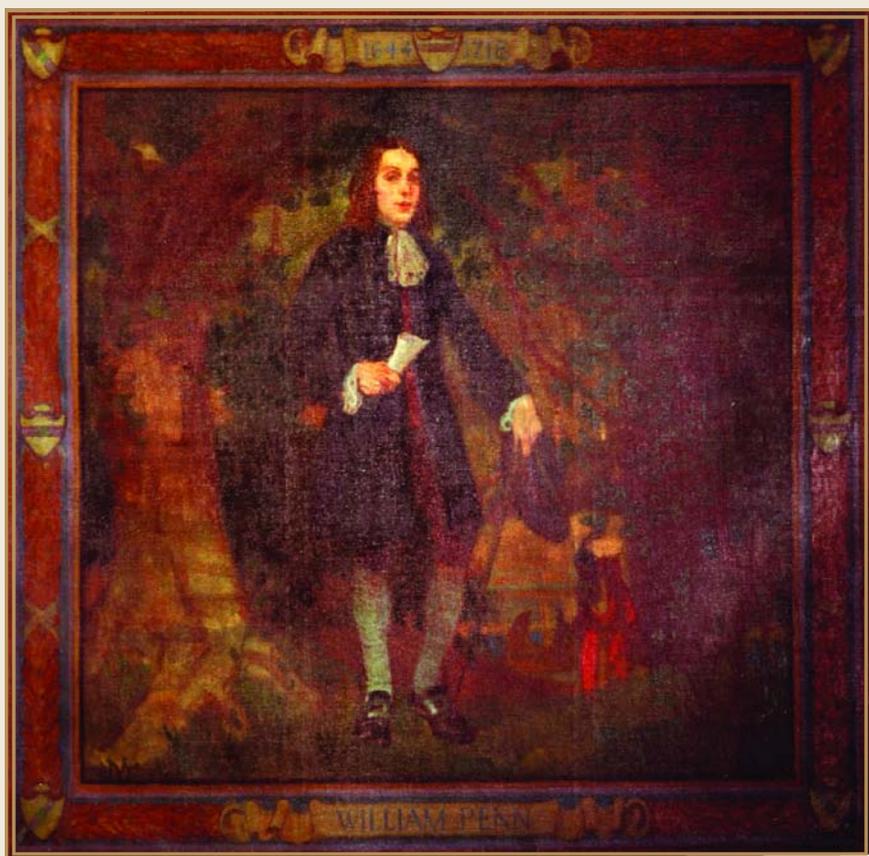




# ANNUAL REPORT 2003



SUPERIOR COURT  
OF  
PENNSYLVANIA



**PORTRAIT OF WILLIAM PENN**

*Edward Trumbull, 1923*

The Supreme/Superior Court Courtroom  
City-County Building, Pittsburgh

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**ON THE COVER:**

**THE FIRST SUPERIOR COURT AS APPOINTED IN 1895**

*L-R (seated)*

*Edward N. Willard, President Judge Charles E. Rice, John J. Wickbam, Henry J. McCarthy*

*L-R (standing)*

*James A. Beaver, George B. Or lady, Howard J. Reeder*

SUPERIOR COURT OF PENNSYLVANIA



CHAMBERS OF PRESIDENT JUDGE

2000 OXFORD DRIVE  
SUITE 470  
BETHEL PARK, PA 15102

JOSEPH A. DEL SOLE  
PRESIDENT JUDGE

(412) 565-2542

Dear Citizens of Pennsylvania:

On behalf of the judges and staff of the Superior Court, I am pleased to present the 2003 Annual Report.

The number of appeals filed rose slightly over those that were filed in 2002. The number of decisions filed increased by over 4%. We remain committed to our tradition of timely resolving the issues presented.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph A. Del Sole".

Joseph A. Del Sole  
President Judge

## 2003

### *The Year in Review*

President Judge Emeritus Stephen J. McEwen, Jr. began service as a Senior Judge on January 1, 2003. Also, for the first time in many years, no new judge joined the court.



The court's annual educational conference was held in June. The session covered a wide range of topics with participation by many members of the Supreme Court of Pennsylvania. Professor Marci Hamilton, Cardozo Law School, and Professor Randy Lee, Widener Law School, conducted a forum on The New Federalism. Professor Ken Gormley, Duquesne University School of Law, presented an update on Federal and State Constitutional Law. Professor Bruce Antkowiak, Duquesne University School of Law, discussed Current Issues Facing the Superior Court. During this presentation, Chief Justice Ralph J. Cappy discussed the application of the Supreme Court's recent decision in *Commonwealth v. Grant*. Dean Phillips, Counsel for the Appellate Court Rules Committee, presented a review of current issues facing the committee. Professor Barry McCarthy, University of Pittsburgh

Law School, and Anne Panfil, Counsel for the Criminal Procedural Rules Committee, discussed recent and proposed changes to the rules. Andrew Masich, President of the Historical Society of Western Pennsylvania, was the featured speaker.



