suasion analyzed the results and presented a detailed report and a list of recommendations for changes.

As of December 31, 2009, the monthly e-newsletter had 44,194 subscribers.

Hearings and Hearing Committees

Hearing committee members are ranked based on their experience. Senior members are those who have served either as a member of the Disciplinary Board or a three-year term on a hearing committee and on committees that have conducted at least two hearings into formal charges of misconduct. Experienced members are those who have completed at least one full year of service and who have conducted at least one hearing into formal charges of misconduct. New members are those who are either still in

their first year of service or have not yet had a full hearing. A committee must be composed of at least one senior member and one senior or experienced member. A senior member chairs the committee. Only a senior or experienced member may conduct the mandatory prehearing conference.

Due to the decreasing number of cases requiring hearings before Hearing Committees and in an effort to reduce expenses, it was decided by the board not to replace those members whose terms expired on July 1, 2009, and who were not eligible for reappointment. This totaled 28 members. This also factored into the board's decision not to have a training session in 2009.

As of December 31, 2009, 108 senior members, 51 experienced members and 4 new members were serving on a *pro bono* basis to conduct hearings.

Board Web Site

In May 2009 the board improved its Web site by offering online address updates. Lawyers are now able to change any of their registered addresses by accessing the online form. The information is submitted to the

Attorney Registration Office automatically. Upon submission of the address change, an acknowledgment is generated, notifying the lawyer that the change has been received.

Those who do not wish to update their addresses online, still have the ability to print and mail an address change to the registration office.

Interbranch Commission on Juvenile Justice

In October 2009 the board vice chair testified before the Interbranch Commission on Juvenile Justice. He was questioned extensively on how the board functions and provides oversight to the Office of Disciplinary Counsel. He was also questioned about reporting misconduct of judges if attorneys have knowledge of misconduct.

National Meetings

In February 2009 board member Francis X. O'Connor, board secretary Elaine Bixler and hearing coordinator Marcee Sloan attended the sixth annual meeting of the National Council of Lawyer Disciplinary Boards (NCLDB) in Boston, Massachusetts.

AOPC

Disciplinary Board Actions 1973-1992

Disciplinary Cases	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992
Informal Admonition	37	55	95	81	96	102	121	98	113	156	137	125	123	101	110	106	123	98	115	82
Private Reprimand	0	7	8	9	7	14	5	5	4	6	9	21	19	27	17	25	31	26	46	42
Probation	0	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	1	1	7
Public Censure	0	2	5	8	10	7	6	1	1	2	6	1	3	2	3	0	2	1	4	1
Suspension	3	12	12	8	10	13	17	8	17	12	7	7	16	5	10	17	17	18	10	20
Disbarment	3	4	6	5	13	6	12	12	21	33	24	21	16	29	23	32	18	26	27	38
TOTAL	43	80	126	111	138	143	161	124	156	209	183	175	177	164	163	180	191	170	203	190
Reinstatement Cases																				
Petitions Granted	1	2	2	3	3	4	2	6	42	21	22	25	21	17	24	34	27	34	35	27
Petitions Denied	1	2	2	0	0	3	1	5	4	0	0	2	0	2	1	1	0	1	0	1
TOTAL	2	4	4	3	3	7	3	11	46	21	22	27	21	19	25	36	27	35	35	28

Disciplinary Board Actions 1993-2009

Disciplinary Cases	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
Informal Admonition	85	75	74	70	106	88	48	45	40	54	58	106	109	77	85	90	62	3,346
Private Reprimand	30	41	48	31	46	43	26	29	35	32	36	34	26	22	16	25	23	871
Probation	5	5	7	3	8	5	7	3	10	8	8	20	24	11	6	15	9	166
Public Censure	0	1	6	3	3	7	4	0	2	2	1	1	2	4	3	5	4	113
Suspension	12	23	26	37	33	24	23	30	27	29	31	38	51	65	48	45	40*	821
Disbarment	20	32	35	41	40	33	29	32	31	42	38	37	37	39	25	38	29+	947
TOTAL	152	177	196	185	236	200	137	139	145	167	172	236	249	218	183	218	167	6,264

Reinstatement Cases	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
Petitions Granted	29	24	44	31	35	33	45	35	55	64	58	75	72	93	64	82	84#	1,275
Petitions Denied	1	0	1	0	2	1	4	2	3	4	4	2	1	1	2	1	3▲	58
TOTAL	30	24	45	31	37	34	49	37	58	68	62	79	73	94	66	83	87	1,333

* This figure includes 11 suspensions on consent (Rule 215 Pa.R.D.E.), but does not include twelve temporary suspensions (Rule 214 Pa.R.D.E.) or twelve temporary suspensions (Rule 208(f) Pa.R.D.E.)

+ This figure includes 16 disbarments on consent (Rule 215 Pa.R.D.E.).

This figure includes reinstatement to active status of 71 attorneys who had been inactive three or more years, 11 reinstatements after suspensions and two reinstatements after disbarment.

▲ This figure includes two reinstatement requests denied after the attorneys had been suspended and one denied after the attorney had been disbarred.

Disciplinary Board Actions Comparison

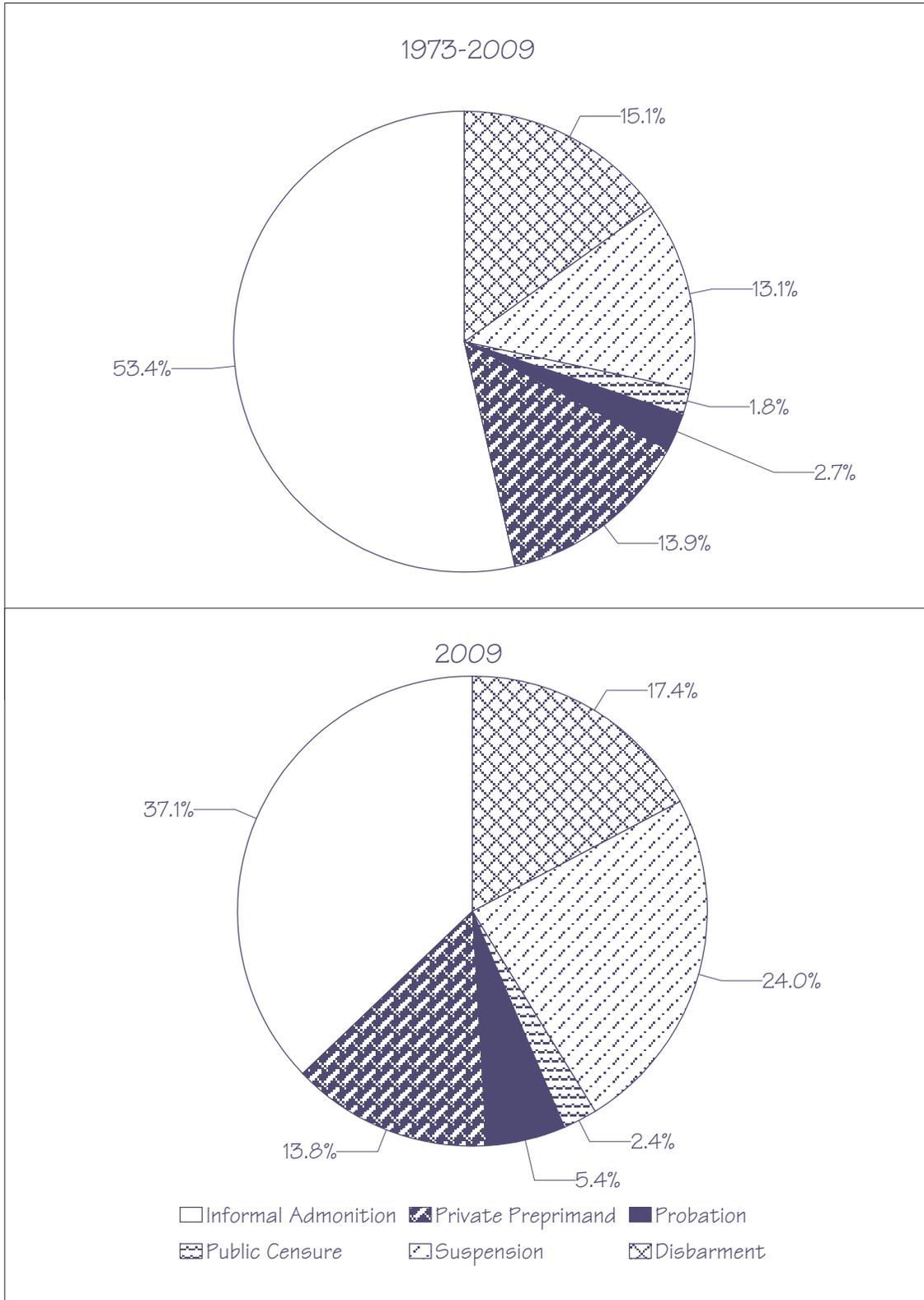


Table 3.8.5

2009 Membership

Carol A. Behers, Esq., *Chair*
Honorable Kevin M. Dougherty, *Vice Chair*
Vivian Appel, Esquire, *ex officio*##
Honorable Kim Berkeley Clark*
Maria P. Cagnetti, Esq.▼
Mark M. Dalton, *ex officio*▲▲
Mark B. Dischell, Esq.▲
Mark J. Goldberg, Esq.++
David N. Hofstein, Esq.+
David L. Ladov, Esq.#
Honorable Anthony G. Marsili
Carol S. Mills McCarthy, Esq.
Frederick R. Mogel, Esq.+
Ann G. Verber, Esq.++
Honorable David N. Wecht**
James B. Yelovich, Esq.+

* Term expired 1-23-09

** Appointed 2-26-09

+ Term expired 3-1-09

++ Appointed 3-18-09

Appointed 4-14-09

Appointed 6-15-09

▲ Term expired 6-25-09

▲▲ Term expired 6-30-09

▼ Appointed 7-15-09

Staff

Patricia A. Miles, Esq., *Counsel*
Terri L. Metil, *Administrative Assistant*

Legal Authorization

Pa. Constitution, Article V, § 10(c)
42 Pa. C.S., § 1722(a)

About the Committee

Begun as a seven-member section of the Civil Procedural Rules Committee in 1984 and established as its own committee by order of the Supreme Court on June 30, 1987, the Domestic Relations Procedural Rules Committee strives to simplify family law practice. It does this by recommending new rules or amendments to the existing procedural rules relating to paternity, support, custody, divorce and protection from abuse. It reviews new legislation and court decisions to ensure the rules conform with developments in the law as well as the realities of domestic relations practice. *continued...*

Domestic

Relations

Procedural

Rules

Committee

Pennsylvania Judicial
Center
601 Commonwealth
Ave., Suite 6200
P.O. Box 62635
Harrisburg, PA 17106
(717) 231-9530
e-mail domesticrules@
pacourts.us

Members are appointed to three-year terms, and each member may serve two consecutive terms.

Publication

Prior to submitting a recommendation to the Court, the committee publishes the proposal, together with an explanatory statement, to allow the bench, bar and public to comment. All comments are considered and, when appropriate, proposals are modified before submission to the Court. On occasion, proposals may be submitted to the Court without publication. This may occur in the interest of justice, when exigent circumstances warrant prompt action or the proposed changes are technical or perfunctory in nature.

2009 Activities

The committee held three full committee meetings in various locations throughout the Commonwealth.

Recommendations Adopted by the Supreme Court

The following recommendation was adopted by the Supreme Court in 2009:

Recommendation 4 of 2009: Amendments to clarify that, for purposes of future enforcement, **medical bills** to be apportioned between the parties in a support action need not be submitted to the domestic relations section, only the other party. This recommendation was submitted without prior publication because of its perfunctory nature. Adopted 12-8-08, effective immediately.

Recommendations Pending with the Supreme Court

The following recommendations remained pending before the Supreme Court as of December 31, 2009:

Recommendation 1 of 2009: Amendments to the rules governing actions for **support** following the quadrennial mandatory review of the support guidelines. The proposal includes a new basic support schedule that includes parties with combined net monthly incomes of up to \$30,000 and a new rule for higher income cases, eliminating the application of *Melzer v. Witsberger*, 505 Pa. 462, 480 A.2d 991 (1984) in high income child support cases.

Recommendation 2 of 2009: Proposed amendments to several **support, divorce and custody** rules.

Recommendation 3 of 2009: Technical amendments to Rule 1910.16-2(c)(1)(B) to clarify that both **Social Security and Medicare taxes** should be deducted in calculating net income in a support proceeding. The recommendation was submitted without prior publication because of its perfunctory nature.

Recommendations Pending with the Committee

The following recommendation was pending with the committee as of December 31, 2009:

Internal Recommendation 98: Proposal to institute a uniform procedure for the return of weapons and ammunition upon the dismissal or expiration of a **protection from abuse order**. Published 11-09. The comment period ends 2-10-10.

Looking Ahead to 2010

The committee will continue to monitor legislation, practice and procedure and make recommendations that will facilitate the practice of family law in the Commonwealth. **AOPC**

2009 Membership

Maureen P. Kelly, Esq., *Chair**
William P. Carlucci, Esq., *Chair***
Michael H. Reed, Esq., *Vice Chair***
Hubert X. Gilroy, Esq.*
William T. Hangle, Esq.
Penina Kessler Lieber, Esq.
Bryan S. Neft, Esq.
James C. Schwartzman, Esq.
Andrew F. Susko, Esq.
Honorable Margherita Patti Worthington

Staff

Alfred J. Azen, *Executive Director*
Stephanie Libhart, *Assistant Director*

* Term expired 9-1-09

** Appointed chair and vice chair effective 9-22-09

Legal Authorization

Supreme Court Order No. 252 (Disciplinary Docket No. 3, July 17, 1996)
Rule 1.15, Pennsylvania Rules of Professional Conduct

About the Board

The Interest on Lawyers Trust Account (IOLTA) program was first established in 1988 as a voluntary means to raise money to provide civil legal services to the poor and disadvantaged of Pennsylvania. With the issue of Supreme Court Order 252, Disciplinary Docket No. 3 on July 17, 1996, this program became mandatory. It is the job of the IOLTA Board to administer the IOLTA and other programs authorized by the Supreme Court, collecting and managing the funds received and awarding grants to nonprofit organizations, law school clinical and internship programs, and *pro bono* programs.

The IOLTA Board is comprised of nine members appointed by the Supreme Court. Members serve terms of three years and may serve maximums of two consecutive terms.

Interest

on

Lawyers

Trust

Account

Board

Pennsylvania Judicial
Center
601 Commonwealth
Ave., Suite 2400
P.O. Box 62445
Harrisburg, PA 17106
(717) 238-2001
e-mail paiolta@pacourts.us
www.paiolta.org

How the IOLTA Program Works

Clients often ask attorneys to hold particular sums of money for them. When this involves a large amount or a lengthy period of time, attorneys invest the money for their clients. When the amount is small or will be held for a relatively short period of time, however, investing is not practical. It is these funds that the IOLTA program targets.

These small or short-term funds are deposited into special interest-bearing IOLTA accounts at financial institutions that have been approved by the Supreme Court. Usually, on a monthly basis (but no less than quarterly), the financial institutions transfer the interest from these accounts to the Pennsylvania Interest on Lawyers Trust Account Board, which administers the program. The board, upon approval from the Supreme Court, distributes the funds to nonprofit organizations, law school-administered clinical and externship programs and administration of justice projects that provide civil legal services free of charge to low-income and disadvantaged Pennsylvania residents.

Attorneys may apply for exemption from IOLTA requirements. This is usually granted when attorneys infrequently handle fiduciary funds or when the service charges on an IOLTA account routinely and significantly exceed the interest that might be generated by the account. Currently, the IOLTA Board has established that accounts with an average daily balance of \$3,500 or less over a twelve-month period (higher for accounts at banks that assess higher service charges) will be exempted from the requirements. Other exemption requests are considered on a case by case basis.

Additional Funding

Access to Justice Act

The Access to Justice Act (AJA), part of Act 122 of 2002, provides for a \$10 surcharge

to be placed on all civil filings as well as the recordings of deeds and mortgages and their related filings and on criminal filings where a conviction or guilty plea is obtained. A percentage of this surcharge is placed into the Access to Justice Account for the IOLTA Board to provide grants to civil legal services provided by nonprofit legal aid organizations. (Under a sunset provision in the statute, the AJA is scheduled to expire November 1, 2012. At least one year prior to this date, the Legislative Budget and Finance Committee will submit a performance audit to the General Assembly for the purpose of determining whether there is a continuing justification for the activities and level of financial support funded by the act.)

Effective December 9, 2009, a bill was passed to temporarily increase by \$1 the filing fee surcharge on a number of documents, including all civil courthouse filings, the recordings of deeds and mortgages and their related filings, and criminal filings where a conviction or a guilty plea is obtained. (Unlike the regular AJA filing fee, the temporary increase is not applied to traffic citations.)

Authorization for the fee expires January 8, 2012, or 25 months after implementation. Like the proceeds of the regular AJA surcharge, all of the proceeds from the temporary increase go to nonprofit legal aid organizations.

MJ-IOTA

Effective February 1, 2005, the Supreme Court began requiring judicial officials of the minor courts (magisterial district judge courts, Philadelphia Municipal Court and Philadelphia Traffic Court) to establish accounts similar to IOLTA accounts. Called the Minor Judiciary Interest on Trust Accounts, or MJ-IOTA, the program targets the funds judicial officials maintain in custodial accounts to hold the collection of fees and fines, collateral and cash bonds, restitution for victims of crime and other similar amounts until the funds are ultimately transferred to the owners.

Attorney Assessment

Effective April 2, 2009, Rule of Professional Conduct 1.15 was amended to increase the annual attorney registration fee assessment by \$25. The increase was implemented with the 2009-10 assessment year and raises approximately \$1.5 million annually. The funding is available to the IOLTA Board until further order of the Court.

Out-of-State Attorneys

In 2007 the Supreme Court issued a new rule establishing a *pro hac vice* fee of \$100 per case for out-of-state attorneys wishing to appear in a Pennsylvania court.

Miscellaneous

The IOLTA Board also receives a small amount of funding from voluntary lawyer contributions. These contributions are used to increase organized *pro bono* representation in Pennsylvania.

Attorney Compliance

To assure attorney compliance with the IOLTA program requirements, attorneys must report their fiduciary accounts on the attorney fee form, which is filed annually with the Disciplinary Board of the Supreme Court. Follow-up with attorneys is made if the data on the form does not match the IOLTA Board's records.