We expanded our ability to distribute decisions electronically. Also, additional space was acquired in Philadelphia to provide a repository of historical artifacts amassed by the court during its first century of service.



The court continued to "ride the circuit," holding special sessions in Scranton, Hollidaysburg and State College. Pennsylvania Cable Network continues to broadcast the En Banc Sessions of the court as a service to the people of Pennsylvania.



In November, the citizens of Pennsylvania selected three new members to service. Judge Seamus P. McCaffery, Judge Jack A. Panella and Attorney Susan Peikes Gantman were elected.

# 2003

## *The Year in Statistics*

### APPEALS PENDING, FILED AND CONCLUDED

	TOTAL	CIVIL	CRIMINAL
Appeals Pending 01/01/2003	6201	2244	3957
New Appeals Filed in 2003	8195	3683	4512
Appeals Concluded in 2003	8081	3504	4577
Appeals Pending 01/01/2004	6315	2423	3892

### APPEALS, PETITIONS AND WIRETAPS FILED, BY DISTRICT

	EAST	MIDDLE	WEST	TOTAL
Appeals Filed	3850	2045	2300	8195
Petitions Filed	5150	1599	2507	9256
Misc. Dkt Filings	160	85	111	356
Wiretaps	41	—	10	51

### REARGUMENT/RECONSIDERATION

Petitions Filed .....	371
Petitions Granted.....	32
Percent Granted.....	8.6%

### APPEALS BY COUNTY OF ORIGIN

Adams.....	35	Lackawanna.....	116
Allegheny.....	895	Lancaster.....	184
Armstrong.....	25	Lawrence.....	45
Beaver.....	63	Lebanon.....	42
Bedford.....	20	Lehigh.....	167
Berks.....	210	Luzerne.....	218
Blair.....	75	Lycoming.....	74
Bradford.....	62	McKean.....	26
Bucks.....	241	Mercer.....	68
Butler.....	85	Mifflin.....	10
Cambria.....	71	Monroe.....	125
Cameron.....	0	Montgomery.....	270
Carbon.....	29	Montour.....	9
Centre.....	109	Northampton.....	96
Chester.....	225	Northumberland.....	50
Clarion.....	24	Perry.....	15
Clearfield.....	44	Philadelphia.....	2349
Clinton.....	34	Pike.....	38
Columbia.....	37	Potter.....	21
Crawford.....	45	Schuylkill.....	73
Cumberland.....	76	Snyder.....	23
Dauphin.....	239	Somerset.....	31
Delaware.....	285	Sullivan.....	2
Elk.....	10	Susquehanna.....	26
Erie.....	293	Tioga.....	23
Fayette.....	95	Union.....	18
Forest.....	1	Venango.....	38
Franklin.....	54	Warren.....	15
Fulton.....	8	Washington.....	88
Greene.....	35	Wayne.....	25
Huntingdon.....	26	Westmoreland.....	136
Indiana.....	33	Wyoming.....	18
Jefferson.....	18	York.....	247
Juniata.....	7		

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**TOTAL.....8195**

# 2003

## *The Year in Statistics*

### APPEALS BY TYPE OF CASE

Action to Quiet Title.....	22	Ejectment.....	35	Possession with Intent to Deliver.....	181
Adoption.....	33	Equity.....	156	Premises Liability - Slip and Fall.....	48
Aggravated Assault.....	486	Escape.....	23	Protection From Abuse.....	40
Arbitration.....	41	Estate/Probate/Wills/Intestate..	111	Rape.....	176
Arson.....	27	Forgery.....	34	Receiving Stolen Property.....	70
Asbestos.....	40	Habeas Corpus.....	23	Recklessly Endangering Another Person.....	32
Assault.....	45	Harassment.....	43	Robbery.....	298
Assumpsit.....	127	Homicide.....	125	Simple Assault.....	45
Burglary.....	187	Indecent Assault.....	98	Spousal Support.....	25
Child Support.....	231	Involuntary Deviate Sexual Conduct.....	90	Summary Offense/Conviction.....	90
Civil Action - Law.....	945	Involuntary Termination of Parental Rights.....	159	Termination of Parental Rights..	37
Contract.....	132	Kidnapping.....	21	Terroristic Threats.....	49
Controlled Substance.....	530	Landlord-Tenant.....	20	Theft.....	123
Corruption of Minors.....	44	Medical Malpractice.....	155	Trespass.....	152
Criminal.....	226	Mortgage Foreclosure.....	45	Uniform Firearms Act.....	60
Criminal Conspiracy.....	170	Motor Vehicle Accident.....	74	Vehicle Violation.....	78
Criminal Contempt.....	33	Murder.....	153	Other Civil*.....	306
Criminal Trespass.....	20	Murder 1.....	180	Other Criminal*.....	319
Custody/Visitation.....	268	Murder 2.....	25	<b>Total.....</b>	<b>8195</b>
Declaratory Judgment.....	63	Murder 3.....	53	*Includes appeals originally classified as "other" as well as appeals originally classified in categories with fewer than 20 appeals filed in 2003.	
Dependency.....	148	Ordinance Violation.....	22		
Disorderly Conduct.....	38	Possession of an Instrument of Crime.....	28		
Divorce.....	300				
Driving Under the Influence.....	237				

### OPINIONS FILED

	TOTAL	CIVIL	CRIMINAL
Published Opinions	513	291	222
Non-Published Opinions	4513	1464	3049
<b>TOTAL 2003</b>	<b>5026</b>	<b>1755</b>	<b>3271</b>

### DISPOSITIONS BY TYPE

	TOTAL	CIVIL	CRIMINAL
By Filed Decision	5273	1872	3401
By Order or Discontinuance	2808	1632	1176
<b>TOTAL 2003</b>	<b>8081</b>	<b>3504</b>	<b>4577</b>

# 2003

## *The Year in Statistics*

### SUPERIOR COURT TREATMENT OF CASES FROM COURTS OF COMMON PLEAS

	Cases Decided by Published Opinion	%	Cases Decided by Unpublished Opinion	%	Total All Cases	%
Affirmed	311	55.1	3770	80.1	4081	77.4
Reversed	178	31.7	533	11.7	731	13.8
Affirmed in Part, Reversed in Part	48	8.5	128	2.7	176	3.3
Quashed, Dismissed, Transferred	25	4.4	229	4.9	254	4.8
Other	2	0.3	29	0.6	31	0.6
<b>Total</b>	<b>564</b>		<b>4709</b>		<b>5273</b>	

### MEDIAN NUMBER OF DAYS TO DISPOSITION FOR APPEALS CONCLUDED IN 2003

From Superior Court docket date for all appeals.....	279
From Superior Court docket date for appeals disposed by order or discontinuance.....	76
From Superior Court docket date for appeals disposed by filed decision.....	335
From original record filing date for appeals disposed by filed decision.....	261

### TOTAL OF PETITIONS FILED IN 2003

#### ALLOCATORS: CASES FILED AND CONCLUDED

Total Allocatur Petitions Filed in 2003 from Superior Court Decisions.....	1574
Number Granted.....	84
Number Denied.....	1450
Other Disposition.....	18
Open.....	958

#### DISPOSITION OF APPEALS FROM SUPERIOR COURT CASES

Reversed.....	31
Affirmed.....	41
Voided.....	1
Other*.....	20
Total.....	93

\* Includes affirmed/reversed, dismissed,  
improvidently granted, vacated and withdrawn.

## PRESIDENT JUDGE JOSEPH A. DEL SOLE

Joseph A. Del Sole was born on November 16, 1940, in Pittsburgh. He has a Bachelor of Science degree in Mechanical Engineering from Carnegie Institute of Technology (now Carnegie Mellon University); an LL.B. from Duquesne University School of Law; and a L.L.M. from the University of Virginia School of Law. He is a member of the Century Club of Distinguished Alumni of Duquesne University and received the 1988 President's Award from the Pennsylvania Trial Lawyers Association.

Judge Del Sole co-authored "The Demise of Fair Trade in Pennsylvania" which appeared in the Duquesne University Law Review and is the author of "Appellate Review in a Sentencing Guidelines Jurisdiction: The Pennsylvania Experience." 31 Duq. L. Rev. 479 (1993). He is a member of the Supreme Court Statewide Steering Committee on Computer Automation and was instrumental in spearheading the Superior Court's computerization and statistical development programs. He was a member



of the former Judicial Inquiry and Review Board and was the first Chairman of the Judicial Conduct Board. He is an Adjunct Professor of Law at Duquesne University Law School.

He was appointed to the Allegheny County Court of Common Pleas in 1978 and elected to a full term in 1979. He was elected to the Superior Court in 1983, and retained for a third term in 2003. He is now the President Judge of the Superior Court of Pennsylvania.

He and his wife, Karen, have three children. Their son Joseph M. Del Sole, is a police officer and his wife, Lynne, is a pilot with Piedmont Airlines. Their daughter, Kristen, is an attorney at Kirkpatrick & Lockhart and is married to Tod Eberle, an Assistant District Attorney; they have two children, Grace and Charles. Their son, Stephen, is in private practice at Del Sole Cavanaugh, LLC, and is married to Christine Astorino, a landscape architect at LD Astorino, Inc.; they have two children, Sophia and Jack.



## JUDGE JUSTIN MORRIS JOHNSON

Justin Morris Johnson was appointed to the Superior Court in 1980 and elected to a ten-year term in 1985. He was retained for another term in 1995. His chambers are in Pittsburgh.

Judge Johnson was born at Wilkinsburg on August 19, 1933. He received his A.B. and J.D. degrees from the University of Chicago and has attended the Graduate Program for Judges at the University of Virginia. His active military duty, 1954-59, and his reserve duty 1963-73, including two active duty flights into Vietnam during 1971, were with the United States Air Force as an aircraft commander.