IOLTA Grants

Under Rule 1.15 of the Rules of Professional Conduct, IOLTA program funds may be used for the following purposes:

- providing civil legal assistance to the poor and disadvantaged in Pennsylvania

- educational legal clinical programs and internships administered by law schools located in Pennsylvania
- administration and development of the IOLTA program in Pennsylvania
- the administration of justice in Pennsylvania.

This includes the full range of legal services needed for the representation of a client, including brief service, litigation or representation of a class of similarly situated eligible clients, and other advocacy.

The board also seeks to assure the geographical dispersion of IOLTA grant awards to legal services organizations and encourages law schools to reach beyond the physical locations of the schools when providing externship opportunities for their law students.

Board policy states that IOLTA funds may not be used to provide legal assistance for any of the following purposes:

- fee-generating cases
- the defense of any criminal prosecution
- civil actions brought against an official of the court or against a law enforcement official for the purpose of challenging the validity of a criminal conviction
- advancement of any political party or association or candidate for any public office or to support or oppose any ballot question
- support of activities intended to influence the issuance, amendment or revocation of any executive or administrative order or regulation or to influence the introduction, amendment, passage or defeat of any legislation.

Grant Process

In December of each year, the IOLTA Board projects its expected annual revenues for

the upcoming fiscal year grant cycle (July 1–June 30). Variations from projections are generally taken into consideration in subsequent grant cycles, although the board reserves the right to adjust current grants if actual IOLTA revenues are significantly below projections. In mid-January the board announces the availability of funds.

Grant applications from legal services organizations must be made to the board by late January. Applications from law schools and *pro bono* initiatives must be made by early February. The board reviews all requests and submits its recommendations to the Supreme Court in late March. Upon approval by the Court, grant applicants are notified and grant agreements executed with the successful organizations and law schools.

Applicant Qualifications

The IOLTA Board has determined the following qualifications for prospective applicants to be considered for an IOLTA grant:

Legal Services Organizations

Organizations must:

- be not-for-profit Pennsylvania corporations
- be tax exempt under section 501(c)(3) of the Internal Revenue Code
- operate primarily within Pennsylvania
- have as their primary purpose the provision of civil legal services without charge.

Organizations may provide *pro bono* legal services directly and/or administer provision of services.

Law Schools

Law schools must meet the following requirements:

- the funds must be used to address the current civil legal needs of the poor, organizations assisting the poor or other charitable organizations
- the schools must consult with local area *pro bono* or legal services programs that provide free or low-fee legal services to the poor
- the funds must be used for live-client or other real-life practice experience
- the school must demonstrate its own funding participation for clinical and internship programs.

Other factors the board considers when reviewing law school applications include whether:

- the clinical/internship program is for credit
- specific and measurable training goals and objectives are defined
- the IOLTA-funded program is integrated with the school's curriculum
- the school's standing faculty has made an articulated commitment to the IOLTA-funded program
- the school has an articulated *pro bono* or public service policy
- the funds are being used to expand clinical educational opportunities for students and not simply to replace existing financial commitments by the law schools.

Administration of Justice

The board has not yet defined this grant category.

Fiscal Year 2009-10 Statistics

Revenues for fiscal year 2009-10 were as follows:

IOLTA & MJ-IOTA	\$ 4,687,490
Access to Justice Act	9,113,550
Attorney Assessment	753,650
<i>Pro Hac Vice</i>	231,850
<i>Pro Bono</i> Contributions	42,624
Other	69,353
Total	\$14,898,517

Grants totaling \$16,297,393 were awarded in fiscal year 2009-10 as follows:

Legal Service Organizations	\$14,581,900
Pennsylvania Law Schools	1,648,793
<i>Pro Bono</i> Grants	66,700

The largest grant, \$12,090,834, was awarded to the Pennsylvania Legal Aid Network, which is an administrative and support organization that oversees a statewide system of legal aid programs.

Table 3.10.1 on page 64 shows how IOLTA funds have been distributed since fiscal year 1995-96 when the program became mandatory.

Looking Ahead to 2010

In conjunction with the Pennsylvania Bar Foundation, the IOLTA Board has been working on the development of a statewide Loan Repayment Assistance Program (LRAP) for attorneys with student debt who are employed by IOLTA-funded legal aid organizations. Low salaries paid by legal aid programs, coupled with high student debt, makes it difficult for legal aid programs to recruit and retain qualified attorneys. The LRAP will help overcome these obstacles.

The LRAP will provide forgivable loans to qualified attorneys on January 1 of about \$2,000. The loans will be forgiven if the attorney continues qualified employment through the end of December of the same year. Each attorney will be eligible for up to ten such loans.

Funding for the LRAP will come from the *pro hac vice* proceeds. The program is anticipated to begin with the acceptance of loan applications from attorneys on September 1, 2010.

AOPC

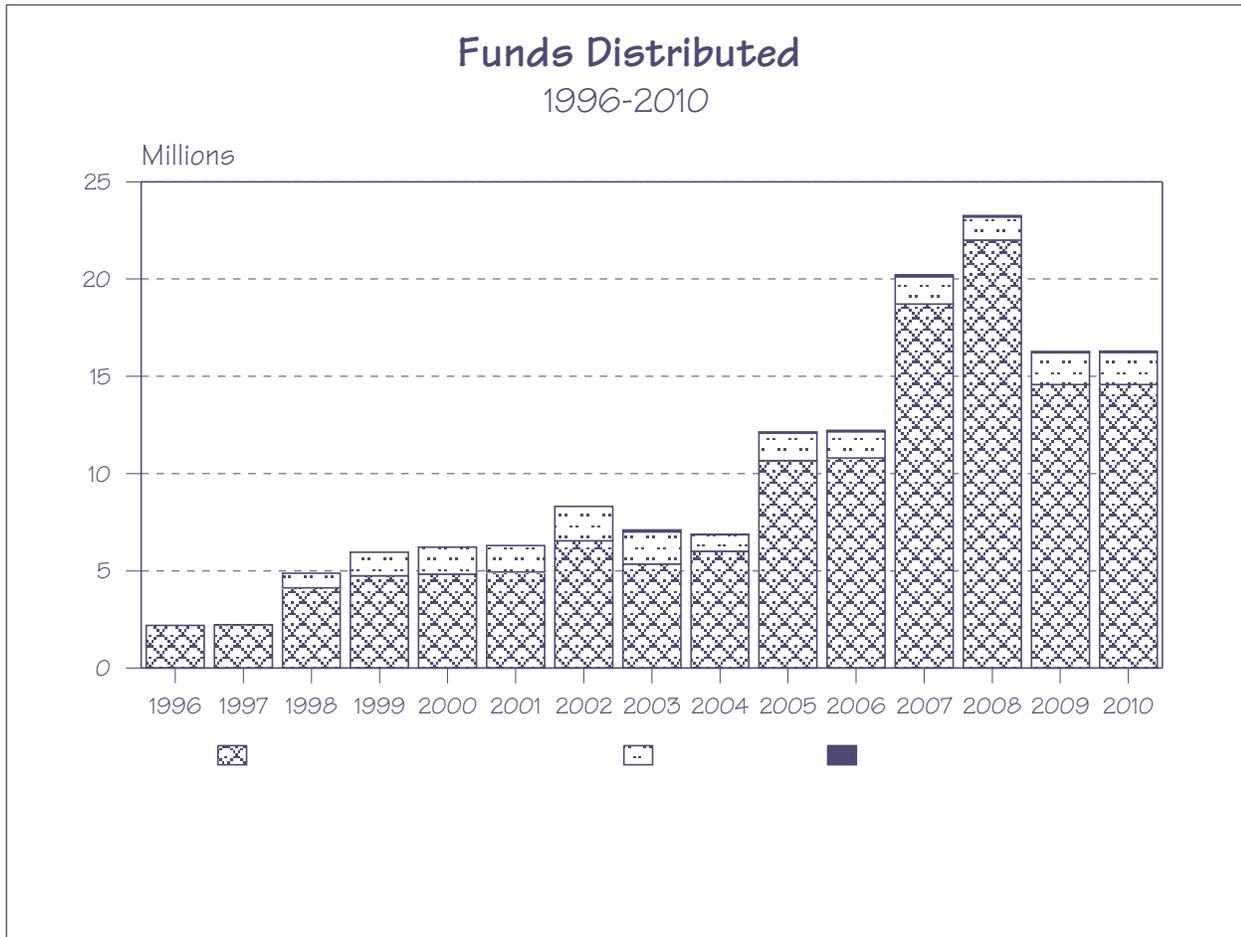


Table 10.1

2009 Membership

Cynthia K. Stoltz, Esq., *Chair*
George D. Mosee, Jr., Esq., *Vice Chair*
James E. Anderson, *ex officio*
Frank P. Cervone, Esq.
Honorable Todd A. Hoover
Honorable J. Brian Johnson
Patricia J. Kennedy, Esq.
Deborah Gordon Klehr, Esq.
Alan M. Lerner, Esq.
Sandra E. Moore, *ex officio*
Lisa Siciliano, *ex officio*
Honorable Dwayne D. Woodruff

Staff

A. Christine Riscili, Esq., *Staff Counsel*
Tricia D. Carbaugh, *Administrative Assistant*

Legal Authorization

Pa. Constitution Article V, § 10(c)
42 Pa.C.S., § 1722

About the Committee

The Supreme Court of Pennsylvania established the Juvenile Court Procedural Rules Committee in January 2001 to advise the Court concerning its constitutional and statutory responsibility to prescribe general rules governing juvenile delinquency and dependency practice and procedure.

Juvenile

Court

Procedural

Rules

Committee

Pennsylvania Judicial
Center
601 Commonwealth
Ave., Suite 6200
P.O. Box 62635
Harrisburg, PA 17106
(717) 231-9545
e-mail [juvenile.rules@
pacourts.us](mailto:juvenile.rules@pacourts.us)

Publication

Prior to submitting a recommendation to the Court, the committee publishes the proposal, together with an explanatory statement, to allow the bench, bar and public to comment. All comments are considered and, when appropriate, proposals are modified before submission to the Court. On occasion, proposals may be submitted to the Court without publication. This may occur in the interest of justice, when exigent circumstances warrant prompt action or the proposed changes are technical or perfunctory in nature.

2009 Activities

The committee held five full committee meetings in various locations throughout the Commonwealth.

Recommendations Adopted by the Supreme Court

Recommendation 4 of 2008: Amendments to Rules 200, 232 and 300 to provide that the **certification**, which states that a juvenile has not complied with a lawful sentence imposed for a summary offense, commences proceedings in juvenile court. Adopted 1-23-09, effective 3-1-09.

Recommendation 5 of 2008: Amendments to Rules 800, 120, 1123, 1124, 1140, 1364 and 1800 to set forth procedures

- clarifying the **definition** for juvenile, minor and child
- **requiring the guardian to receive a copy of a subpoena or summons**
- when issuing a **bench warrant**.

Adopted 3-19-09, effective 6-1-09.

Recommendation 1 of 2009: Amendments to Rules 120, 345, 348, 515 and 520 to set forth a

new **definition** for “disposition” and the triggering point for the filing of a post-dispositional motion. Adopted 7-28-09, effective immediately.

Recommendation 2 of 2009: Amendment to Rule 1613 to provide each method for **terminating court supervision** in dependency cases. Adopted 7-29-09, effective immediately.

Recommendation 3 of 2009: Amendments to Rules 1607 and 1800 to provide that **permanency hearings** shall be conducted every six months in every case. Adopted 9-16-09, effective immediately.

Recommendation 4 of 2009: Amendments to Rules 140, 141 and 311 to add when a **bench warrant** shall be entered in all appropriate registries, the procedures of bench warrants for absconders and the procedures when a juvenile fails to appear for an **intake conference**. Adopted 9-30-09, effective 1-1-10.

Recommendation 5 of 2009: Amendments to Rules 123 and 1123 to reflect the change in 42 Pa.C.S., § 6333 by requiring that the guardian be given a **copy of the subpoena**. Adopted 9-16-09, effective immediately.

Recommendation 6 of 2009: Amendments to Rules 120, 160, 166, 167, 172, 220, 232, 300, 302, 330, 345, 362, 408, 409, 515, 1120, 1160, 1166, 1167, 1300, 1302 and 1345 to define the **official court record** and require notations for fingerprinting and photographing the juvenile. Adopted 12-24-09, effective immediately.

Recommendation 7 of 2009: New Rule 1604 to provide the procedures for **submission of reports** pursuant to the 42 Pa.C.S., § 6336.1(b). Adopted 12-18-09, effective immediately.

Recommendations Pending with the Supreme Court

The following recommendation remained pending before the Supreme Court as of December 31, 2009:

Recommendation 8 of 2009: Amendments to Rules 121 and 1121 require that all **local rules** affecting juvenile court procedure in delinquency or dependency matters shall be published on the Unified Judicial System Web Portal by June 1, 2010. If local rules are not published by this time, they shall be vacated.

Recommendation 9 of 2009: Amendments to Rules 312 and 800 to clarify that **informal adjustments** may only occur prior to the filing of a petition.

Recommendation 10 of 2009: Amendment to Rule 407 to add a mandatory written **admission colloquy** in all cases.

Recommendations Pending with the Committee

The following recommendations were pending with the committee as of December 31, 2009:

Amendments to Rules 120, 128, 129, 145, 160, 242, 345, 364, 394, 406, 512, 610, 632, 1120,

1128, 1129, 1140, 1145, 1160, 1167, 1242, 1345, 1364, 1406, 1512, 1515, 1601 and 1609 concerning the **educational, health and disability needs** of a juvenile or child.

Amendments to Rules 167, 170 and 172 adding **court designee** as a person who may distribute court orders or notices, clarify when records may be expunged and provide for directives in the court's order.

Looking Ahead to 2010

In 2010 the committee plans to work on

- advanced communication technology
- permanency hearings and termination
- recommendations from the Interbranch Commission on Juvenile Justice

Additionally, the committee will continue to monitor legislation, practice and procedure and make recommendations that will facilitate the practice of law in the Commonwealth. **AOPC**

2009 Membership

Honorable M. Kay DuBree, *Chair**
Honorable Thomas A. Placey, *Chair***
Aileen Bowers, Esq., *ex officio*
Honorable Mark A. Bruno
Honorable Martin R. Kane
Honorable Blaise P. Larotonda
Honorable Thomas G. Miller
Honorable Bradley K. Moss+
Honorable Mary P. Murray

Staff

Pamela S. Walker, Esq., *Counsel*
Tricia D. Carbaugh, *Administrative Assistant*

* Term expired 4-1-09

** Appointed chair effective 4-1-09

+ Appointed 4-14-09

Legal Authorization

Pa. Constitution, Article V, § 10(c)
Supreme Court of Pennsylvania Order No. 92, Magisterial Docket No. 1, Book No. 2 (April 17, 1990)

About the Committee

The Minor Court Rules Committee examines and evaluates the rules and standards governing practice and procedure in Pennsylvania's magisterial district courts. It reviews Pennsylvania court cases and legislation, identifying those decisional or statutory changes which affect magisterial district judge procedure and necessitate amendments to the rules or other action by the Supreme Court.

Minor

Court

Rules

Committee

Pennsylvania Judicial
Center
601 Commonwealth
Ave., Suite 6200
P.O. Box 62635
Harrisburg, PA 17106
(717) 231-9545
e-mail: minorcourt.rules@pacourts.us

Publication

Prior to submitting a recommendation to the Court, the committee publishes the proposal, together with an explanatory statement, to allow the bench, bar and public to comment. All comments are considered and, when appropriate, proposals are modified before submission to the Court. On occasion, proposals may be submitted to the Court without publication. This may occur in the interest of justice, when exigent circumstances warrant prompt action or the proposed changes are technical or perfunctory in nature.

2009 Activities

The committee held four full committee meetings in various locations throughout the Commonwealth.

Recommendations Adopted by the Supreme Court

The following recommendation was adopted by the Supreme Court in 2009:

Recommendation 1 of 2009: Amendment to Pa.R.C.P.M.D.J. No. 206 to eliminate the requirement that a party petitioning to proceed *in*

forma pauperis provide his or her **Social Security number** in the petition. Adopted 10-22-09, effective immediately.

Recommendations Pending with the Supreme Court

The following recommendations remained pending before the Supreme Court as of December 31, 2009:

Recommendation 5 of 2008: Amendments to Rule 13 and rescission of Rule 14 of the Rules of Conduct for Magisterial District Judges, Clarification Regarding Restrictions on **Magisterial District Judges Serving as Arbitrators.**

Recommendation 2 of 2009: Proposed new Rule 23 of the Rules Governing Standards of Conduct of Magisterial District Judges, Advisory Opinions for **Ethical Inquiries.**

Looking Ahead to 2010

In 2010 the committee will continue to monitor legislation, practice and procedure and make recommendations that will promote fair and efficient civil proceedings in the magisterial district courts.

AOPC

2009 Membership

Honorable Daniel B. Garber, *Chair*
Honorable Catherine M. Hummel Fried, *Vice Chair*
Jack Treadway, Ph.D., *Secretary*
Honorable James J. Dwyer, III
Honorable John T. Robinson
Jerry J. Russo, Esq.
Michael A. Scherer, Esq.

Staff

Susan M. Davis, *Judicial Education Administrator*
Kate D. Grenke, *Clerical Assistant*

Legal Authorization

Pa. Constitution, Article V, §12
42 Pa. C.S., § 31
42 Pa. C.S., § 2131
42 Pa. C.S., § 3118

About the Board

Article V, §12 of the Pennsylvania Constitution requires that magisterial district judges and judges of the Philadelphia Traffic Court either be members of the bar of the Supreme Court or, before taking office, complete a course and pass an examination in the duties of their respective offices. It is the responsibility of the Minor Judiciary Education Board (MJEB) to instruct and certify individuals wishing to become magisterial district judges, Philadelphia Traffic Court judges or Philadelphia arraignment court magistrates (formerly Philadelphia bail commissioners). The board approves the curriculum, appoints and evaluates instructors, establishes course content, reviews all tests and issues certificates to successful program participants.

In addition, the board conducts one-week continuing education classes for magisterial district judges, Philadelphia Traffic Court judges, Philadelphia bail commissioners and for those individuals who wish to maintain a current certification in one or more of these areas. It also conducts a one-week practicum, or orientation course, for newly elected or appointed magisterial district judges.

The board has seven members, who are appointed by the Supreme Court to three-year terms. Each may serve a maximum of two full terms.

Minor

Judiciary

Education

Board

Pennsylvania Judicial
Center
601 Commonwealth
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P.O. Box 62475
Harrisburg, PA 17106
(717) 231-9515
fax (717) 231-9516
e-mail mjeb@mjeb.org
www.mjeb.org

2009 Curriculum

Four-Week Magisterial District Judge Certifying Course

- Criminal Law and Procedure
- Civil Law and Procedure
- Rules of Evidence
- Judicial Ethics
- Motor Vehicle Law
- Arrest/Search and Seizure
- Pennsylvania Drug/Device and Cosmetics Act
- Pennsylvania Crimes Code

Continuing Education for Magisterial District Judges

Class requirements are 32 hours per year and were offered over 13 scheduled weeks.

- Review and Update of Civil and Criminal Procedure
- Bankruptcy
- Motor Vehicle Code
- Evidentiary Law
- Gang Awareness
- Municipal Law Update
- Weigh Station Demonstration
- Service Members' Civil Relief Act
- Teen Violence and Cyberbullying
- Public Access
- Magisterial District Judge System (MDJS) Rewrite
- Dealing with Difficult People
- Benefits Overview

Philadelphia Arraignment Court Magistrates

- Bail Class—District Attorney's Office
- Benefits Overview
- Weigh Station Demonstration
- Gang Awareness
- Search and Seizure
- Criminal Law Update
- Evidentiary Law

- Bail Class—Public Defender's Office Update
- Teen Violence and Cyberbullying
- Public Access
- MDJS Rewrite
- Dealing with Difficult People

Orientation Course for New Magisterial District Judges

- Office Administration
- Audits and Reports
- Magisterial District Judge Practices
- Benefits
- MDJS
- Stalking and Technology
- Ethics
- Special Court Judges Association of Pennsylvania Overview
- Magisterial District Judge Panel Session
- Ethical Implications for Personal Health
- Drug and Alcohol Education Program

Philadelphia Traffic Court Judges

- Benefits Overview
- Traffic Court's Contempt Powers
- Weigh Station Demonstration
- Boot and Tow Live Stop Legislation
- Gang Awareness
- Vehicle Code Update
- Criminal Rules and Procedures
- Teen Violence and Cyberbullying
- Public Access
- MDJS Rewrite
- Dealing with Difficult People

Statistics

MJEB statistics for 2009 can be found in the chart on page 73.

Other Activities

In addition to conducting education courses at its facility in Harrisburg, the Minor

Judiciary Education Board provided staff assistance to the minor judiciary, court administrators, president judges and related court

agencies in answering questions pertaining to the board, the minor courts system and the board's courses of instruction. **AOPC**

2009 Educational Statistics	
Continuing education to magisterial district judges & sr. magisterial district judges	635
Continuing legal education to attorney magisterial district judges & sr. magisterial district judges	139
Magisterial district judge recertification	35
Certification classes to prospective magisterial district judges	123
Total certified	33
Certification of prospective Philadelphia Traffic Court judges	1
Certification of prospective Philadelphia Bail Commissioners	1

Table 3.13.1

2009 Membership

Honorable Calvin S. Drayer, Jr., *Chair*
Lisa Marie Coyne, Esq.
Kristen M. Del Sole, Esq.
Neil E. Hendershot, Esq.
Honorable Anne E. Lazarus
Honorable Paula Francisco Ott
Carolyn C. Thompson, Esq., *ex officio*
Margaret Gallagher Thompson, Esq.

Staff

Dean R. Phillips, Esq., *Counsel*
Lisa M. Rhode, Esq., *Deputy Counsel*
James F. Mannion, Esq., *Deputy Counsel*
Elizabeth J. Knott, *Administrative Assistant*

Legal Authorization

Pa. Constitution, Article V, § 10(c)
42 Pa. C.S., § 1722

About the Committee

The Orphans' Court Procedural Rules Committee responds to developments in orphans' court procedure and reviews current rules governing statewide practice and procedure in the orphans' court, recommending new rules and rule changes as necessary.

Orphans'

Court

Procedural

Rules

Committee

Dean R. Phillips, Counsel
P.O. Box 3010
Blue Bell, PA 19422
(215) 977-1067
e-mail orphanrules@pacourts.us

Publication

Prior to submitting a recommendation to the Court, the committee publishes the proposal, together with an explanatory statement, to allow the bench, bar and public to comment. All comments are considered and, when appropriate, proposals are modified before submission to the Court. On occasion, proposals may be submitted to the Court without publication. This may occur in the interest of justice, when exigent circumstances warrant prompt action or the proposed changes are technical or perfunctory in nature.

2009 Activities

The committee held one full committee meeting in 2009.

Recommendations Adopted by the Supreme Court

The Court did not approve any committee recommendations in 2009.

Recommendations Pending with the Supreme Court

The following recommendation remained pending before the Supreme Court as of December 31, 2009:

Recommendation 1 of 2009: Amendments to Rule 15.8 and statewide forms and new Rule 15.9 and statewide forms governing a procedure for completing an **adoption of a foreign**

born child that was not completed in the child's native country. Also amendment to the procedure for registering a foreign adoption decree of a full and final adoption.

Recommendations Pending with the Committee

The following recommendations were pending with the committee as of December 31, 2009:

A joint recommendation with the Appellate Court Procedural Rules Committee to amend Pa.R.A.P. 311 and 342 to **clarify when** certain orphans' court **orders may be appealed**.

A recommendation pertaining to procedure and practice before the **register of wills**.

A recommendation for **comprehensive statewide Rules of Orphans' Court Procedure**.

Looking Ahead to 2010

In 2010 the committee plans to work on:

- revising adoption rules and guardianship rules
- completing and submitting the three major recommendations pending before the committee.

Additionally, the committee will continue to monitor legislation, practice and procedure and make recommendations that will facilitate the practice of law in the Commonwealth. **AOPC**

2009 Membership

James M. Mead, *Board Chair*
Eric N. Anderson, Esq., *Board Vice Chair*
Edwin H. Beachler III, Esq.
Honorable Robert A. Graci
Robert K. Reitzel
Robert A. Rovner, Esq.
Grace R. Schuyler, Esq.

Staff

Kathryn J. Peifer, Esq., *Executive Director*
Lisa A. Watkins, Esq., *Counsel*
Susan L. Erdman, *Administrative Assistant*

Legal Authorization

Pa. Constitution, Article V, § 12
Pennsylvania Rules of Disciplinary Enforcement, §501 et seq.

About the Board

The Pennsylvania Lawyers Fund for Client Security was established by the Pennsylvania Supreme Court in 1982 as a means of helping clients recover some or all losses of money and/or property stolen from them by their attorneys. It is funded by a special annual assessment (\$35 for 2009-10) paid by any attorney admitted to practice law in Pennsylvania. Clients may receive up to \$75,000 for a claim.

The fund is supervised by the Pennsylvania Lawyers Fund for Client Security Board. This board includes five members of the bar of the Supreme Court and two non-lawyer public members. Each member's term is three years in length, and a member may serve a maximum of two consecutive terms.

Pennsylvania

Lawyers

Fund

for

Client

Security

Pennsylvania Judicial
Center
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(800) 962-4618
fax (717) 231-9511
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palawfund.com
www.palawfund.com

2009 Claims Statistics

Statistics for the 2009-10 fiscal year can be found in Table 3.15.1. Chart 3.15.2 on page 80 is a breakdown of amounts claimed by category. Chart 3.15.3 on page 81 gives comparisons of claims awarded versus claims rejected, both in terms of numbers and dollar amounts. Chart 3.15.4 on page 82 is a comparison of claims awarded, rejected and discontinued, both cumulatively and in 2009-10.

Claims	No.	Amount
Received	250 *	\$6,195,844
*20 in excess of \$75,000 limit		
Awarded	148	2,101,135
Rejected	45	51,816,558
Discontinued	18	247,731
Total	211	\$54,165,424
Pending	144	\$4,938,205

Table 3.15.1

Claims Categories

Fiduciary Funds - Theft of estate funds and trust/escrow funds consistently tops the list of claims filed against attorneys. Combined, these two types of theft during FY 2009-10 cost the fund \$914,954, 43.55 percent of its total award dollars, settling 47 claims. Of this amount, \$187,904 went to 17 former clients of one attorney.

Lawsuit Settlement Proceeds - Claims of misappropriation of settlement proceeds often occur when an attorney settles a lawsuit without the knowledge or consent of the client. The attorney receives the funds and fails to remit them to the client. Also included in this category are claims involving attorneys who withhold funds from settlement proceeds to pay clients' medical providers and fail to make the payment/s. Payments of \$718,132 to 35 claimants in this category were made in 2009-10, 38.14 percent of the total dollars awarded. Of this, \$226,660 were paid to five former clients of one attorney and \$147,783 were paid to 16 former client of one attorney.

Fraud - The conversion of funds through fraudulent representations or activities by the attorney represented the third highest payment category in 2009-10 with awards to three claimants totaling \$202,366, or 9.63 percent of the total dollars awarded.

Claims involving fraud often occur where an attorney requests a loan from a client or

agrees to hold and invest settlement funds on behalf of the client, then converts the funds for personal use. The types of claims which typically fall into this category are those where a long-standing attorney/client relationship has existed. They tend to be the most difficult to evaluate.

Real Estate Proceeds Embezzlement - The fund paid \$150,000 in awards for funds that were received by an attorney as part of a real estate settlement. The attorney failed to pay off the existing mortgages and converted the funds for personal use. This represented 7.14 percent of funds awarded.

Nonperformance* - The acceptance of unearned fees or retainers represented the final category in which funds were awarded in 2009-10 with 62 claimants receiving \$115,683, 5.51 percent of the total dollars awarded. Of this \$15,344 went to six clients of one attorney.

*Since the fund does not arbitrate fee disputes, for an award to be considered when the attorney performed any services of value, the claimant typically must first file a complaint with the local bar association's fee dispute committee. If the committee determines that all or a portion of the fees or retainer paid were not earned, and the attorney does not return the fee, the board will consider this type of claim and categorize the award as nonperformance by the attorney.

Notwithstanding the award amounts reported, it should be noted that claims are filed against fewer than one percent of all Pennsylvania licensed attorneys.

2009 Activities

During the year the board met in Hershey, Pittsburgh and Philadelphia.

Restitution and Subrogation Efforts

All claimants are required to execute a subrogation agreement prior to the receipt of an approved award. This agreement assigns the fund the right to collect the award amount. The fund may receive restitution through civil collection efforts or through criminal restitution payments. During FY 2009-10, the fund recovered \$117,590 in restitution payments.

Mandatory Overdraft Notification

Pennsylvania Rule of Disciplinary Enforcement 221 requires financial institutions to report to the fund all checks drawn on attorney fiduciary accounts which contain insufficient funds. In 2009-10 the fund received 271 overdraft notices. Another seven notices were pending. Of the 278 notices, 226 were reviewed and dismissed, and 43 were referred to the Office of Disciplinary Counsel. Nine notices remained pending at the end of the fiscal year.

County Bench, Bar Meetings

The board has been holding meetings and dinners with leaders of the county benches and bars in conjunction with the board's quarterly business meetings since 1989. These meetings keep the county bench and bar leaders informed about the fund's activities, both statewide and regionally, and request the assistance of the bench and bar in carrying out the fund's mission. In 2009 and 2010 the fund met with Allegheny, Dauphin and Philadelphia counties.

Lawyers Concerned for Lawyers

With prior approval of the Supreme Court, the Pennsylvania Lawyers Fund for Client Security may provide funding to nonprofit organizations that assist Pennsylvania lawyers and judges who are impaired by alcohol or drugs. In accordance with this rule, during FY 2009-10 \$299,783 of funding was given to the organization known as Lawyers Concerned for Lawyers. Such assistance complements the fund's mission to ameliorate losses resulting from attorney dishonesty as oftentimes when an attorney converts client funds, the conduct is related to substance abuse. The financial support for Lawyers Concerned for Lawyers helps to mitigate the losses by providing a resource for impaired attorneys. **AOPC**

Categories of Claims

Amounts Awarded - 2009-10

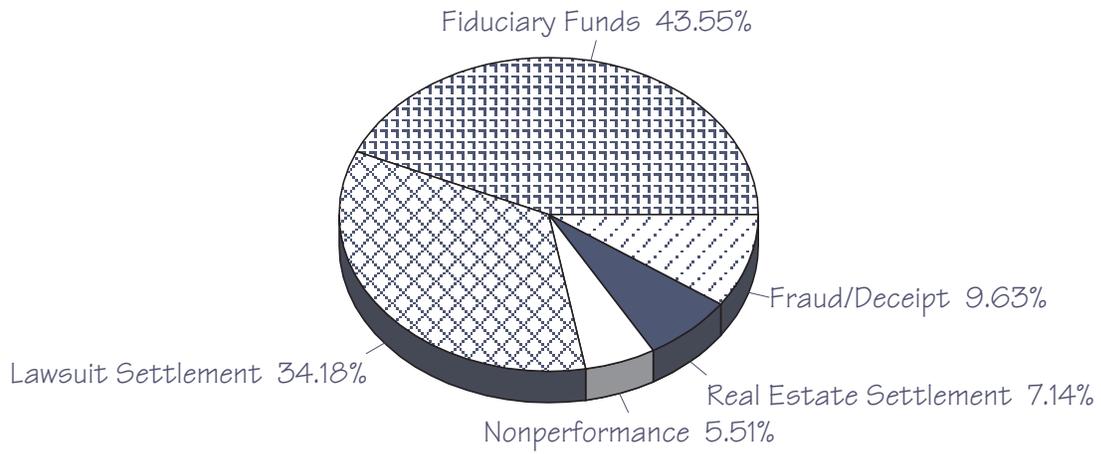
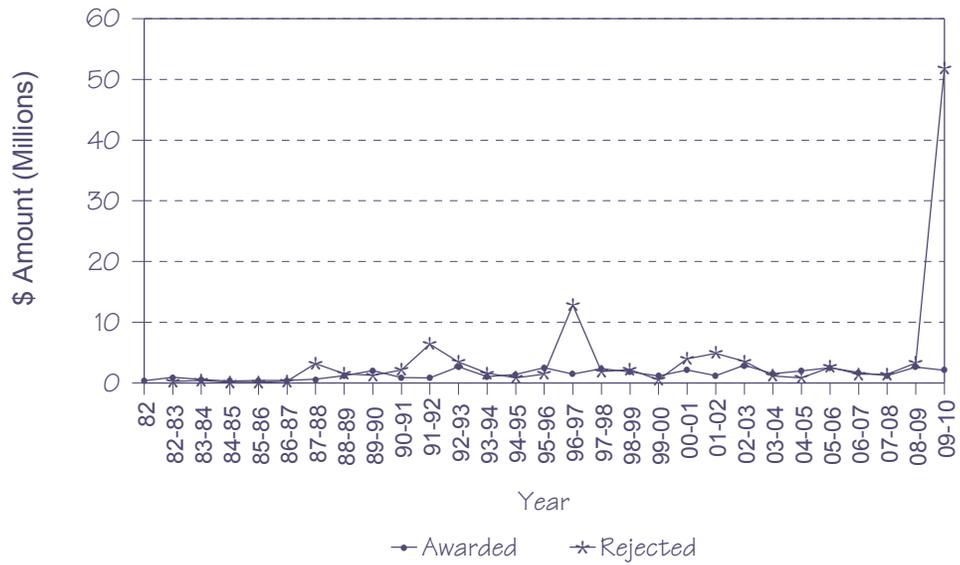


Table 3.15.2

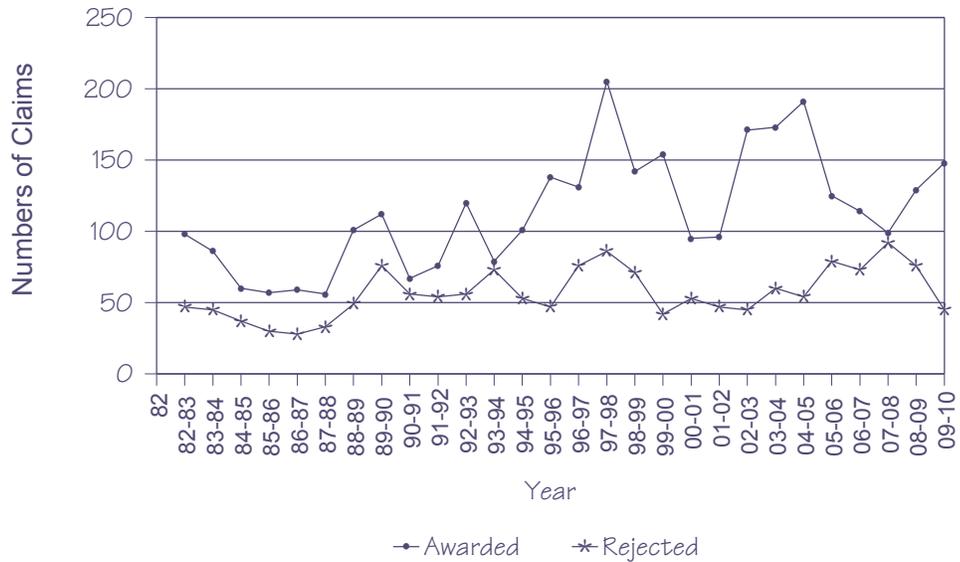
Claim Awards v. Rejections

1982-2010



Claims Awarded v. Rejections

1982-2010

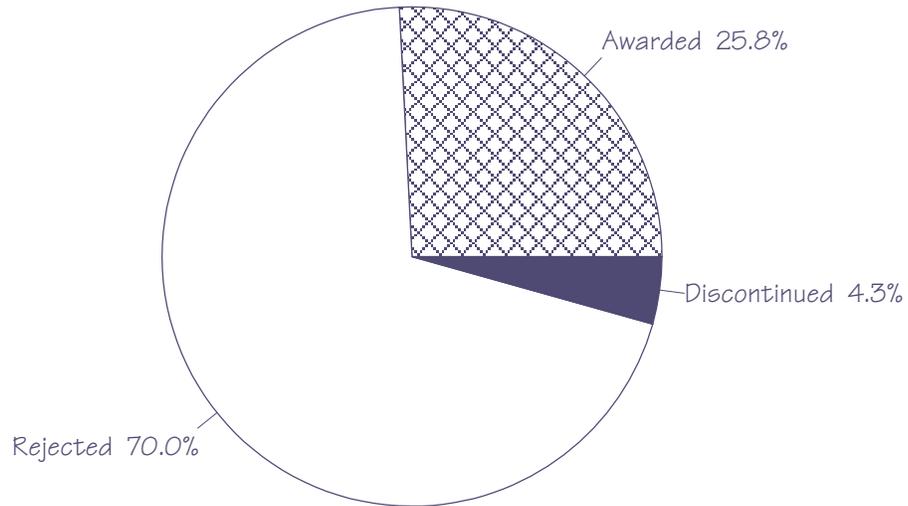


Effective 7-1-00, the maximum reimbursable amount was raised from \$50,000 to \$75,000.