In March, 1989, Judge Johnson completed twenty years service on the Pennsylvania Board of Law Examiners, the last six as its chairman. He served on the Board of Managers of the National Conference of Bar Examiners from 1984 to 1989. From 1977 until his appointment to the bench, he was a member of the Pennsylvania Crime Commission. Judge Johnson sat upon the Permanent



Judicial Commission of the General Assembly, Presbyterian Church (U.S.A.) from 1981 to 1989. He completed a six-year term on the Advisory Committee on the Constitution of that national, church-wide body in June, 1996. In August, 1993, Judge Johnson was appointed to a two-year term on the newly-established Court of Judicial Discipline by then Acting Governor Mark S. Singel.

Judge Johnson served for five years as an Adjunct Professor, Duquesne University School of Law. He has served as chairman of Hearing Committee 4.11, Disciplinary Board of the Supreme Court of Pennsylvania, and is a Past President and Director of Neighborhood Legal Services Association (Pittsburgh). He is an active member of the American Bar Association, the National Bar Association, the Pennsylvania Bar Association, the Homer S. Brown Law Association and is a Fellow of the American Bar Foundation.

## JUDGE JOSEPH A. HUDOCK

Judge Joseph A. Hudock was born in Greensburg, Pennsylvania on November 21, 1937. He was educated at St. Vincent College (B.A.) and Duquesne University School of Law (J.D.). He served in the United States Navy Judge Advocate Generals Corps from 1963 to 1967, and then practiced law in Greensburg for 11 years.

He was elected to the Court of Common Pleas of Westmoreland County and served for 12 years before being elected to the Superior Court in November, 1989. He was retained for another term in 1999.

He has been actively involved for many years with the Advisory Board of the Salvation Army, Rotary Club, Boy Scouts, Community Nursing Service, and the United Way of Central Westmoreland, serving at one time as campaign manager and president of the latter.



He has been a member of the Regional Planning Council of the Governor's Justice Commission, the Latrobe Area Task Force of the Diocese of Greensburg, and the Alumni Council of St. Vincent College. In 1987, he was awarded the St. Vincent College "Alumnus of Distinction Award". He was a member of the Editorial Board of "The Practical Litigator" for ten years. He was a founding member and past president of the Westmoreland American Inn of Court. He is presently Chairman of the Supreme Court Appellate Procedural Rules Committee.

Judge Hudock is married to the former Rita Giegerich, and they have four children, Joseph, Jr., Ann, Daniel and Mary. His chambers are in Greensburg.

## JUDGE KATE FORD ELLIOTT

Judge Kate Ford Elliott was born June 8, 1949, in Pittsburgh, the daughter of Dr. John M. and Loretto O'Toole Ford. She attended the University of Pittsburgh, where, in 1971, she earned a B.A. in Education (cum laude); Duquesne University, M.S. in Education, 1973; Duquesne University School of Law, Evening Division, J.D. 1978.

A member of the Allegheny County, Pennsylvania and American Bar Associations, Judge Ford Elliott is also Past Chairperson, Allegheny County Appellate Practice Committee, a member of the ABA Judicial Administration Division, and Formerly Vice



Chair of the Pennsylvania Futures Commission on Justice in the 21st Century established by the Pennsylvania Supreme Court. She is a Fellow of the American Bar Foundation, a member of the National Association of Women Judges, the Women's Bar Association of Western Pennsylvania, and the American Judicature Society. She has served on Executive Board of ABA

Committee of Appellate Staff Attorneys and is a frequent lecturer on issues of Appellate Practice and Procedure. She was elected Judge of the Superior Court of Pennsylvania in November 1989.

## JUDGE MICHAEL T. JOYCE

Judge Michael T. Joyce was born Feb. 24, 1949 in Pittsburgh. He received his B.A. from the Pennsylvania State University in 1973 and was awarded a J.D. from the Franklin Pierce Law Center in 1977. From 1967 to 1970 Michael Joyce served in the U.S. Army. After graduating from Army Intelligence School, he attended the Defense Language Institute from January 1968 to January 1969 where he learned to read, write and speak the three main dialects of Vietnamese. Judge Joyce served 13 months in Vietnam with the 25th Infantry Division. He attained the rank of Staff Sergeant at the age of 20 and was awarded the Bronze Star medal and two Army Commendation Medals. He was a Presidential Law Clerk in The White House in 1975, and maintained a private practice from 1977-85. He was appointed judge, Erie County Court of Common Pleas, in July 1985 after winning both the Republican and Democratic primaries. He was then elected to a ten-year term in November 1985, and retained for an additional term in November 1995.



He was elected a judge of the Superior Court in November 1997. Judge Joyce is a member of the Pennsylvania Trial Judges Association, American Judicature Society, American Judges Association, Pennsylvania Bar Association, Erie County Bar Association, Penn State Alumni Association, the Domestic Relations Association of Pennsylvania, Vietnam Veterans of America, Veterans of Foreign Wars, Vietnam Veterans of Pennsylvania, American Legion, Millcreek Youth Athletic Association and served as an Explorer leader, Boy Scouts of America. Judge Joyce is a licensed SCUBA diving instructor certified by both the Professional Association of Dive Instructors (PADI) and the National Association of Dive Instructors (NAUI) and a member of the Erie County Sheriff's Scuba Rescue and Recovery Dive Team. He is also a private pilot and a member of the Airplane Owners and Pilots Association (AOPA).