Table 3.15.3

Comparison of Claim Dispositions

Cumulative



2009-10

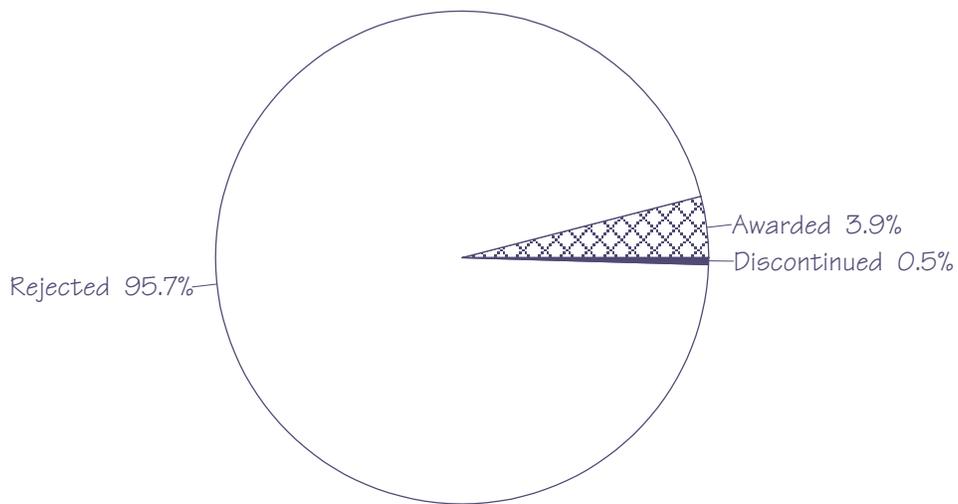


Table 3.15.4

Of the total state government expenditures for fiscal year 2009-10, administrative costs for the judiciary amounted to approximately one-half of one percent. Table 4.1 on page 85 shows the distribution of expenditures across the three branches of government. (With the county reimbursement grants discussed below, the judiciary accounts for approximately 0.6 percent of total state government expenditures.)

Funding for the Unified Judicial System derives from both state and county appropriations. The federal government provides limited funding for specific programs of federal interest, notably the ongoing Court Improvement Program. The state pays the salaries for all judicial officers as well as the personnel and operating costs of the entire appellate court system, including the committees of the Supreme Court and the Administrative Office of Pennsylvania Courts. Beginning January 1, 2000, in accordance with Act 12 of 1999, the Commonwealth also funds the salaries and benefits for district court administrators transferred to state service effective that date. Table 4.2 on page 86 provides a breakdown of the state appropriations for fiscal year 2009-10.

In fiscal year 2009-10, the judiciary saved a total of more than \$5.5 million through a variety of measures, including the suspension of staff merit increments and COLA, changes in health insurance programs and attrition.

County Reimbursement Program

The Commonwealth also provides reimbursement to the counties for costs incurred in support of the Common Pleas Courts. Counties are reimbursed for a percentage of juror costs incurred when a trial or grand jury proceeding lasts longer than three days.

In addition, counties have traditionally been reimbursed for personnel and operating costs associated with the administration of the Courts of Common Pleas. Reimbursement is based on a statutory rate of \$70,000 for each authorized Common Pleas judge position, which, in the case of insufficient funding, may be reduced in order to adjust to the appropriated amount.

**Court
Finances -
Fiscal
Year
2009-2010**

The General Assembly also requires that counties spend an amount at least equal to the flat reimbursement rate per judge. Funding provided in FY 2009–10 allowed payment of the grant at the rate of \$61,713.

Counties also receive partial reimbursement for expenses they incur to provide support—facilities and staff services—to assigned Common Pleas senior judges in accordance with Pennsylvania Rule of Judicial Administration (R.J.A.) 701(F). Act 88 of 2001 served as the initial enabling legislation for the Senior Judge Support Reimbursement Grant and was succeeded by Act 37 of 2007. This grant has been provided each year since its inception in FY 2001–02.

Table 4.3 on page 89 identifies the amounts of reimbursement provided to each county, by grant program, for fiscal year 2009–10.

One exception to the current funding pattern has been the Pittsburgh Magistrates Court, which was merged into the magisterial district judge system within Allegheny County on January 1, 2005, as part of the decennial realignment of magisterial districts by the Supreme Court. Traditionally, costs for this court were borne by the city. In fiscal year 1995–96, however, the Commonwealth reimbursed Pittsburgh for costs related to the court by the payment of a \$1.2 million grant. Grant money continued to be provided to Pittsburgh each fiscal year until 2000–01, when the grant was not funded. Funding was restored in 2001–02, but was not granted subsequently. A grant has been provided annually to Allegheny County, beginning in FY 2005–06, to assist with consolidation costs arising from the merger in January 2005 of the Pittsburgh Magistrates Court into the magisterial district judge system within the county.

A grant was also provided to Philadelphia to assist with the costs of a “gun court” instituted within its trial courts. Funding for the grant was first provided in FY 2004–05 and continued each year thereafter.

Local, State Government Revenue

The Unified Judicial System is a source of considerable revenue to local and state government. An example of this revenue can be found in Table 4.4 on page 93, which lists fees collected by the appellate courts, the Minor Judiciary Education Board and the Pennsylvania Board of Law Examiners. Appropriated by the General Assembly, these fees are used to support state-funded court operations.

Although exact figures are not available, the court system raises millions of dollars in revenue for local municipalities. Depending on the police department (local or state) from which a citation is issued, a portion of fines collected is disbursed to local political subdivisions after adjudication within the Unified Judicial System. Some examples of these fines include traffic violations under the vehicle code, violations of local ordinances and certain violations of summary offenses.

Counties also receive court-collected fines, fees and costs. Fees are generated in connection with the commencement of actions or the filing of liens, appeals and accounts, etc. On an annual basis, the collections amount to tens of millions of dollars. The monies are collected by courts at all levels of the system.

Finally, a portion of the revenues collected by the courts is earmarked for the state. Some of these funds are program specific, e.g., Pennsylvania’s Emergency Medical Fund and the Crime Victims’ Compensation Board. Others are used, through Act 64 of 1987 and Act 59 of 1990, as amended by Act 122 of 2002, to provide funding for the statewide Judicial Computer System. Still other monies collected, such as motor vehicle fines, revert to state general use.

An additional source of fee funding was created during FY 2009–10 in order to supplement and help close shortfalls in state funding. Act 49 of 2009 imposed a temporary, 25-month surcharge beginning December 8, 2009. Of the

total \$13.50 surcharge imposed on court filings and recordings of deeds, \$10.25 was earmarked for use by the Supreme Court in closing deficits within the various judiciary appropriations. The surcharge generated \$5.751 million, which was used toward closing FY 2009-10 deficits.

As part of the reform of the judicial discipline process, the Judicial Conduct Board

and the Court of Judicial Discipline were established as independent organizations responsible for their own affairs, including financial matters. Pursuant to Act 56 of 1993, however, their annual budget requests are made as separate line items in the Supreme Court’s request to the General Assembly on behalf of the judicial branch.

AOPC

Pennsylvania Government FY 2009-10		
<i>General, Special Federal & Other Funds Expenditures</i>		
Branch	\$ Amount (Millions)	Percent of Total
Executive	65,216,186	98.98
Legislative	305,098	0.47
Judicial	331,293	0.50
Judicial - County Reimbursement for Courts	35,571	0.05
Total	65,888,148	

Totals shown exclude capital budget.

Note: The governor’s budget showed FY 2009-10 funds available to the judiciary as \$335,874. Actual total available funds, with the transfers of \$21,127 from the Judicial Computer System Augmentation Account and \$5,751 of Act 49 of 2009 revenues, augmentations of \$4,312 and a deduction for an unfunded federal grant were \$331,293. The state total operating expenditures shown here were adjusted to reflect this difference.

Source: FY 2010-11 Governor’s Recommended Budget

Table 4.1

Appropriations	
Appropriation	2009-10 (thousands)
Supreme Court*	\$13,424
Justices' Expenses	115
Civil Procedural Rules Committee	291
Criminal Procedural Rules Committee*	375
Domestic Relations Procedural Rules Committee*	168
Judicial Council	137
Interbranch Commission	349
Juvenile Court Procedural Rules Committee*	168
Appellate Court/Orphans' Court Procedural Rules Committees	150
Committee on Rules of Evidence*	157
Minor Court Rules Committee*	139
Superior Court*	26,237
Judges' Expenses	178
Commonwealth Court	15,926
Judges' Expenses	128
Court Administrator*	9,663
Court Improvement Program** (F)	1,705
Drug Court Training+ (F)	61
Drug Court Management Information System (MIS)++ (F)	200
Pennsylvania Judicial Center	655
District Court Administrators*	16,773
Court Management Education	71
Unified Judicial System Security#	1,994
Statewide Judicial Computer System## (R)	57,048
Integrated Criminal Justice System	2,303
Courts of Common Pleas*	79,136
Common Pleas Senior Judges*	3,607
Common Pleas Judicial Education	1,105
Ethics Committee of the Pennsylvania Conference of State Trial Judges	55
Magisterial District Judges*	58,986
Magisterial District Judge Education	651

continued...

Table 4.2

Appropriations, continued	
Appropriation	2009-10 (thousands)
Philadelphia Traffic Court*	912
Philadelphia Municipal Court*	5,546
Philadelphia Law Clerks	36
Domestic Violence	218
County Court Reimbursement	30,235
Philadelphia Gun Court Reimbursement Grant▲	1,276
Senior Judge Support Reimbursement	1,335
Juror Cost Reimbursement	1,085
Court Accounts (Court Consolidation)	1,640
Judicial Conduct Board*	1,182
Court of Judicial Discipline	454
State Funds	276,860
(F) Federal Funds	1,966
(R) Restricted Receipts	57,048
Total	\$335,874
<p>* Act 49 imposed a temporary, 25-month surcharge of \$10.25, effective December 8, 2009, to generate revenues to help close shortfalls in state funding among the various judiciary appropriations. The surcharge generated \$5,751,000 that was used to help close deficits totaling \$27,499,000 incurred in these appropriations. The remainder of the shortfall was closed by transfers of \$21,127,000 from the JCS Augmentation Account and \$621,000 from state funds available at year end from other judiciary line items.</p>	
<p>** These federal funds are available under Title IV-B and IV-E of the Social Security Act from the U.S. Department of Health and Human Services for a Court Improvement Project involving the dependency courts.</p>	
<p>+ The federal drug court training funds were first made available as a \$200,000 subgrant by the Pennsylvania Commission on Crime and Delinquency (PCCD) in FY 2007-08, with unspent amounts rolled into each succeeding fiscal year. The PCCD made the unspent balance of the grant available in FY 2009-10.</p>	
continued...	

Table 4.2, cont'd.

Appropriations, continued

- ++ The federal drug court MIS appropriation was requested in anticipation of receiving federal grant funds. No federal grant funds, however, were provided.
- # The FY 2009-10 UJS Security appropriation was provided in the form of a continuing appropriation.
- ## The Statewide Judicial Computer System is funded through a restricted receipt account in accordance with Act 64 of 1987 and Act 59 of 1990 as amended by Act 122 of 2002 and Act 49 of 2009. The funds in the account are supplemented periodically by the transfer of available surplus funds at year end from certain UJS appropriations as authorized by statute. An additional \$47,700 was derived from fees charged to users for information generated by the Magisterial District Judge System, and \$73,500 was derived from augmentations as mandated by Act 119 of 1996 (Jen & Dave's Law). The total amount available to the Judicial Computer System in FY 2009-10 was \$57,169,200.
- ▲ The FY 2009-10 Philadelphia Gun Court Reimbursement Grant is a two-year continuing appropriation, expiring June 30, 2011.

Table 4.2, cont'd.

**County Reimbursements for Courts
FY 2009-10**

County	Juror Cost	County Court	Senior Judge	Philadelphia Gun Court	Court Accounts	Total
Adams	\$306.24	\$185,139.00	\$5,633.00	\$0.00	\$0.00	\$191,078.24
Allegheny	59,579.01	2,653,658.00	145,513.00	0.00	1,640,000.00	4,498,750.01
Armstrong	2,597.92	123,426.00	3,558.00	0.00	0.00	129,581.92
Beaver	10,029.87	431,991.00	23,594.00	0.00	0.00	465,614.87
Bedford	1,009.72	123,426.00	0.00	0.00	0.00	124,435.72
Berks	20,267.49	802,269.00	133,509.00	0.00	0.00	956,045.49
Blair	6,607.25	308,565.00	11,243.00	0.00	0.00	326,415.25
Bradford	0.00	123,426.00	953.00	0.00	0.00	124,379.00
Bucks	30,661.31	802,269.00	1,264.00	0.00	0.00	834,194.31
Butler	1,582.50	370,278.00	1,305.00	0.00	0.00	373,165.50
Cambria	2,755.95	308,565.00	50,892.00	0.00	0.00	362,212.95
Cameron	0.00	9,257.00	267.00	0.00	0.00	9,524.00
Carbon	1,181.98	123,426.00	16,963.00	0.00	0.00	141,570.98
Centre	322.80	246,852.00	1,572.00	0.00	0.00	248,746.80
Chester	18,848.70	863,982.00	17,641.00	0.00	0.00	900,471.70
Clarion	626.47	61,713.00	8,820.00	0.00	0.00	71,159.47
Clearfield	0.00	123,426.00	317.00	0.00	0.00	123,743.00
Clinton	0.00	123,426.00	0.00	0.00	0.00	123,426.00
Columbia	0.00	96,272.00	0.00	0.00	0.00	96,272.00
Crawford	3,501.59	185,139.00	9,463.00	0.00	0.00	198,103.59
Cumberland	7,712.20	308,565.00	0.00	0.00	0.00	316,277.20
Dauphin	29,941.07	493,704.00	2,298.00	0.00	0.00	525,943.07
Delaware	16,162.40	1,172,547.00	151,781.00	0.00	0.00	1,340,490.40
Elk	0.00	52,456.00	1,784.00	0.00	0.00	54,240.00

continued...

County Reimbursements for Courts, continued
FY 2009-10

County	Juror Cost	County Court	Senior Judge	Philadelphia Gun Court	Court Accounts	Total
Erie	\$6,237.32	\$555,417.00	\$0.00	\$0.00	\$0.00	\$561,654.32
Fayette	3,756.15	308,565.00	0.00	0.00	0.00	312,321.15
Forest	0.00	12,343.00	2,442.00	0.00	0.00	14,785.00
Franklin	2,032.51	222,167.00	27,582.00	0.00	0.00	251,781.51
Fulton	0.00	24,685.00	0.00	0.00	0.00	24,685.00
Greene	3,210.44	123,426.00	0.00	0.00	0.00	126,636.44
Huntingdon	0.00	61,713.00	0.00	0.00	0.00	61,713.00
Indiana	3,057.82	185,139.00	1,315.00	0.00	0.00	189,511.82
Jefferson	596.29	61,713.00	2,454.00	0.00	0.00	64,763.29
Juniata	0.00	41,965.00	4,930.00	0.00	0.00	46,895.00
Lackawanna	14,470.68	493,704.00	134,219.00	0.00	0.00	642,393.68
Lancaster	18,036.49	925,695.00	13,572.00	0.00	0.00	957,303.49
Lawrence	5,640.66	246,852.00	20,597.00	0.00	0.00	273,089.66
Lebanon	635.33	246,852.00	0.00	0.00	0.00	247,487.33
Lehigh	29,297.83	617,130.00	11,682.00	0.00	0.00	658,109.83
Luzerne	11,494.64	671,130.00	120,149.00	0.00	0.00	748,773.64
Lycoming	1,671.09	308,565.00	32,102.00	0.00	0.00	342,338.09
McKean	634.46	123,426.00	11,972.00	0.00	0.00	136,032.46
Mercer	2,376.86	246,852.00	1,478.00	0.00	0.00	250,706.86
Mifflin	0.00	123,426.00	237.00	0.00	0.00	123,663.00
Monroe	2,215.75	370,278.00	3,389.00	0.00	0.00	375,882.75
Montgomery	43,583.11	1,295,972.00	27,147.00	0.00	0.00	1,366,702.11
Montour	2,464.13	27,154.00	0.00	0.00	0.00	29,618.13
Northampton	7,177.65	493,704.00	34,784.00	0.00	0.00	535,665.65

continued...

County Reimbursements for Courts, continued
FY 2009-10

County	Juror Cost	County Court	Senior Judge	Philadelphia Gun Court	Court Accounts	Total
Northumberland	\$0.00	\$185,139.00	\$0.00	\$0.00	\$0.00	\$185,139.00
Perry	675.89	81,461.00	17,429.00	0.00	0.00	99,565.89
Philadelphia	420,643.35	8,882,304.00	261,671.00	1,276,000.00	0.00	10,840,618.35
Pike	1,966.00	123,426.00	0.00	0.00	0.00	125,392.00
Potter	267.04	61,713.00	0.00	0.00	0.00	61,980.04
Schuylkill	1,848.61	370,278.00	118.00	0.00	0.00	372,244.61
Snyder	289.38	58,010.00	0.00	0.00	0.00	58,299.38
Somerset	2,363.24	185,139.00	100.00	0.00	0.00	187,602.24
Sullivan	0.00	11,725.00	0.00	0.00	0.00	11,725.00
Susquehanna	0.0	61,723.00	0.00	0.00	0.00	61,713.00
Tioga	1,035.82	61,723.00	1,723.00	0.00	0.00	64,471.82
Union	612.49	65,416.00	0.00	0.00	0.00	66,028.49
Venango	7,376.80	123,426.00	8,401.00	0.00	0.00	139,203.80
Warren	621.47	111,083.00	2,219.00	0.00	0.00	113,923.47
Washington	10,393.48	370,278.00	214.00	0.00	0.00	380,885.48
Wayne	1,986.69	61,713.00	0.00	0.00	0.00	63,699.69
Westmoreland	9,667.59	678,843.00	4,704.00	0.00	0.00	693,214.59
Wyoming	2,374.12	49,988.00	0.00	0.00	0.00	52,362.12
York	20,594.35	863,982.00	0.00	0.00	0.00	884,576.35
Transfer	230,000.00	0.00	0.00	0.00	0.00	230,000.00
Total	1,085,000.00	30,235,000.00	1,335,000.00	1,276,000.00	1,640,000.00	35,571,000.00

Funding Methodologies:

Juror Cost - The grant reimburses counties for 80 percent of the amounts they expend for compensation and travel allowances to jurors participating in a trial or grand jury proceedings after the first three days of service.

continued...