Judge Joyce has two sons, Timothy and Robert, both graduates of the University of Notre Dame.

## JUDGE CORREALE F. STEVENS

Judge Correale F. Stevens was born in Hazleton. Judge Stevens graduated from Pennsylvania State University with a Bachelor of Arts degree, and from Dickinson School of Law with a J.D. While in law school, he was an associate editor of the Dickinson Law Review.

Judge Stevens was engaged in the private practice of law, served as Hazleton City Solicitor and Hazleton City Authority Solicitor. He was named Outstanding Young Pennsylvanian by the state Jaycee organization and



served on the executive board of the Wilkes-Barre Law and Library Association.

In 1980, Judge Stevens was elected to the Pennsylvania House of Representatives, and was re-elected in 1982, 1984 and 1986. In 1987 he was elected District Attorney of Luzerne County, and in 1991 he was appointed to the Court of Common Pleas of Luzerne County and elected to a full term that same year. In November 1997, Judge Stevens was elected to the Superior Court.

## JUDGE JOHN L. MUSMANNO

Judge John L. Musmanno was born in McKees Rocks, Pa. He received a Bachelor of Arts degree from Washington & Jefferson College in 1963, graduating magna cum laude and Phi Beta Kappa, and a Juris Doctor from Vanderbilt University School of Law in 1966, where he was an assistant editor of the Vanderbilt Law Review.



Judge Musmanno is a member of the American, Pennsylvania and Allegheny County Bar Associations.

He received the President's Award, Pennsylvania Trial Lawyers Association in 1991, and the Academy of Trial Lawyers of Allegheny County award in 1993.

He maintained a private law practice, 1966-81, was elected district justice, 1970-81; elected judge, Allegheny County Court of Common Pleas, 1981 and re-elected in 1991; and was the administrative judge, civil division, Allegheny County Court of Common Pleas, 1990-97. In November 1997, he was elected to the Superior Court.

## JUDGE JOAN ORIE MELVIN

Judge Joan Orie Melvin was born in Pittsburgh. She attended the University of Notre Dame, where she received a B.A. in Economics in 1978, and Duquesne University School of Law, where she was awarded a J.D. in 1981. From 1981 to 1985 Judge Orie Melvin served as corporate counsel and was engaged in a private law practice, concentrating in civil litigation before she was appointed Magistrate, City of Pittsburgh Municipal Courts, in 1985. She was then named Chief Magistrate in 1987 for the City of Pittsburgh Municipal Courts. In this position Judge Orie Melvin established Pennsylvania's first Domestic Violence Court.



In 1990, Judge Orie Melvin was appointed Judge to a vacancy on the Allegheny County Court of Common Pleas and later was elected to a full term in 1991. She served in the civil, criminal and family divisions from 1991 to 1997.

Judge Orie Melvin is a member of the American Bar

Association, the Pennsylvania Bar Association and the Allegheny County Bar Association. She is also a member of the Allegheny County Mental Health/Mental Retardation Advisory Board, the PGH Matrimonial Inn of Court, and the Executive Women's Council of Greater Pittsburgh. She is past President of the Allegheny County Prison Board. She has also served as a member of the Board of Directors of the Vincentian Home and as a member of the United Way Community Problem Solving Troubled Youth Committee and STOP Violence Taskforce. Judge Orie Melvin was the recipient of Carlow College's Woman of Spirit Award; Duquesne University School of Law Woman's Law Society Woman of the Year; and the YMCA of Greater Pittsburgh - A Tribute to Women Leadership Award in Government/Public & Civic Service. She was elected to the Superior Court in November 1997.

## JUDGE MAUREEN E. LALLY-GREEN

Judge Maureen E. Lally-Green was born in Sharpville, Mercer County. She graduated from Duquesne University with a B.S. in Secondary Education, Mathematics (1971) and its School of Law (1974).

Judge Lally-Green has been an associate with a private law firm in Pittsburgh, counsel to the Commodity Futures Trading Commission (Washington, D.C.) and to the former Westinghouse Electric Corporation, a consultant to Justices of the Pennsylvania Supreme Court, and a full-time Professor of Law at Duquesne University's School of Law. In 1998, her appointment by Governor Tom Ridge to the Superior Court was confirmed by the State Senate and, in 1999, was elected for a term of ten years.

The Judge is, among other things, a member of the Board of Regents of St. Vincent Seminary, Latrobe, Pa.; the Board of Directors of Saint Francis University; the Board of Directors of the St. Thomas More Society; the Executive Committee of the Pennsylvania Bar



Association's Commission on Women in the Profession, its Quality of Work Life Committee; and the National and the International Association of Women Judges. She continues as an adjunct professor of law at Duquesne's Law School and annually teaches in various law-related programs. She is published in various law reviews. In the past, she has served the Supreme Court, Butler County, Cranberry Township and the Pittsburgh Diocese in various capacities.

She has been recognized for her achievements: St. Thomas More Award, St. Thomas More Society (2002); Duquesne University Law School Distinguished Alumna Award (2001); Chatham College's Presidents Medal (2000); Who's Who in America; Who's Who in American Law; Who's Who Among American Women; Who's Who in Emerging Leaders; Who's Who in the World; Who's Who in American Education; Woman of the Year (Duquesne Women Law School); and, Fellow in International Development, Kellogg Foundation.

## JUDGE DEBRA MCCLOSKEY TODD

Judge Debra McCloskey Todd was born in Ellwood City on October 15, 1957, the daughter of the late Harry and Blanche McCloskey. She is a 1979 Honors graduate of Chatham College and a 1982 Law Review graduate of the University of Pittsburgh School of Law. From 1982 through 1987, Judge Todd was an in-house litigation attorney for U.S. Steel Corporation. She maintained a trial practice in the City of Pittsburgh from 1987 through 1999 with an emphasis in complex civil litigation. Judge Todd is an elected member of the Academy of Trial Lawyers of Allegheny County and an alumna and former board member of the Leadership Pittsburgh Program. She is a member of the Allegheny, Pennsylvania and American Bar Associations.

Judge Todd has been a lecturer and panelist for contin-



uing legal education programs on trial procedure and practice, as well as an instructor for the National Institute for Trial Advocacy.

From 1989 through 1999 Judge Todd served as a Court-Appointed Special Master for the Allegheny County Court of Common Pleas. The Judge presently serves as a board member of the Finnegan Foundation, a foundation established to provide internships in Pennsylvania government to outstanding accredited college and university students. She is a member of the Pennsylvania Bar Association's Commission on Women in the Profession and the American Judicature Society.

Judge Todd was elected to the Superior Court in November 1999, and commenced service on the Court in January 2000. Her chambers are in Pittsburgh.

## JUDGE RICHARD B. KLEIN

Judge Richard B. Klein was born in Philadelphia, the son of the late Philadelphia Orphans' Court Judge Charles Klein and Rosalie Benson Klein. He received his BA from Amherst College in 1961, graduating Phi Beta Kappa and Magna Cum Laude. He graduated with honors from Harvard Law School in 1964.

Judge Klein served for 28 years as a trial judge in the Court of Common Pleas of Philadelphia County until his election to the Superior Court in 2001. He was the youngest judge in the history of Pennsylvania when he first assumed the bench. Prior to assuming the bench, he was in private practice and served as a Special Assistant Attorney General.

He has been active in numerous education and justice improvement projects. He serves as vice-chair of the Pennsylvania Futures Commission on Justice in the Twenty-First Century. He served as an adjunct Lecturer in Law at the Temple University School of Law for fifteen years, teaching Trial Advocacy and Legal Writing. Judge Klein founded and co-chairs the Pennsylvania Bar Association "Plain English" committee. He serves in the



House of Delegates of the Pennsylvania Bar and is on its ADR committee. He formed and was the initial chair of "LUG-PC" of the Philadelphia Bar Association, the Lawyers User Group for Personal Computing. He remains active on the Philadelphia Bar Alternative Dispute Resolution Committee and its State Civil Committee. At the American Bar

Association level, he served on the Ad Hoc Committee for State Justice Initiatives and chaired the Futures and Technology Committees of the National Conference of State Trial Judges. He chaired the Jury Selection Committee of the Philadelphia Common Pleas Court.

Judge Klein is co-author of the West Book, *Trial Communication Skills*, written with Julius Fast, author of the original *Body Language* book. He has written and lectured widely, on topics such as Mediation, Technology, Trial Techniques, Legal Writing, and Ethics.

Judge Klein is also known for his avocation as a jazz drummer and bandleader.

## JUDGE JOHN T. BENDER

Judge Bender was born on November 6, 1948 in Jeannette, Pennsylvania. In 1970, he received a Bachelor of Arts degree from the School of Journalism of the Pennsylvania State University. He then attended the Institute for Paralegal Training in Philadelphia and worked as a paralegal at the Pittsburgh law firm of Reed Smith Shaw & McClay. In 1976, he was awarded a J.D. degree from Duquesne University Law School.

Judge Bender served as a law clerk to President Judge Emeritus William F. Cercone while attending law school. He later was employed as a law clerk to former Justice Rolf Larson. Judge Bender also served as an Allegheny County Assistant District Attorney before entering into the private practice of law as a sole practitioner and as a partner in a



small law firm. For over 25 years Judge Bender primarily represented individuals in criminal and civil proceedings. In 1997, Judge Bender was elected to the position of District Justice in Magisterial District 05-2-04. In the Summer of 2003 Judge Bender completed the Appellate Judges Seminar at New York University.

He is a member of the Allegheny County, Pennsylvania and American Bar

Associations.

Judge Bender and his wife Michele live with their three children, Tom, Kathleen, and Maggie in Fox Chapel, Allegheny County.