County Reimbursements for Courts, continued

FY 2009-10

Funding Methodologies, continued:

County Court - The grant provides reimbursement for costs associated with the administration and operation of the Courts of Common Pleas. For FY 2009-10, the reimbursement was paid at a rate of \$61,713 per authorized Common Pleas position, whether filled or vacant. This represents the proportional reduction made to each county's grant as authorized by Act 37 of 2007 in order to adjust to insufficient funding to pay at the traditional \$70,000 reimbursement rate. In order for counties to receive the full reimbursement offered by the grant, they must provide a level of support at least equal to the reimbursement paid. Except when required by Act 37 in the case of insufficient funding, no county will receive less than 77.5% of the actual reimbursement for court costs provided to it from state funds appropriated for the fiscal year July 1, 1980, to June 30, 1981.

Senior Judge - The grant provides partial reimbursement for expenses counties incur to provide support—facilities and staff services—to assigned Common Pleas Court senior judges in accordance with Pa. Rule of Judicial Administration 701. Facilities include the use of judicial chambers, office equipment and supplies; staff services include the services of law clerks and secretaries. The use of facilities is reimbursed at the current statutory rate of \$60 per day, billable in half-day increments. Services of a secretary are reimbursed at \$12 per hour and the services of a law clerk at \$20 per hour. After imposition of the Act 37 cap limiting any county's payment to 20 percent of the total appropriation (this affected only Philadelphia), the total calendar year 2009 reimbursement qualifying for payment during FY 2009-10 exceeded the appropriation by \$27,185. In accordance with Act 37 of 2007, therefore, the grant payment to each county was proportionally reduced by nearly two percent.

Philadelphia Gun Court Reimbursement Grant - The grant provides reimbursement to the City of Philadelphia primarily for personnel costs associated with the operation of the Philadelphia gun court. Because the FY 2009-10 appropriation is a two-year continuing appropriation extending through June 30, 2011, the funds are being paid out over the two-year period. As of June 30, 2010, \$661,185 was paid.

Court Accounts (Court Consolidation Grant) - The grant provides reimbursement to Allegheny County for costs related to the transition of the former Pittsburgh Magistrates Court staff to county employment as a result of the merger of the Pittsburgh Magistrates Court into the magisterial district judge system effective January 1, 2005.

Fees That Support State Operations	
Appropriation	2009-10 (thousands)
Supreme Court	\$400
Pa. Board of Law Examiners	2,277
Judicial Computer System*	122
Superior Court	185
Commonwealth Court	159
Magisterial District Judge Education	20
Court Management Education	1
Court Administrator	44
Act 49 Fees**	5,751
Total	\$8,959
<p>* Includes revenues collected under Act 119 of 1996 (Jen & Dave's Law). These collections provided \$73,500 to support the "Jen/Dave" functions during FY 2009-10. The remainder was derived from public access fees levied on nongovernmental users of information captured by the Magisterial District Judge System.</p>	
<p>** Revenues generated by the Act 49 surcharge used to help close shortfalls in state funding among the various judiciary appropriations during FY 2009-10.</p>	

Table 4.4

Supreme Court Justices

Complement 7

Castille, Ronald D.
Chief Justice

Saylor, Thomas G.
Eakin, J. Michael
Baer, Max
Todd, Debra

McCaffery, Seamus P.
Greenspan**
Orie Melvin, Joan

* Elected 11-3-09

** Term expired 1-3-10

Superior Court Judges

Complement 15
Vacancy 1

Ford Elliott, Kate
President Judge

Stevens, Correale F.
Musmanno, John L.
Orie Melvin, Joan**
Lally-Green, Maureen*
Klein, Richard B.++

Donohue, Christine L.
Shogan, Jacqueline O.
Allen, Cheryl Lynn
Freedberg, Robert A.#
Cleland, John M.#

Bender, John T.
Bowes, Mary Jane
Gantman, Susan Peikes
Panella, Jack A.

Lazarus, Anne E.+
Mundy, Sallie Updyke+
Olson, Judith Ference+
Ott, Paula Francisco+

* Resigned 7-31-09

** Elected to Supreme Court

+ Elected 11-3-09

++ Retired 12-31-09

Term expired 1-3-10

Commonwealth Court Judges

Complement 9

Leadbetter, Bonnie Brigance
President Judge

McGinley, Bernard L.
Smith-Ribner, Doris A.*
Pellegrini, Dante R.
Cohn Jubelirer, Renée
Simpson, Robert E., Jr.

Leavitt, Mary Hannah
Brobson, P. Kevin+
McCullough, Patricia A.+
Butler, Johnny J.**

* Resigned 7-31-09

** Appointed 9-24-09

+ Elected 11-3-09

Appellate

Court

Jurists

(As of 6-30-10)

**Senior
Appellate
Court
Judges**

**Superior Court
Senior Judges**

Cleland, John M.+
Colville, Robert E.*
Fitzgerald, James J., III
Freedberg, Robert A.+
Hudock, Joseph A.**

Kelly, John T.J., Jr.
McEwen, Stephen J., Jr.
Popovich, Zoran

- * Allegheny County senior Common Pleas Court judge assigned to Superior Court
- ** Serving in Common Pleas Court effective 1-1-09; reappointed to Superior Court effective 8-1-09; reappointed to Common Pleas Court 1-1-10
- + Effective 1-4-10

**Commonwealth
Court Senior Judges**

Feudale, Barry F.+
Flaherty, James J.
Friedman, Rochelle S.*
Kelley, James R.
McCloskey, Joseph F.**

Quigley, Keith B.++

- * Effective 1-1-09
- ** Schuylkill County senior Common Pleas Court judge assigned to Commonwealth Court; retired 12-31-09
- + Northampton County senior Common Pleas Court judge; sits on occasion in Commonwealth Court
- ++ Perry-Juniata Counties senior Common Pleas Court judge; sits on occasion in Commonwealth Court

† Act 98 of 2008 added eleven new judgeships to the Courts of Common Pleas beginning with the 2009 election. Courts marked with the dagger symbol (†) after the complement are those courts which received the judgeships. The number after the symbol denotes the number of judgeships received. E.g., †1 means the district increased by one judgeship.

ADAMS COUNTY (51))

Complement 4†1

Kuhn, John D.
Bigham, Robert G.
Campbell, Thomas R.*
George, Michael A.

* Elected 11-3-09

ALLEGHENY COUNTY (05)

Complement 43

Vacancy 1

McDaniel, Donna Jo

Administrative Judges

Clark, Kim Berkeley*
Lucchino, Frank J.▲
Manning, Jeffrey A.**
O'Toole, Lawrence J.▲▲
Strassburger, Eugene B., III
Wecht, David N.**

Bigley, Kelly Eileen
Borkowski, Edward J.
Bubash, Cathleen Cawood
Cashman, David R.
Colville, Robert J.

De Angelis, Guido A.
Della Vecchia, Michael A.
Durkin, Kathleen A.
Eaton, Kim D.
Evashavik DiLucente, Susan##

Flaherty, Thomas E.
Folino, Ronald W.
Friedman, Judith L.A.
Hens-Greco, Kathryn M.
Hertzberg, Alan David

Horgos, Robert P.+
Ignelzi, Philip Anthony##
James, Joseph M.

Kelly, Robert A.
Klein, Arnold I.##

Lazzara, Beth A.
Lutty, Paul F., Jr.
Machen, Donald E.
Mariani, Anthony M.
Marmo, Michael F.++

Mazur, Lee J.▲
McCarthy, Michael E.
McVay, John T., Jr.
Mulligan, Kathleen R.
Nauhaus, Lester G.

O'Brien, W. Terrence
O'Reilly, Timothy Patrick▲
Olson, Judith F.#
Rangos, Jill E.

Sasinoski, Kevin G.
Todd, Randal B.
Walko, Donald R., Jr.##
Ward, Christine A.
Williams, Joseph K., III

Woodruff, Dwayne D.
Zottola, John A.

- * Administrative judge term expired 1-22-09
- ** Appointed administrative judge effective 1-23-09
- + Resigned 5-1-09
- * Apptd. 7-28-09
- # Elected to Superior Court 11-3-09
- ## Elected 11-3-09
- ▲ Retired 12-31-09
- ▲▲ Appointed administrative judge effective 1-1-10

ARMSTRONG COUNTY (33)

Complement 2

Valasek, Kenneth G.
Panchik, James J.

Common Pleas Court Judges

(As of 6-30-10)

(Judicial district listed
in parentheses)

*(Italics denotes
president judge)*

BEAVER COUNTY (36)

Complement 7

McBride, John D.
 Dohanich, John P.
 Knafelc, Harry E.
 Kunselman, Deborah A.
 Kwidis, C. Gus

Mancini, Richard
 Tesla, Kim

BEDFORD COUNTY (57)

Complement 2

Howsare, Daniel L.
 Ling, Thomas S.

BERKS COUNTY (23)

Complement 13

Schmehl, Jeffrey L.
 Boccabella, John A.
 Bucci, James M.
 Campbell, Mary Ann
 Keller, Scott D.

Lash, Scott E.
 Lieberman, Stephen B.
 Ludgate, Linda K.M.
 Parisi, Thomas G.
 Rowley, Timothy J.

Schmehl, Peter W.
 Sprecher, Jeffrey K.
 Yatron, Paul M.

BLAIR COUNTY (24)

Complement 5

Kopriva, Jolene Grubb
 Carpenter, Hiram A., III
 Doyle, Elizabeth A.
 Milliron, Daniel J.
 Sullivan, Timothy M.

BRADFORD COUNTY (42)

Complement 2

Smith, Jeffrey A.
 Beirne, Maureen T.

BUCKS COUNTY (07)

Complement 13

Vacancy 1

*Heckler, David W.**
*Scott, Susan Devlin***
 Baldi, Robert O.+
 Bateman, Wallace H., Jr.
 Boylan, Rea Behney

Cepparulo, Albert J.
 Finley, Jeffrey L.
 Fritsch, C. Theodore, Jr.
 Gibbons, Diane E.
 Gilman, Gary B.++

Mellon, Robert J.
 Rubenstein, Alan M.
 Rufe, John J.#
 Waite, Clyde W.

* Resigned 2-10-09
 ** Elected president judge
 effective 2-11-09
 + Appointed 6-30-09
 ++ Elected 11-3-09
 # Retired 12-31-09

BUTLER COUNTY (50)

Complement 6

Doerr, Thomas J.
 Horan, Marilyn J.
 McCune, Timothy F.
 Shaffer, William R.
 Streib, Kelley T.D.

Yeager, S. Michael

CAMBRIA COUNTY (47)

Complement 5

*Long, Gerard***
Creany, Timothy P.+

Fleming, Linda R.*
 Kiniry, Patrick T.*
 Krumenacker, Norman A., III
 Tulowitzki, David J.

* Elected 11-3-09
 ** Retired 12-31-09
 + Appointed president judge
 effective 1-1-10

CARBON COUNTY (56)

Complement 3†1

Vacancy 1

Nanovic, Roger N.
 Addy, David W.**
 Serfass, Steven R.*

* Elected 11-3-09
 ** Died 12-17-09

CENTRE COUNTY (49)

Complement 4

Grine, David E.
 Kistler, Thomas King
 Lunsford, Bradley P.
 Ruest, Pamela A.

CHESTER COUNTY (15)

Complement 14

Vacancy 1

*Ott, Paula Francisco**
*MacElree, James P., II***
 Bortner, David F.
 Cody, Jacqueline C.
 Gavin, Thomas G.

Griffith, Edward
 Hall, John L.
 Mahon, William P.
 Nagle, Ronald C.
 Platt, Katherine B.L.

Riley, Howard F., Jr.
 Sarcione, Anthony A.

**CHESTER COUNTY,
continued**

Shenkin, Robert J.
Streitel, Phyllis R.

- * Elected to Superior Court
11-3-09
- ** Elected president judge
effective 1-4-10

CLARION COUNTY (18)

Complement 1

Arner, James G.

CLEARFIELD COUNTY (46)

Complement 2

Ammerman, Frederic J.
Cherry, Paul E.

CLINTON COUNTY (25)

Complement 2

Williamson, J. Michael
Miller, Craig P.

**COLUMBIA-MONTOUR
COUNTIES (26)**

Complement 2

Naus, Scott W.
James, Thomas A., Jr.

CRAWFORD COUNTY (30)

Complement 3

*Miller, Gordon R.**
*Vardaro, Anthony J.***

Spataro, John F.
Stevens, Mark D.+

- * Resigned 7-6-09
- ** Appointed president judge
effective 7-7-09
- + Appointed 7-28-09; elected
11-3-09

CUMBERLAND COUNTY (09)

Complement 5

*Bayley, Edgar B.***
Hess, Kevin A.+
Ebert, Merle L., Jr.
Guido, Edward E.
Masland, Albert H.*

Oler, J. Wesley, Jr.

- * Elected 11-3-09
- ** Retired 12-31-09
- + Appointed president judge
effective 1-1-10

DAUPHIN COUNTY (12)

Complement 10†2

Lewis, Richard A.+
Hoover, Todd A.++
Bratton, Bruce F.
Cherry, John F.
Clark, Lawrence F., Jr.

Coates, Bernard L., Jr.*
Curcillo, Deborah E.*
Dowling, Andrew H.*
Evans, Scott A.
Kleinfelter, Joseph H.**

Turgeon, Jeannine

- * Elected 11-3-09
- ** Retired 12-31-09
- + President judge term expired
2-5-10
- ++ Elected president judge
effective 2-6-10

DELAWARE COUNTY (32)

Complement 20†1
Vacancy 2

Cronin, Joseph P., Jr.
Bradley, James P.
Brennan, Mary Alice
Burr, Charles B., II
Cartisano, Linda A.+

Coll, Michael F.X.
Clouse, Kenneth A.**
Dozor, Barry C.
Durham, Kathrynann W.
Fitzpatrick, Maureen F.

Hazel, Frank T.
Jenkins, Patricia H.
Kelly, Kevin F.
Kenney, Chad F., Sr.
Mallon, Gregory M.

Nilon, James F., Jr.
Osborne, Ann A.
Pagano, George A.
Proud, James F.
Wright, Robert C.*

- * Resigned 1-4-09
- ** Died 1-21-09
- + Elected 11-3-09

**ELK-CAMERON
COUNTIES (59)**

Complement 1

Masson, Richard A.

ERIE COUNTY (06)

Complement 9

Kelly, Elizabeth K.+
DiSantis, Ernest J., Jr.++
Bozza, John A.**
Brabender, Daniel J., Jr.*
Connelly, Shad F.

Cunningham, William R.
Domitrovich, Stephanie A.
Dunlavey, Michael E.

ERIE COUNTY, continued

Garhart, John
Trucilla, John J.

- * Elected 11-3-09
- ** Term expired 1-3-10
- + President judge term expired 1-3-10
- ++ Elected president judge effective 1-4-11

FAYETTE COUNTY (14)

Complement 5

*Capuzzi, Conrad B.***
Solomon, Gerald R.+
Leskinen, Steve P.
Vernon, Nancy D.*
Wagner, John F., Jr.

Warman, Ralph C.

- * Elected 11-3-09
- ** Retired 12-31-09
- + Appointed president judge effective 1-1-10

FRANKLIN-FULTON COUNTIES (39)

Complement 5†1

*Walker, John R.**
*Herman, Douglas W.***
Krom, Angela R.+
Meyers, Shawn D.+
Van Horn, Carol L.

Walsh, Richard J.

- * Resigned 1-2-09
- ** Appointed president judge effective 1-3-09
- + Elected 11-3-09

GREENE COUNTY (13)

Complement 2

*Grimes, H. Terry**
*Nalitz, William R.***

Toothman, Farley D.+

- * Resigned 1-4-09
- ** Appointed president judge effective 1-5-09
- + Appointed 6-30-09

HUNTINGDON COUNTY (20)

Complement 1

Kurtz, Stewart L.

INDIANA COUNTY (40)

Complement 3

Martin, William J.
Hanna, Carol
Olson, Gregory A.

JEFFERSON COUNTY (54)

Complement 1

Foradora, John H.

LACKAWANNA COUNTY (45)

Complement 9†1

Harhut, Chester T.
Barrasse, Michael J.
Bisignani Moyle,
Margaret A.*
Corbett, Patricia
Geroulo, Vito P.

Mazzoni, Robert A.
Minora, Carmen D.
Munley, Thomas J.
Nealson, Terrence R.

- * Elected 11-3-09

LANCASTER COUNTY (02)

Complement 15
Vacancy 1

*Farina, Louis J.**
*Madenspacher, Joseph C.***
Ashworth, David L.
Cullen, James P.
Gorbey, Leslie

Hackman, Christopher A.
Hoberg, Jay J.
Kenderdine, Henry S., Jr.+
Knisely, Howard F.
Miller, Margaret C.

Reich, Jeffrey J.
Reinaker, Dennis E.
Totaro, Donald R.
Workman, Daniel R.
Wright, Jeffrey D.

- * President judge term expired 1-2-10
- ** Elected president judge effective 1-3-10
- + Died 4-10-10

LAWRENCE COUNTY (53)

Complement 4

Motto, Dominick
Cox, J. Craig
Hodge, John W.
Piccione, Thomas M.

LEBANON COUNTY (52)

Complement 4

*Eby, Robert J.**
*Tylwalk, John C.***
Charles, Bradford H.
Jones, Charles T., Jr.+
Kline, Samuel A.

- * Resigned 1-2-09
- ** Appointed president judge effective 1-3-09
- + Elected 11-3-09

LEHIGH COUNTY (31)

Complement 10

Platt, William H.
 Anthony, James T.
 Banach, Kelly L.
 Dantos, Maria L.
 Ford, William E.