Judge John T. Bender was elected to a ten-year term on the Superior Court of Pennsylvania in November 2001. His chambers are located in Pittsburgh.

## JUDGE MARY JANE BOWES

Judge Mary Jane Bowes was born on July 18, 1954, in Pittsburgh, Pennsylvania. She received her Bachelor of Arts degree from Georgetown University in 1976 and her J.D. from the University of Pittsburgh School of Law in 1979.

After graduation from law school, she served as Judicial Law Clerk to the Honorable Harry Montgomery and the Honorable John P. Hester, both of the Superior Court of Pennsylvania, and to Chief Justice Henry X. O'Brien of the Supreme Court of Pennsylvania. From 1986 to 1998, she was engaged in the private practice of law. In 1994, Judge Bowes founded her own firm, specializing in construction and commercial litigation. In 1998, she joined an environmental remediation company as corporate counsel.

Judge Bowes is a member of the Pennsylvania and Allegheny County Bar Associations, where she served on the Professional Ethics Committee for four years, and is a former Board member of the Allegheny County Finance and Development Commission, which comprises four separate municipal authorities. She was elected to membership in the Academy of Trial Lawyers of Allegheny County



in 1996. Judge Bowes has served as arbitrator in numerous matters in both federal and state court arbitration programs as well as in private arbitrations.

Judge Bowes is a member of the Board of Trustees of Duquesne University, the St. Thomas More Society, St Anthony School Programs and the Pittsburgh Civic Light Opera. She is a past member of the Board of Trustees of St. Clair Memorial Hospital and the DePaul Institute for hearing-impaired children, and Past President of the Board of the Parental Stress Center, which treats neglected and abused children, the St. Thomas More Society, and the Georgetown University Alumni club of Pittsburgh. She was honored by Governor Tom Ridge with the Pennsylvania's Best 50 Women in Business Award in 1997.

Judge Bowes is a member of St. Louise de Marillac Parish. She is married to Dr. Ronald Bowes and is the mother of three children, Brendan, Bridget, and Conor. The family resides in Whitehall Borough.

Judge Bowes was elected to a ten-year term on the Superior Court of Pennsylvania in November, 2001. Her chambers are located in Pittsburgh.

## JUDGE ROBERT A. GRACI

Judge Graci was born in Philadelphia on August 12, 1952, to Paul and Anne Frances Graci, the second of three sons. He grew up in Havertown, Delaware County. After graduating from Msgr. Bonner High School, he attended West Chester State College, graduating with a Bachelor's degree in Political Science in three and one-half years. He took the first step in realizing a life long dream of becoming a lawyer when he enrolled in the University of Miami School of Law, where he was awarded his Juris Doctor with honors in 1977.

Though he has experience on a corporate legal staff and a small private firm, Judge Graci spent most of his career in public service. He has served as a staff attorney for state and federal law enforcement agencies, an assistant district attorney, special counsel to a legislative committee, and a deputy attorney general. He headed the Attorney General's criminal appeals section from 1984 until 2002. In 1997, he was promoted from Chief Deputy Attorney General to the newly created position of Assistant Executive Deputy Attorney General of the Criminal Law Division for Law and Appeals. As a deputy attorney general, Judge Graci argued cases in all of the State and federal appellate courts of the Commonwealth, including the Supreme Court of the United States.

Judge Graci was twice appointed by the Pennsylvania Supreme Court to the Criminal Procedural Rules Committee. He is a member of the American, Pennsylvania and Florida Bar Associations,



as well as the Pennsylvania District Attorneys Association and the Association of Government Attorneys in Capital Litigation. He co-authored a treatise on death penalty litigation – “Prosecution of a Death Penalty Case in Pennsylvania” – that is used by prosecutors, defense lawyers, and judges throughout the state and country. He also co-authored articles on the state's

wiretapping and corrupt organizations. He is a regular lecturer for law-related groups, including the Pennsylvania Bar Institute, the Pennsylvania District Attorneys Institute, and the State Conference of Trial Judges. Three Attorneys General have commended him “for outstanding service to the people of the Commonwealth.” In 2002, he received a special achievement award from the Pennsylvania Bar Association for his service as Chair of the Association's Criminal Law Section, a position he currently holds.

In 2001, the PBA gave Judge Graci its “Highly Recommended” rating for a position on the Superior Court. Governor Mark Schweiker appointed him to a vacancy on the Superior Court on March 11, 2002. On June 28, 2002, the Pennsylvania Senate unanimously confirmed his appointment. He was sworn in on July 19, 2002.

After his first year in law school, Bob married his high school sweetheart, Shawn Montgomery, a secondary school mathematics teacher. They have two daughters, Petra, 22, and Caitlin, 19. They reside in Cumberland County.

## SENIOR JUDGE PETER PAUL OLSZEWSKI

Judge Peter Paul Olszewski, of Wilkes-Barre, Pennsylvania, graduated from Wyoming Seminary, Lafayette College, and St. John's University School of Law. He is a member of Pi Delta Epsilon (honorary collegiate journalism fraternity). Instructor, King's College, Wilkes-Barre, "Constitutional Limitations on Evidence in Criminal Cases" - 1969-70. During World War II, Judge Olszewski served with the United States Army in the China-Burma-India Theatre of Operations.