Johnson, J. Brian
 McGinley, Carol K.
 Reibman, Edward D.
 Steinberg, Robert L.
 Varricchio, Michele A.

LUZERNE COUNTY (11)

Complement 10

Vacancy 2

*Ciavarella, Mark A., Jr.**
*Muroski, Chester B.***
 Amesbury, William H.+
 Augello, Joseph M.
 Burke, Thomas F., Jr.

Cosgrove, Joseph M.▲
 Lupas, David W.
 Mundy, Hugh F.▼
 Musto, Joseph J.#
 Olszewski, Peter Paul, Jr.++

Polachek Gartley, Tina+
 Toole, Michael T.##
 Van Jura, Joseph J.▲▲
 Wetzell, Lewis W.▲▲

- * Resigned 3-16-09
- ** Elected president judge effective 3-17-09; retired 12-31-09
- + Elected 11-3-09
- ++ Defeated for retention 11-3-09; term expired 1-3-10
- # Term expired 1-3-10
- ## Resigned 1-8-10
- ▲ Appointed 1-25-10
- ▲▲ Appointed 3-16-10
- ▼ Resigned 6-3-10

LYCOMING COUNTY (29)

Complement 5

Brown, Kenneth D.+
Butts, Nancy L.++
 Anderson, Dudley N.
 Gray, Richard A.
 Kieser, William S.*

Lovecchio, Marc F.**
 Reynolds McCoy, Joy**

- * Resigned 1-2-09
- ** Elected 11-3-09
- + Term expired 1-3-10
- ++ Appointed president judge effective 1-4-10

MCKEAN COUNTY (48)

Complement 2

Vacancy 1

*Yoder, John H.***
*Pavlock, John H.**

- * Appointed 6-30-09; appointed president judge effective 10-7-09
- ** Resigned 10-6-09

MERCER COUNTY (35)

Complement 4

Fornelli, Francis J.
 Dobson, Thomas R.
 Reed, John C.
 St. John, Christopher J.

MIFFLIN COUNTY (58)

Complement 2

Searer, Timothy S.
 Williams, Rick A.

MONROE COUNTY (43)

Complement 6

Vican, Ronald E.
 Cheslock, Jerome P.**

Mark, Jonathan
 Miller, Linda Wallach
 Sibum, Jennifer H.*

Worthington,
 Margherita Patti
 Zulick, Arthur L.

- * Elected 11-3-09
- ** Retired 12-31-09

MONTGOMERY COUNTY (38)

Complement 23†2

Hodgson, Richard J.
 Albright, Kent H.
 Barrett, R. Stephen
 Bertin, Emanuel A.
 Branca, Thomas C.

Carluccio, Carolyn Tornetta*
 Carpenter, William R.
 Coonahan, Patricia E.*
 Corso, S. Gerald**
 Daniele, Rhonda Lee

DelRicci, Thomas M.
 Demchick-Alloy, Wendy*
 Drayer, Calvin S., Jr.**
 Furber, William J., Jr.
 Moore, Bernard A.

Murphy, Lois E.*
 O'Neill, Steven T.
 Ott, Stanley R.
 Page, Garrett D.*
 Rogers, Thomas P.

Rossanese, Maurino J., Jr.+
 Silow, Gary S.*
 Smyth, Joseph A., Jr.
 Tilson, Arthur R.
 Tressler, Paul W.

Wall, Kelly C.*

- * Elected 11-3-09
- ** Retired 12-31-09
- + Term expired 1-3-10

**NORTHAMPTON
COUNTY (03)**

Complement 9†1

McFadden, F.P. Kimberly
Baratta, Stephen G.
Beltrami, Anthony S.
Dally, Craig A.*
Giordano, Emil A.

Koury, Michael J., Jr.*
Moran, William F.**
Roscioli, Paula A.
Smith, Edward G.
Zito, Leonard N.*

* Elected 11-3-09

** Term expired 1-3-10

**NORTHUMBERLAND
COUNTY (08)**

Complement 3

Sacavage, Robert B.
Saylor, Charles H.
Wiest, William Harvey

**PERRY-JUNIATA
COUNTIES (41)**

Complement 2

Morrow, Kathy A.
Mummah, Kenneth A.*

* Appointed 6-30-09

**PHILADELPHIA
COUNTY (01)**

Complement 93

Vacancy 3

Dembe, Pamela Pryor

Administrative Judges

Dougherty, Kevin M.
Keogh, D. Webster
O'Keefe, Joseph D.

Abramson, Howland W.
Allen, Jacqueline F.
Anders, Daniel J.
Belof, Adam M.##
Bernstein, Mark I.

Berry, Willis W., Jr.
Bright, Gwendolyn N.
Brinkley, Genece E.
Bronson, Glenn B.
Brown, Joan A.

Butchart, Ann M.
Byrd, Sandy L.V.
Carpenter, Linda A.
Carrafiello, Matthew D.
Ceisler, Ellen H.

Chen, Ida K.
Clark, Tama Myers+
Cohen, Denis P.
Coleman, Robert P.++
Cooperman, Amanda

Covington, Roxanne E.##
Cunningham,
Charles J., III
DeFino-Nastasi, Rose Marie
Dempsey, Thomas E.
Di Vito, Gary F.

Djerassi, Ramy I.
Dubow, Alice B.
Dumas Brooks, Lori A.
Dych, Joseph A.
Erdos, Michael E.

Eubanks, Joyce O.▲▲
Fleisher, Leslie▼
Ford, Holly J.
Fox, Idee C.
Frazier-Clemons, Brenda▲

Geroff, Steven R.
Glazer, Gary S.
Gordon, Richard J., Jr.
Gordon, Roger F.**
Herron, John W.

Hill, Glynnis D.
Hughes, Renee Cardwell
Jackson, Elizabeth

Johnson, Joel S.
Joseph, Barbara A.

Kane, Harold M.
Lachman, Marlene F.
Lazarus, Anne E.#
Lerner, Benjamin
Lynn, James Murray

Manfredi, William J.
Massiah-Jackson,
Frederica A.
Mazzola, William J.*
McInerney, Patricia A.
Means, Rayford A.

Minehart, Jeffrey B.
Moss, Sandra Mazur
Murphy, Margaret Theresa
New, Arnold L.
Olszewski, Walter J.

Overton, George W.
Palumbo, Frank
Panepinto, Paul P.
Papalini, Joseph I.
Patrick, Paula A.

Pechkurow, Doris A.
Quiñones Alejandro, Nitza I.
Ransom, Lillian Harris
Rau, Lisa M.
Rebstock, Robert J.

Rizzo, Annette M.
Robins New, Shelley
Robinson, Roslyn K.
Roca, Angeles
Rogers, Peter F.

Sarmina, M. Teresa
Schulman, Susan I.
Shirdan-Harris, Lisette
Shreeves-Johns, Karen
Smith, Gregory E.

Snite, Albert John, Jr.
Summers, Edward R.
Sylvester, Esther R.▲
Tereshko, Allan L.
Thompson, Diane R.##

PHILADELPHIA COUNTY, continued

Trent, Earl W., Jr.
Tucker, Leon W.
Woelpper, Donna M.++
Wogan, Chris R.
Wolf, Flora Barth

Woods-Skipper, Sheila A.
Wright Padilla, Nina N.
Younge, John Milton

- * Resigned 1-4-09
- ** Appointed 6-30-09
- + Resigned 7-5-09
- ++ Appointed 9-24-09
- # Elected to Superior Court 11-3-09
- ## Elected 11-3-09
- ▲ Retired 12-31-09
- ▲▲ Term expired 1-3-10
- ▼ Resigned 3-14-10

PIKE COUNTY (60)

Complement 2

Kameen, Joseph F.
Chelak, Gregory H.

POTTER COUNTY (55)

Complement 1

*Leete, John B.***
*Minor, Stephen P.B.**

- * Elected 11-3-09; appointed president judge effective 1-4-10
- ** Resigned 1-3-10

SCHUYLKILL COUNTY (21)

Complement 6

Baldwin, William E.
Dolbin, Cyrus Palmer
Domalakes, John E.

Miller, Charles M.
Russell, Jacqueline L.

Stine, D. Michael

SNYDER-UNION COUNTIES (17)

Complement 2

Woelfel, Harold F., Jr.
*Knight, Louise O.***
*Sholley, Michael H.**

- * Elected 11-3-09
- ** Term expired 1-3-10

SOMERSET COUNTY (16)

Complement 3

Cascio, John M.
Geary, D. Gregory
Klementik, David C.

SUSQUEHANNA COUNTY (34)

Complement 1

Seamans, Kenneth W.

TIOGA COUNTY (04)

Complement 1

Dalton, Robert E., Jr.

VENANGO COUNTY (28)

Complement 2

Lobaugh, Oliver J.
Boyer, Robert L.

WARREN-FOREST COUNTIES (37)

Complement 2

*Morgan, William F.***
Skerda, Maureen A.+

Hammond, Gregory J.*

- * Elected 11-3-09
- ** Retired 12-31-09
- + Appointed president judge effective 1-1-10

WASHINGTON COUNTY (27)

Complement 6
Vacancy 1

O'Dell Seneca, Debbie
Bell, Janet Moschetta
DiSalle, John F.
Emery, Katherine B.
*Mascara, Mark E.**

Pozonsky, Paul M.

- * Died 6-11-10

WAYNE COUNTY (22)

Complement 1

Hamill Raymond L.

WESTMORELAND COUNTY (10)

Complement 11

Blahovec, John E.
*Ackerman, Daniel J.***
Bell, Alfred B.
*Bononi, Michele G.**
Caruso, Gary P.

Driscoll, John J.
Feliciani, Christopher A.
Hathaway, Rita Donovan
Marsili, Anthony G.
McCormick, Richard E., Jr.

*Ober, William J.***
Pezze, Debra A.
*Scherer, Christian F.**

- * Elected 11-3-09
- ** Retired 12-31-09

**WYOMING-SULLIVAN
COUNTIES (44)**

Complement 1

*Vanston, Brendan J.***
*Shurtleff, Russell D.**

* Elected 11-3-09; appointed
president judge effective
1-4-10

** Term expired 1-3-10

YORK COUNTY (19)

Complement 15†1

Vacancy 1

Renn, Richard K.
Adams, Joseph C.
Blackwell, Penny L.
Bortner, Michael E.
*Brillhart, Michael J.***

Chronister, John H.
Cook, Maria Musti
Dorney, Sheryl Ann

Kelley, Thomas H.
Kennedy, John S.

Linebaugh, Stephen P.
*Ness, Harry M.**
*Patterson, Clarence N., Jr.**
Snyder, Gregory M.
Thompson, John W., Jr.

*Uhler, John C.***

* Elected 11-3-09

** Resigned 1-3-10

ADAMS COUNTY

Spicer, Oscar F.*

* Retired 12-31-09

ALLEGHENY COUNTY

Bigley, Gerard M.
Gallo, Robert C.
Lucchino, Frank J.*
Mazur, Lee J.*
O'Reilly, Timothy P.**
Wettick, R. Stanton, Jr.

* Effective 1-1-10
** Effective 1-22-10

ARMSTRONG COUNTY

Nickleach, Joseph A.

BEAVER COUNTY

James, George E.
Kunselman, Robert E.
Reed, Robert C.
Steege, Peter O.

BERKS COUNTY

Eshelman, Thomas J.
Grim, Arthur E.
Stallone Albert A.

BLAIR COUNTY

Peoples, Thomas G., Jr.

BUCKS COUNTY

Kane, Michael J.
McAndrews, R. Barry

Rufe, John J.*
Rufe, William H., III

* Effective 1-1-10

BUTLER COUNTY

Brydon, John H.

CAMBRIA COUNTY

Leahey, Francis J.*
Long, Gerard**
Swope, Thomas A., Jr.

* Effective 1-1-09
** Effective 1-1-10

CARBON COUNTY

Webb, Richard W.

CENTER COUNTY

Brown, Charles C., Jr.

CHESTER COUNTY

Smith, Charles B.

CLARION COUNTY

Alexander, Charles R.*

* Effective 6-1-09

CLEARFIELD COUNTY

Reilly, John K., Jr.

**Common
Pleas
Court
Senior
Judges**

(As of 6-30-10)

CLINTON COUNTY

Brown, Carson V.
Saxton, Richard N., Jr.

DAUPHIN COUNTY

Kleinfelter, Joseph H.*

* Effective 1-1-10

DELAWARE COUNTY

Keeler, Charles C.
Koudelis, George
Toal, William R., Jr.
Zetusky, Edward J., Jr.

ERIE COUNTY

Anthony, Fred P.
Bozza, John A.*

* Effective 1-4-10

FAYETTE COUNTY

Capuzzi, Conrad B.*

* Effective 1-1-10

**FRANKLIN-FULTON
COUNTIES**

Walker, John R.*

* Effective 1-3-09

GREENE COUNTY

Grimes, H. Terry*

* Effective 1-5-09

JEFFERSON COUNTY

Henry, William L.*

* Resigned 5-15-09

LACKAWANNA COUNTY

O'Malley, Carlon M., Jr.*

* Retired 12-31-09

LANCASTER COUNTY

Hummer, Wayne G., Jr.
Perezous, Michael J.

LAWRENCE COUNTY

Pratt, Ralph D.

LEBANON COUNTY

Eby, Robert J.*

* Effective 1-3-09

LEHIGH COUNTY

Black, Alan M.
Brenner, Lawrence J.

LUZERNE COUNTY

Conahan, Michael T.*
Mundy, Hugh F.+
Muroski, Chester B.**
Toole, Patrick J., Jr.

* Removed by Supreme Court
order 1-28-09

** Effective 1-1-10

+ Effective 6-4-10

LYCOMING COUNTY

Brown, Kenneth D.**
Kieser, William S.*
Smith, Clinton W.

* Effective 1-3-09

** Effective 1-4-10

MCKEAN COUNTY

Yoder, John H.*

* Effective 10-7-09

MERCER COUNTY

Wherry, Michael J.

MONROE COUNTY

Cheslock, Jerome P.*
O'Brien, Peter J.

* Effective 1-1-10

MONTGOMERY COUNTY

Corso, S. Gerald**
Drayer, Calvin S., Jr.**
Nicholas, William T.*
Rossanese, Maurino J., Jr.+

* Effective 1-1-09

** Effective 1-1-10

+ Effective 1-4-10; resigned
3-31-10

NORTHAMPTON COUNTY

Franciosa, Michael V.
Morgan, William F.*

* Effective 1-4-10

NORTHUMBERLAND COUNTY

Feudale, Barry F.*

* Sits on occasion in Commonwealth Court

PERRY-JUNIATA COUNTIES

Quigley, Keith B.*
Rehkamp, C. Joseph

* Sits on occasion in Commonwealth Court

PHILADELPHIA COUNTY

Ackerman, Norman
Braxton, John L.++
Colins Mary D.**
DiBona, Alfred J., Jr.
DiNubile, Victor J., Jr.*

Frazier-Clemons, Brenda+
Jackson, Ricardo C.
Jelin, Sheldon C.
Levin, Stephen E.
Maier, Eugene Edward J.

Matthews, Robert J.
Mazzola, William J.*
O'Grady, John J., Jr.
Poserina, John J., Jr.
Reynolds, Abram Frank

Russell, Edward E.
Sheppard, Albert W., Jr.
Sylvester, Esther R.+
Temin, Carolyn Engel

* Effective 1-1-09
** Effective 2-4-09
+ Effective 1-1-10
++ Effective 3-8-10

PIKE COUNTY

Thomson, Harold A., Jr.

POTTER COUNTY

Leete, John B.*

* Effective 1-1-10

SNYDER-UNION COUNTIES

Knight, Louise O.*

* Effective 1-4-10

SOMERSET COUNTY

Fike, Eugene E., II

VENANGO COUNTY

White, H. William, Jr.

WARREN-FOREST COUNTIES

Millin, Paul H.
Morgan, William F.*

* Effective 1-1-10

WASHINGTON COUNTY

Bell, John F.
Gladden, Thomas D.

WAYNE COUNTY

Conway, Robert J.

WESTMORELAND COUNTY

Ackerman, Daniel J.**
Hudock, Joseph A.*
Loughran, Charles H.
Marker, Charles E.
Ober, William J.**

* Effective 1-1-09; appointed to Superior Court 8-1-09; reappointed to Common Pleas Court 1-1-10
** Effective 1-1-10

WYOMING-SULLIVAN COUNTIES

Vanston, Brendon J.*

* Effective 1-4-10

YORK COUNTY

Brillhart, Michael, J.*
Uhler, John C.*

* Effective 1-4-10

**Philadelphia
Minor
Courts
Judges**

**Philadelphia
Municipal Court
Judges**

Complement 25

*Presenza, Louis J.**
*Neifield, Marsha H.***
Brady, Frank T.
Conway, Gwendolyn A.#
Daher, Georganne V.

DeLeon, James M.
Deni, Teresa Carr
Dugan, Patrick F.
Frazier-Lyde, Jacquelyn M.
Gehret, Thomas F.

Gilbert, Barbara S.
Hayden, Charles++
Jimenez, Nazario, Sr.
Kirkland, Lydia Y.
Kosinski, Gerard A.

Meehan, William Austin, Jr.
Moore, Jimmie
Moss, Bradley K.
Nocella, Thomas##
O'Neill, Joseph J.

Pew, Wendy L.
Powell, Kenneth J., Jr.+
Robbins, Harvey W.
Segal, Dawn A.++
Shuter, David C.

Simmons, Karen Y.
Washington, Craig M.
Waters, Joseph, C., Jr.+

- * Resigned 5-6-09
- ** Elected president judge effective 5-7-09
- + Appointed 6-30-09
- ++ Elected 11-3-09
- # Retired 12-31-09
- ## Term expired 1-3-10

**Philadelphia
Traffic Court
Judges**

Complement 7

Tynes, Thomasine

Administrative Judge
DeAngelis, Bernice A.

Green, Earlene
Lowry, Michael
Mulgrew, Robert
Singletary, Willie F.
Sullivan, Michael J.

(As of 6-30-10)

*(Italics denotes
president judge)*

**Philadelphia
Municipal Court
Senior Judges**

Blasi, Robert S.
Cosgrove, Francis P.**
Krase, Morton
Merriweather, Ronald B.*
Stack, Felice Rowley

* Effective 1-1-09; resigned
12-31-09

** Retired 12-31-09

**Philadelphia
Traffic Court
Senior Judges**

Adams, Willie J.**
Cermele, Dominic M.*
Perri, Fortunato N., Sr.

* Effective 2-4-09

** Died 10-9-09

Philadelphia

Minor

Courts

Senior

Judges

(As of 6-30-10)

Magisterial

District

Judges

ADAMS COUNTY (51)

Complement 4

Beauchat, Mark D.
Bowman, Daniel S.
Carr, Thomas R.
Zepp, John C., III

ALLEGHENY COUNTY (05)

Complement 48
Vacancy 1

Barner, Robert L.
Barton, David J.
Bengel, Carolyn S.
Blaschak, Suzanne R.
Bova, John N.

Capolupo, Pat A.
Caulfield, Thomas P.##
Ceoffe, Anthony M.+
Cercone, Mary Ann
Cioppa, Ross C.

Cooper, Kevin E.
Costa, Ronald N., Sr.
Dzvonick, Robert P.
Evashavik, Susan F.**
Firestone, Nathan N.

Ford, Robert L.
Hanley, James J., Jr.
Herbst, Jeffrey L.
Hoots, Kim M.
HRomyak, Leonard J.

Joyce, Dennis R.
King, Richard G.
Lang, Elissa M.
Larotonda, Blaise P.
Martin, Armand A.*

Martini, Randy C.
McGraw-Desmet, Maureen+
McLaughlin, Charles A., Jr.#
Miller, Thomas G., Jr.
Mills, Beth S.

Motznik, James A.+
Murray, Mary P.
Olasz, Richard D., Jr.

Opiela, Richard G.
Petite, Oscar J., Jr.

Ravenstahl, Robert P., Jr.
Riazzi, Eugene F.
Ricciardi, Eugene N.
Rushing, Derwin D.+
Saveikis, Anthony W.

Schricker, Scott H.
Smith, Tara L.
Sosovicka, David J.
Swearingen, Carla M.
Torkowsky, Thomas R.

Wagner, William K.
Welsh, Regis C., Jr.
Wyda, Robert C.
Zielmanski, Eugene L.++
Zucco, Linda I.

Zyra, Gary M.

- * Appointed 6-30-09
- ** Elected to Common Pleas Court
11-3-09
- + Elected 11-3-09
- ++ Retired 12-31-09
- # Term expired 1-3-10
- ## Appointed 6-21-10

ARMSTRONG COUNTY (33)

Complement 4

Andring, James A.*
DeComo, J. Gary
Gerheim, Michael L.**
Goldstrohm, Samuel R.
Owen, James H.

- * Elected 11-3-09
- ** Term expired 1-3-10

BEAVER COUNTY (36)

Complement 9

DiBenedetto, James F.
Finn, Tim
Hladio, Andrew M.*

(As of 6-3010)

**BEAVER COUNTY,
continued**

Howe, Edward C.
Livingston, William R., II
Loughner, C. Douglas
Nicholson, Dale F.
Schafer, Joseph L.
Swihart, Janet M.

* Elected 11-3-09

BEDFORD COUNTY (57)

Complement 4

Baker, Brian K.
Bingham, H. Cyril, Jr.
Calhoun, Kathy S.
Osman, Tonya M.

BERKS COUNTY (23)

Complement 18

Bagenstose, Kim L.*
Bentz, Nicholas M., Jr.
Book, Andrea J.
Dougherty, Timothy M.
Frederick, Victor M., IV
Gauby, Thomas M., Sr.
Glass, David E.
Greth, Gail M.
Hall, William N., Jr.**
Hartman, Michael G.
Kennedy, Stuart D.
Kowalski, Phyllis J.
Lachina, Deborah P.
Leonardziak, Michael J.
Patton, Dean R.
Robinson, Alvin B.*
Scott, Wallace S.
Stitzel, Gloria W.+
Xavios, Thomas H.
Young, Ann L.

* Elected 11-3-09
** Retired 12-31-09
+ Resigned 1-3-10

BLAIR COUNTY (24)

Complement 7
Vacancy 1

Aigner, Paula M.
Auker, Jeffrey P.
Jackson, Steven D.
Kelly, Todd F.
Miller, Fred B.

Moran, Joseph L.*
Ormsby, Craig E.

* Died 11-25-09

BRADFORD COUNTY (42)

Complement 4

Clark, Timothy M.
Shaw, Michael G.
Wheaton, Fred M.
Wilcox, Jonathan M.

BUCKS COUNTY (07)

Complement 20
Vacancy 1

Baranoski, Daniel E.
Baum, Charles W.
Benz, William J.
Brown, Leonard J.
Burns, Michael J.

Daly, Philip J.**
Douple, Mark D.*
DuBree, M. Kay
Falcone, Joseph P.
Finello, Daniel J., Jr.

Gaffney, Robert E.
Kelly, John J., Jr.
Kline, Joanne V.
McEwen, Susan E.+
Nasshorn, Donald

Peranteau, Frank W., Sr.
Roth, C. Robert
Schnell, Robert A., Jr.**
Seaman, Jean*
Snow, Maggie

Vislosky, Jan
Wagner, Robert L., Jr.

* Elected 11-3-09
** Retired 12-31-09
+ Resigned 6-4-10

BUTLER COUNTY (50)

Complement 7

Haggerty, Sue E.
Kovach, David T.**
O'Donnell, Kevin P.
Seibel, Wayne D.
Shaffer, C. Timothy+

Shaffer, Peter H.
Stoughton, Lewis E.
Woessner, Clifford J.*

* Resigned 3-31-09
** Elected 11-3-09
+ Appointed 4-19-10

CAMBRIA COUNTY (47)

Complement 10

Barron, John W.
Creany, Frederick S.
Decort, Galen F.
Grecek, Leonard J.
Musulin, Michael J.

Nileski, Charity L.
Pavlovich, Max F.
Varner, Rick W.
Zanghi, Mary Ann
Zungali, Michael

CARBON COUNTY (56)

Complement 4

Appleton, Bruce F.
Homanko, Joseph D., Sr.
Kosciolek, Casimir T.
Lewis, Edward M.

CENTRE COUNTY (49)

Complement 6

Dutchcot, Leslie A.
Grine, Jonathan D.
Hoffman, Daniel R., II
Jordan, Thomas N.
Prestia, Carmine W., Jr.
Sinclair, Allen W.

CHESTER COUNTY (15)

Complement 19

Arnold, Rita A.
Blackburn, Jeremy M.
Bruno, Mark A.
Cabry, Michael J., III
Darlington, Chester F.
DeAngelo, James V.
Donatelli, Lori Novak**
Farmer, Harry W., Jr.
Gill, Nancy A.
Hines, Gregory V.*
Knapp, Gwenn S.
Koon, Grover E.
Kraut, William D.
Maisano, Daniel J.
Michaels, Theodore P., Jr.
Scott, Stanley+
Seavey, Matthew**
Smith, Larry E.
Tartaglio, Thomas W.
Valocchi, Jeffrey J.*

* Appointed 9-24-09
** Elected 11-3-09
+ Term expired 1-3-10

CLARION COUNTY (18)

Complement 4

Kadunce, Nancy M.*
Long, Amy L.
Miller, Jeffrey C.

Quinn, Duane L.
Schill, Timothy P.**

* Defeated for reelection; term
expired 1-3-10
** Elected 11-3-09

CLEARFIELD COUNTY (46)

Complement 4

Ford, Patrick N.
Hawkins, James L.
Ireland, Richard A.
Rudella, Michael A.

CLINTON COUNTY (25)

Complement 3

Maggs, John W.
Mills, Frank P.
Sanders, Joseph L., III

**COLUMBIA-MONTOUR
COUNTIES (26)**

Complement 5
Vacancy 1

Cashman, Richard P.+
Coombe, Donna J.*
Lawton, Russell L.**
Long, Craig W.
Shrawder, Marvin K.
Stackhouse, Ola E.

* Resigned 1-2-09
** Appointed 8-19-09
+ Resigned 12-1-09

**CRAWFORD
COUNTY (30)**

Complement 5

Chisholm, William D.
Marwood, Rita J.
Nicols, Amy L.
Rossi, A. Michael, Jr.
Zilhaver, Lincoln S.

**CUMBERLAND
COUNTY (09)**

Complement 10
Vacancy 1

Bender, Harold E.
Brewbaker, Jessica E.
Clement, Charles A., Jr.
Cohick, Vivian J.
Correal, Paula P.
Day, Susan K.
Dougherty, Richard S., Jr.
Manlove, Robert V.*
Martin, Mark W.
Placey, Thomas A.

* Resigned 2-28-09

DAUPHIN COUNTY (12)

Complement 16

Jennings, Robert, III
Johnson, Gregory D.
Judy, David H.
Lenker, James A.+
Lenker, Kenneth A.+
Lindsey, Joseph S.
Margerum, Rebecca Jo
Pelino, Dominic A.
Pianka, Barbara
Postelle, LaVon A.
Semic, Steven M.*
Smith, Michael John
Solomon, Joseph S.
Stewart, Marsha C.
Wenner, William C.
Witmer, Lowell A.**
Zozos, George A.

* Resigned 1-2-09
** Appointed 8-26-09
+ Appointed 12-16-09

**DELAWARE
COUNTY (32)**

Complement 34
Vacancy 1

Berardocco, Ann
Blythe, Robert J.
Burke, Robert R.
Cappelli, Richard M.
Capuzzi, John P.

Christie, Edward W.
Cullen, Michael G.
Gallagher, Vincent D., Jr.
Gannon, Edward J., Jr.
Griffin, David R.

Hunter, Leon, III
Karapalides, Harry J.
Klein, Stephanie H.
Lacianca, Elisa C.
Lang, David Hamilton

Lippart, Jack D.
Lippincott, Nicholas S.
Mattox, Christopher R.
McCray, C. Walter, III
McKeon, Laurence J.

Micozzie-Aguirre, Kelly A.
Murphy, David J.**
Perfetti, John J.
Puppio, Andrea E.
Sandone, Steven A.

Scanlon, Anthony D.
Seaton, Spencer B., Jr.
Strohl, Walter A.
Tenaglia, Leonard V.
Tolliver, Elkin A.

Tozer, Peter P.
Turner, Philip S., Jr.*
Tuten, John C.
Vann, Dawn L.

* Elected 11-3-09
** Resigned 3-31-10

**ELK-CAMERON
COUNTIES (59)**

Complement 3

Brown, Alvin H.
King, George A.
Wilhelm, Donald A.

ERIE COUNTY (06)

Complement 15

Alonge, Gerard J.
Carney, Thomas
DiPaolo, Dominick D.
Dwyer, James J., III
Krahe, Mark R.

Lefaiver, Joseph R.
Mack, Suzanne C.
MacKendrick,
Christopher K.
Manzi, Paul
Nichols, Brenda A.

Robie, Thomas C.
Southwick, Carol L.
Strohmeyer, Susan D.
Stuck-Lewis, Denise M.
Urbaniak, Paul G.

FAYETTE COUNTY (14)

Complement 8

Abraham, Randy S.
Cramer, Jesse J.
Defino, Michael J., Jr.
Dennis, Wendy D.
George, Joseph M., Jr.

Haggerty, Ronald J., Sr.
Metros, Michael M.*
Shaner, Dwight K.

* Elected 11-3-09

**FRANKLIN-FULTON
COUNTIES (39)**

Complement 10

Carter, Gary L.
Cunningham, Duane K.
Hawbaker, David E.
Horne, Devin C.
Johnson, Carol J.

Mellott, Wendy Richards
Pentz, Larry G.
Plum, David L.*
Rock, Kelly L.
Williams, Todd R.

* Elected 11-3-09

GREENE COUNTY (13)

Complement 3

Bates, D. Glenn
Dayich, Louis M.
Watson, Leroy W.

**HUNTINGDON
COUNTY (20)**

Complement 4

Colyer, Michael M.
Gummo, Douglas L.
Jamison, Mary G.
Wilt, Richard S.

INDIANA COUNTY (40)

Complement 4

Haberl, Guy B.
Rega, Jennifer J.
Steffee, Susanne V.
Thachik, George M.

JEFFERSON COUNTY (54)

Complement 3

Beck, Richard D.
Chambers, Douglas R.
Inzana, David B.

LACKAWANNA COUNTY (45)

Complement 11

Farrell, Alyce M.
Gallagher, Terrence V.
Gibbons, James A.
Giglio, Theodore J.
Golden, Thomas J.

Kennedy, James P.
McGraw, Sean P.
Mercuri, John J.
Pesota, John P.
Russell, Robert G.

Turlip Murphy, Laura M.

LANCASTER COUNTY (02)

Complement 20

Ballentine, Kelly S.
Brian, David E.
Commins, B. Denise
Duncan, Jayne F.
Eckert, Leo H., Jr.

Fee, Thomas J.
Garrett, Daniel B.
Hamill, Nancy G.
Hamilton, Maynard A., Jr.*
Hartman, Cheryl N.

Hartman, Rodney H.
Herman, Robert A., Jr.
Jiminez, Janice
Miller, David P.
Mylin, Stuart J.

Reuter, William G.
Roth, Bruce A.
Sponaugle, Mary Mongiovi

Stoltzfus, Isaac H.
Willwerth, Jene A.

* Resigned 8-31-09

LAWRENCE COUNTY (53)

Complement 5

Amodie, Melissa A.
Cartwright, Jerry G., Jr.
McGrath, Scott
Nicholson, Jennifer L.
Rishel, David B.

LEBANON COUNTY (52)

Complement 6

Vacancy 1

Capello, Thomas M.
Dissinger, Maria M.
Heck, Christine R.
Lehman, Lee R.*
Smith, Michael D.

Wolfe, Kim R.

* Resigned 11-3-09

LEHIGH COUNTY (31)

Complement 14

Vacancy 1

Balliet, Carl L.
Beck, Rodney R.
Butler, Donna R.
Crawford, Charles H.
Devine, Karen C.

Engler, Patricia M.
Halal, Robert C.
Hammond, Jacob E.
Harding, David B.
Leh, David G.**

Manescu, Ronald S.*
Maura, Wayne

Merlo, Maryesther S.
Rapp, Anthony G., Jr.

* Elected 11-3-09

** Died 1-27-10

LUZERNE COUNTY (11)

Complement 17

Vacancy 1

Amesbury, William Henry*
Barilla, David A.
Carmody, Joseph J.
Dotzel, Michael G.
Feissner, Gerald L.

Halesey, Joseph A.
Hasay, John E.
Kane, Martin R.
Malast, Diana
O'Donnell, Daniel

Pierantoni, Fred A., III
Roberts, Paul J.
Sharkey, Thomas J.
Swank, Ronald W.
Tupper, James E.

Whittaker, Donald L.
Zola, Joseph D.

* Elected to Common Pleas
Court 11-3-09

LYCOMING COUNTY (29)

Complement 6

Carn, James G.
Lepley, Jerry C.
McRae, C. Roger
Page, Allen P., III
Schriner, Kenneth T., Jr.

Sortman, James H.

MCKEAN COUNTY (48)

Complement 4
Vacancy 1

Cercone, Dominic A., Jr.
Kennedy, Michael J.*
Luther, Richard W., Jr.
Todd, William K.

* Resigned 3-5-10

MERCER COUNTY (35)

Complement 5

Antos, Ronald E.
Arthur, Brian R.*
Hinch, Lorinda L.
McEwen, Daniel Neil*
Songer, Dennis M.**

* Appointed 6-30-09

** Appointed 8-12-09

MIFFLIN COUNTY (58)

Complement 3

Clare, Barbara A.**
Gingrich Aaron L.*
Hunter, Tammy L.
Miller, Jack E.

* Elected 11-3-09

** Retired 12-31-09

MONROE COUNTY (43)

Complement 10

Anzini, Kristina
Claypool, Richard S.
Fluegel, Anthony D.
Germano, Brian R.
Krawitz, JoLana
Muth, Michael R.
Olsen, Thomas E.
Shiffer, Thomas R., Jr.
Whitesell, John D.
York, Debby A.

MONTGOMERY COUNTY (38)

Complement 30

Augustine, Albert J.
Bernhardt, Francis J., III
Borek, Harold D.
Casillo, Ester J.
Cerski, Christopher J.

Crahalla, Benjamin R.**
Deatelhauser, Kenneth E.
Dougherty, Joseph H.
Durkin, John J.+
Friedenberg, Jay S.

Gadzicki, Walter F., Jr.
Gallagher, James P.
Householder,
William R., Jr.
Hummel Fried, Catherine M.
Hunsicker-Fleischer,
Margaret A.

Keightly, David A.
Kelly Rebar, Cathleen*
Kropp, Edward C., Sr.*
Lawrence, Francis J., Jr.
Leo, Paul N.

Lukens, Deborah A.
Maruszczak, William I.
McHugh, Elizabeth A.
Murray, John S., III
Nesbitt, Harry J., III

Palladino, Thomas A.
Price, Juanita A.
Saylor, Maurice H.
Schireson, Henry J.
Valentine, Katleen M.

Zaffarano, Patricia A.
Zucker, Karen Eisner

* Elected 11-3-09

** Retired 12-31-09

+ Term expired 1-3-10

NORTHAMPTON COUNTY (03)

Complement 15
Vacancy 1

Barner, Joseph K.
Capobianco, John
Corpora, Daniel G.
Elwell, Gay L.
Hawke, Robert A.+

Koury, Michael J., Jr.**
Litzenberger, Ralph W.++
Manwaring, Roy A.+
Marakovits, Diane M.+
Marinkovits, Joan++

Masut, Adrienne L.
Matos Gonzalez, Nancy
Narlesky, James J.
Repyneck, Diane S.*
Romig-Passarro, Patricia A.

Stocklas, James F.#
Strohe, Todd M.
Taschner, Jacqueline M.+
Tidd, David W.+
Zaun, William F.++

* Resigned 1-4-09

** Elected to Common Pleas
Court 11-3-09

+ Elected 11-3-09

++ Term expired 1-3-10

Resigned 1-3-10

NORTHUMBERLAND COUNTY (08)

Complement 5

Bolton, Robert J.
Gembic, John
Jones, Hugh A.**
Kear, William F.
Mychak, Michael F.*

Rice, Carl B.

* Resigned 4-30-09

** Appointed 9-24-09

**PERRY-JUNIATA
COUNTIES (41)**

Complement 5
Vacancy 1

Frownfelter, Elizabeth R.
Howell, Donald F.*
Leister, Jacqueline T.
Lyter, Barbara M.
McGuire, Daniel R.L.

* Resigned 4-4-10

PIKE COUNTY (60)

Complement 4

Cooper, Alan B.
Fischer, Deborah
McBride, Stephen A.
Rose, Jay R.

POTTER COUNTY (55)

Complement 3

Bristol, Delores G.
Easton, Annette L.
Easton, Barbara A.

SCHUYLKILL COUNTY (21)

Complement 8

Bayer, Stephen J.
Ferrier, James R.
Kilker, Anthony J.
Moran, Charles V.
Nahas, Bernadette J.

Pankake, Carol A.
Plachko, David A.
Reiley, James K.

**SNYDER-UNION
COUNTIES (17)**

Complement 5

Armbruster, Leo S.
Mensch, Jeffrey L.

Mihalik, Edward G., Jr.
Robinson, John T.
Savidge, Willis E.

SOMERSET COUNTY (16)

Complement 5

Bell, Douglas McCall
Cannoni, Joseph A.
Cook, Arthur K.
Mankamy, Susan
Stevanus, Sandra L.

**SUSQUEHANNA
COUNTY (34)**

Complement 3

Brainard, Suzanne M.
Hollister, Jeffrey L.
Janicelli, Peter M.

TIOGA COUNTY (04)

Complement 3

Carlson, James E.
Edgcomb, Brian W.
Sweet, Phillip L.

VENANGO COUNTY (28)

Complement 4

Dinberg, Douglas I.
Fish, Andrew F.
Gerwick, Douglas B.
Snyder, Michael D.*

* Appointed 6-30-09; elected
11-3-09

**WARREN-FOREST
COUNTIES (37)**

Complement 4

Bauer, Laura S.
Gregory, George F.

Lindemuth, Cynthia K.
Zerbe, Arthur W.

**WASHINGTON
COUNTY (27)**

Complement 11
Vacancy 2

Costanzo, Valarie S.
Ellis, James C.
Havelka, Gary H.
Hopkins, Larry W.

Kanalis, Joshua P.
Mark, David W.
Redlinger, Robert W.**
Thompson, Curtis L.
Ward, Ethan T.*
Weller, Jay H.

Wilson, Mark A.

* Appointed 7-28-09; elected
11-3-09

** Appointed 10-19-09;
elected 11-3-09

WAYNE COUNTY (22)

Complement 4
Vacancy 1

Carney, Bonnie L.
Edwards, Ronald J.
Farrell, Jane E.
Mikulak, Theodore J.*

* Elected 11-3-09

**WESTMORELAND
COUNTY (10)**

Complement 18
Vacancy 2

Albert, James E.
Bilik, Mark J.
Christner, Charles M., Jr.
Conway, Charles R.
Dalfonso, Joseph A.

**WESTMORELAND COUNTY,
continued**

DeMarchis, Joseph R.
Eckels, Roger F.
Falcon, James N.
Franzi, Lawrence J.*
Glenn, Elise+

King, J. Bruce**
Kistler, Helen M.
Mahady, Michael R.
Mansour, Mark S.
Pallone, Frank J., Jr.

Peck-Yakopec, Cheryl J.
Thiel, Denise Snyder
Weimer, Douglas R., Jr.

* Died 9-24-09
** Resigned 3-31-10
+ Appointed 6-7-10

**WYOMING-SULLIVAN
COUNTIES (44)**

Complement 4
Vacancy 1

Baumunk, Linda M.*
Hovan, John J.
Shurtleff, Russell D.+
Smith, Carl W., Jr.
Vandine, Jennifer Y.**

* Resigned 1-2-09
** Appointed 7-7-09; elected
11-3-09
+ Elected to Common Pleas Court
11-3-09

YORK COUNTY (19)

Complement 19

Bloss, Barry L., Jr.*
Dubs, Dwayne
Edie, Nancy L.

Fishel, John H.*
Garber, Daniel B.
Groom, Walter R.
Gross, Scott J.
Haskell, Ronald J., Jr.
Leppo, Kim S.
Martin, Richard E., II

Miner, James S.
Naylor, Alan G.
Nixon, Barbara H.
Olwert, John R.
Reamer, Walter P.

Shoemaker, Gerald E.
Teyral, JoAnn L.
Thomas, Richard T.
Williams, Linda Lou

* Appointed 6-30-09; elected
11-3-09

Senior

Magisterial

District

Judges

ALLEGHENY COUNTY

Burnett, Edward
Devlin, Mark B.++
Longo, Nancy L.
McGraw, Elaine M.*
McLaughlin, Charles A., Jr.+

Peglow, Lee G.
Presutti, Donald H.
Reed, Douglas W.
Tibbs, Edward A.
Zielmanski, Eugene L.**

Zoller, Richard H.

* Effective 1-1-09
** Effective 1-1-10
+ Effective 1-4-10
++ Resigned 7-14-10

ARMSTRONG COUNTY

Gerheim, Michael L.*

* Effective 1-4-10

BEAVER COUNTY

Armour, John W.
Eiler, Donald L.*
Schulte, Martin V.**

* Resigned 3-31-10
** Resigned 5-31-10

BERKS COUNTY

Beck, Richard C.+
Hall, William N., Jr.*
Mest, Ronald C.
Stitzel, Gloria W.**

* Effective 1-1-10
** Effective 1-4-10
+ Effective 3-8-10

BLAIR COUNTY

Jones, Patrick T.

BUCKS COUNTY

Daly, Philip J.*
Dietrich, Ruth C.
Hogeland, H. Warren
Schnell, Robert A., Jr.*

* Effective 1-1-10

BUTLER COUNTY

O'Donnell, Joseph D., Jr.
Woessner, Clifford J.*

* Effective 8-1-09

CARBON COUNTY

Hadzick, Paul J.

CENTRE COUNTY

Horner, Ronald J.

CHESTER COUNTY

Anthony, John F.
Charley, James J., Jr.**
Davis, Robert L.*
Scott, Stanley+
Welsh, Susann E.

Winther, J. Peter

* Effective 1-1-09
** Effective 1-14-09
+ Effective 1-4-10

(As of 6-30-10)

CLARION COUNTY

George, Daniel P.

COLUMBIA COUNTY

Cashman, Richard P.**
Coombe, Donna J.*

* Effective 1-3-09
** Effective 12-2-09

DAUPHIN COUNTY

Bridges, Roy C.++
Magaro, Samuel J.
Semic, Steven M.**
Shugars, Raymond F.*
Yanich, Bernard B.+

* Effective 1-1-09
** Effective 1-3-09
+ Died 4-25-09
++ Resigned 6-9-10

DELAWARE COUNTY

Davis, Horace Z.
Harkin, Edward C.
Liberace, Gerald C.
McDevitt, Leonard M.
Miller, Kenneth N.

Quinn, Joseph T.F.
Videon, David T.

ERIE COUNTY

Abate, Frank, Jr.
Stuck, Ronald E.
Vendetti, John A.
Weindorf, Arthur Jos*

* Effective 7-15-10

FAYETTE COUNTY

Breakiron, Robert W.
Cavalcante, Brenda K.
Haggerty, Ronald J., Sr.*
Rubish, Michael

* Effective 1-4-10

**FRANKLIN-FULTON
COUNTIES**

Knepper, Brenda M.

GREENE COUNTY

Canan, Neil M.*

* Resigned 3-30-09

INDIANA COUNTY

Steffee, Michael K.

LANCASTER COUNTY

James, Doris R.*
Reeser, Richard L.
Simms, Richard H.
Winters, John C.

* Retired 12-31-09

LEBANON COUNTY

Arnold, John F.*
Shultz, Jo Ann**
Swisher, Hazel V.

* Resigned 4-16-10
** Resigned 5-7-10

LEHIGH COUNTY

Dugan, John E.
Gatti, Richard A.
Murphy, Thomas P.
Snyder, Joan L.
Warmkessel, Patricia E.

LUZERNE COUNTY

Barilla, Andrew, Jr.

LYCOMING COUNTY

McGee, Gerald A.*

* Removed from list 6-3-09

MERCER COUNTY

Fagley, William L.*
French, Ruth M.+
McMahon, James E.**
Russo, Henry J.

* Effective 1-1-09
** Removed from list 5-13-09
+ Resigned 5-17-10

MIFFLIN COUNTY

Clare, Barbara A.*

* Effective 1-1-10

MONROE COUNTY

Eyer, Charles P.

MONTGOMERY COUNTY

Berkoff, F. Elaine
Crahalla, Benjamin R.*

**MONTGOMERY COUNTY,
continued**

Durkin, John J.**
Inlander, Gloria M.
Price, Richard M.
Saraceni, Robert A.

* Effective 1-1-10; resigned
5-18-10
** Effective 1-4-10

NORTHAMPTON COUNTY

Frey, Elmo L., Jr.
Grigg, Sherwood R.
Litzenberger, Ralph W.**
Marinkovits, Joan**
Repyneck, Diane S.*

Romig, Elizabeth A.
Stocklas, James F.**
Zaun, William F.+

* Effective 1-5-09; resigned
4-10-09
** Effective 1-4-10
+ Effective 1-4-10; resigned
4-2-10

**NORTHUMBERLAND
COUNTY**

Mychak, Michael F.*

* Effective 5-1-09

PIKE COUNTY

Lieberman, Charles F.*

* Resigned 5-14-10

SUSQUEHANNA COUNTY

Dayton, Watson J.
Franklin, Gene A.

VENANGO COUNTY

Fish, David L.

**WARREN-FOREST
COUNTIES**

Carlson, Glenn S.
Fedora, Michael L.

WASHINGTON COUNTY

Dutton, Jay H.*
Teagarden, Marjorie Lee**

* Effective 1-1-09
** Resigned 5-17-10

WESTMORELAND COUNTY

DelBene, Frank, Jr.
King, J. Bruce*
McCutcheon Bernice A.
Medich, Martha
Scott, Robert E.

* Effective 4-1-10

**WYOMING-SULLIVAN
COUNTIES**

Baumunk, Linda M.*

* Effective 1-3-09

YORK COUNTY

Bria, Margaret L.
Diehl, Paul M., Jr.
Dubs, Mervin L.
Estep, Roger A.
Hodge, James D.
Meisenhelter, Douglas F.

District Court Administrators

Grim, Mark D., Jr.
Billotte, Raymond L.
Davidson, Martha J.
DeFilippi, Albert R.
Staub, Laurie J.

Weber, Stephen A.
Meadows, Janice
Vanderpool, Mary Lou
Praul, Douglas R., Esq.
Graff, Candace Y.

Valko, William J.
Brewster, Roberta L.
Ishler, Maxine O.
Norwood-Foden, Patricia L.
Slike, Tammy J.

Nelson, Daniel J.
Kessinger, Miles D., III
Blass, Joseph A.
Shuttleworth, John L.
Calvanelli, Melissa H.

Thompson, Carolyn
Crandall, Esq.
Montella, Gerald C., Esq.
Masson, Martha Keller
Aaron, Thomas C.
Kuhn, Karen M.

Burkholder, Neil E.
Szojka, Audrey
Higgins, Deborah J.
Kuhar, Michael J.
Ellis, Patricia C.

Mackay, Ronald C.
Dalton, Mark M.
Occhibone, Michael A.
Wingert, David P., Esq.
Schellenberg, Susan T.

Mulroy, John P. (Acting)
Way, Kevin H., Esq.
Bly, Joanne L.
Morin, Peter A.
Fultz, Melissa K.

Bailey, Lyn
Kehs, Michael R., Esq.
Onembo, James N.
Yasenchak, Brandy L., Esq.
Zook, Christina

Adams
Allegheny
Armstrong
Beaver
Bedford

Berks
Blair
Bradford
Bucks
Butler

Cambria
Carbon
Centre
Chester
Clarion

Clearfield
Clinton
Columbia
Crawford
Cumberland

Dauphin

Delaware
Elk-Cameron
Erie
Fayette

Franklin-Fulton
Green
Huntington
Indiana
Jefferson

Lackawana
Lancaster
Lawrence
Lebanon
Lehigh

Luzerne
Lycoming
McKean
Mercer
Mifflin

Monroe
Montgomery
Northampton
Northumberland
Perry-Juniata

Minor Court Administrators

Grim, Mark D., Jr.
Galvach, Nancy L.
Davis, Susan A.
Bowers, Aileen, Esq.
Staub, Laurie J.

Phillips, Faith
Shea, Madeline M.
Vanderpool, Mary Lou
Carey, Charles A., Jr.
Graff, Candace Y.

Valko, William J.
Brewster, Roberta L.
Gallo, Barbara G.
Norwood-Foden, Patricia L.
Slike, Tammy J.

Nelson, Daniel J.
Kessinger, Miles D., III
Blass, Joseph A.
Shuttleworth, John L.
Calvanelli, Melissa H.

Petery, Troy A.

Williams, Ward T., Esq.
Masson, Martha Keller
Yeager, Kathleen M.
Lambie, Tammy Jo

Burkholder, Neil E.
Szojka, Audrey
Higgins, Deborah J.
Kuhar, Michael J.
Ellis, Patricia C.

Doherty, James A., Jr., Esq.
Weaver, Thomas N., Esq.
Occhibone, Michael A.
Fillak, Leslie A.
Roberts, H. Gordon

Hubbard, Kathleen L.
Way, Kevin H., Esq.
Bly, Joanne L.
Morin, Peter A.
Fultz, Melissa K.

Krom Powell, Deborah A.
Morris, Michael J., Esq.
French, Debra C.
Yasenchak, Brandy L., Esq.
Zook, Christina

Court

Administrators

(As of 6-30-10)

**Court
Administrators,
continued**

**District Court
Administrators**

Lawrence, David C.
Venditti, Samantha G.
Bucheit-Saulter,
Jennifer S.
Wallauer, Lois A.
Kratzer, Charlotte N.

Cober, Brad
Hawley, Cathy E.
Clemens, Nancy L.
Cummings-Wilson, Lynn
Critzler, Linda E.

Weller, Christine L.
Myers, Linus
Kuntz, Paul S., Esq.
Custer, Alma F.
Chuk, J. Robert

Philadelphia
Pike
Pitter

Schuylkill
Snyder-Union

Somerset
Susquehanna
Tioga
Venango
Warren-Forest

Washington
Wayne
Westmoreland
Wyoming-Sullivan
York

**Minor Court
Administrators**

Venditti, Samantha G.
Bucheit-Saulter,
Jennifer S.
Heffner, Bruce D.
Kratzer, Charlotte N.

Cober, Brad
Hawley, Cathy E.
Clemens, Nancy L.
Cummings-Wilson, Lynn
Critzler, Linda E.

Michalski, Sally
Myers, Linus
Heagy, Donald L., Jr.
Custer, Alma F.
Baker, Terry R.

Court Administrator

Zygmunt A. Pines, Esq.
*Court Administrator of
 Pennsylvania*

Andrea B. Tuominen, Esq.
Assistant Court Administrator

Darren M. Breslin, Esq.
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Dawn Brown
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Judicial Programs

Joseph J. Mittleman, Esq.
Director of Judicial Programs

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 Judicial Programs*

Richard J. Pierce
 Amy Y. Kehner
 Owen J. Kelly, Esq.
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*Administrator, Office of
 Children and Families
 in the Courts*

Oswaldo R. Avilés
*Interpreter Program
 Administrator*

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*Problem-Solving Courts
 Coordinator*

Judicial Services

Nicholene DiPasquale
*Judicial Services
 Administrator*

Policy Research & Statistics

Vacant
*Director of Policy Research &
 Statistics*

Kim E. Nieves, Ph.D.
*Assistant Director of Policy
 Research & Statistics*

Yan Liu
Statistical Analyst

Laurie A. Sacerdote
*Caseload Statistics
 Coordinator*

Rosemary A. Figazzotto
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Chief Counsel

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Chief Legal Counsel

Maryellen Gallagher, Esq.
Assistant Chief Legal Counsel

A. Taylor Williams, Esq.
Deputy Counsel—Litigation

Daryl Walker, Esq.
 Mary Butler, Esq.
 Geri Romanello St. Joseph, Esq.
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Timothy McVay, Esq.
*Deputy Counsel—Judicial
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David S. Price, Esq.
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 Philadelphia, PA 19102
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(As of 6-30-10)

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Office
of
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Harrisburg**

Pennsylvania Judicial
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Harrisburg, PA 17106
717-231-3300

**Deputy Court
Administrator**

Thomas B. Darr
*Deputy Court Administrator
of Pennsylvania*

Rhonda J. Hocker
Administrative Assistant

James J. Koval
*Communications Manager/
Assistant for Intergovern-
mental Relations*

Stuart Ditzen
Assistant for Communications

David Lane
*Assistant for
Intergovernmental Relations*

Arthur J. Heinz
*Communications/
Legislative Coordinator*

Steve Schell
Communications Coordinator

Gina L. Earle
Communications Assistant

William L. Hollenbach
*Manager of Administrative
Services*

Judicial Security

Vacant
*Judicial Security
Administrator*

Mary Beth Marschik
*Assistant Judicial Security
Administrator*

Finance

Deborah B. McDivitt
Director of Finance

Mary M. Gillette
*Assistant Director of
Finance*

Kenneth R. Crump
Budget Administrator

R. Dean Stitler
Accounting Administrator

Janice C. Evans
Acting Payroll Administrator

Human Resources

David W. Kutz
Director of Human Resources

Margaret A. Arris
*Assistant Director of
Human Resources*

Denise Parise
*Employment Services
Administrator*

Nancy L. Kranz, CEBS
Benefits Administrator

Judicial Education

Stephen M. Feiler, Ph.D.
Director of Judicial Education

Mary K. Kennedy, Esq.
Judicial Education Specialist

Susan M. Davis
*Executive Director—Minor
Judiciary Education Board*

Judicial Automation

Amy J. Ceraso, Esq.
*Director of Judicial
Automation*

Ralph W. Hunsicker
Senior Projects Director

James E. Tulio
Manager of IT Operations

E. Christine Patton
IT User Support Manager

Barbara Holmes
*Enterprise Applications
Design Architect*

Daniel M. Hyde
*Senior IT Development
Analyst*

Ami B. Levin
Data Hub Project Manager

Russel Montchal
*Senior IT Development
Analyst*

Paul D. Burton
PACMS Project Manager

Mark E. Rothermel
MDJS Project Manager

Judy K. Souleret
ASAP Project Manager

**Administrative
Office
of
Pennsylvania
Courts
Mechanicsburg**