Judge Peter Paul Olszewski was a trial lawyer for fifteen years before he was elected to the Court of Common Pleas of Luzerne County, where he served as a trial judge for sixteen years. In 1983, Judge Olszewski was elected to the Superior Court of Pennsylvania.

Judge Olszewski has served on the boards of trustees of College Misericordia and the Wilkes-Barre Campus of the Pennsylvania State University. He is an honorary



Director of St. John's University Law School Alumni Association. He has received the Liberty Under Law Award, Fraternal Order of Eagles, the Distinguished Law and Justice Award of the Deputy Sheriffs' Association of Pennsylvania and the Distinguished Law and Justice Award of County and State Detectives Association of Pennsylvania. In addition, Judge Olszewski served on the Interfaith Council of Wyoming Valley. He is also active in the American Bar Association Appellate Judges Conference, the Pennsylvania Bar Association, Philadelphia Bar Association, Wilkes-Barre Law and Library Association, and is a Fellow of the American Bar Foundation. He is a member of the American Legion, Veterans of Foreign Wars, and is also an Honorary Lifetime Member, Frank Albert State Police Lodge.

## SENIOR JUSTICE FRANK J. MONTEMURO, JR.

Justice Frank J. Montemuro, Jr., was born on October 27, 1925, in Philadelphia. He attended Temple University and received his LL.B. from Duke University Law School. During World War II, he served in the U.S. Navy with the amphibious forces in the Pacific.

Justice Montemuro is currently in his 39th year on the bench. He was appointed to the trial bench in 1964 and successfully ran for a ten-year term in 1965. In 1968 he was elected the Administrative Judge of Philadelphia's twenty-judge Family Court Division and re-elected for additional five-year terms in 1973 and again in 1978. He was appointed to the Superior Court in 1980 and was elected to a full ten-year term as the nominee of both parties in 1983.

Justice Montemuro was appointed to chair the Philadelphia Regional Planning Council, Law Enforcement Assistance Administration. He has also served in the Joint State Government Commission Task Force and on the Philadelphia Judicial Council where he chaired the Sub-Committee on Judicial Administration. He was a member of the Governor's Advisory Committee, Juvenile Justice and Delinquency Prevention Act of 1974. He has served as Chairman of the Domestic Relations Committee of the Pennsylvania Conference of State Trial Judges, and served a four-year term on the Judicial Inquiry and Review Board.

Justice Montemuro served as both State and National President of the Order Sons of Italy in America. He was thrice decorated by the President of



the Republic of Italy and in 1982 he was awarded the Papal Honor of Knight Commander of the Order of St. Gregory the Great by Pope John Paul II.

Justice Montemuro authored the "Doctrine of Exhaustion of Union Remedies" for the Duke Bar Journal and, "The Family--One Hundred Years of Neglect" for the Journal of Sociology and Social Welfare.

The Justice's chambers are in the ARAMARK Tower in Philadelphia.

On September 18, 1992, Justice Montemuro was appointed by Governor Robert Casey to the Supreme Court of Pennsylvania. On November 16, 1992, Justice Montemuro was unanimously confirmed by the Senate, and on November 19, 1992, was sworn in as Justice of the Supreme Court of Pennsylvania by Chief Justice Robert N.C. Nix, Jr.

On January 3, 1994, Justice Montemuro was appointed as Senior Justice of the Supreme Court of Pennsylvania and served on that capacity until January, 1996. Justice Montemuro is currently a Senior Judge on the Superior Court of Pennsylvania.

On July 26, 1996, Justice Montemuro was appointed by the Supreme Court of Pennsylvania as Special Master in *Pennsylvania State Association of County Commissioners, et al. v. Commonwealth of Pennsylvania, et al.*, 681 A. 2d 699 (Pa. 1996).

On June 7, 2001, Justice Montemuro was appointed by the Supreme Court of Pennsylvania to serve as Chairman of the 2001 Legislative Reapportionment Commission.

## SENIOR JUDGE PHYLLIS W. BECK

Since 1981 Judge Phyllis W. Beck has been a member of the Superior Court. Initially appointed by Governor Thornburgh in 1981, she was elected statewide to a ten-year term in November 1983 and retained in 1993. She is the first woman to serve on the Court.

In July 1987 Judge Beck was appointed by Governor Casey to head a special 23 person Commission on Judicial Reform. The Commission, which presented its report to the Governor in January 1988, recommended major structural reform in Pennsylvania's judicial system.

Judge Beck assumed the judgeship after serving as Vice-Dean of the University of Pennsylvania Law School where she also taught. Prior to that time she was a faculty member at Temple Law Center. Her route to the bench included a bachelor's degree from Brown University, Magna Cum Laude, and a law degree in 1967 from Temple Law School, night division, where she was first in her class.

Prior to her academic career, Judge Beck engaged in the general practice of law. She is the author of many

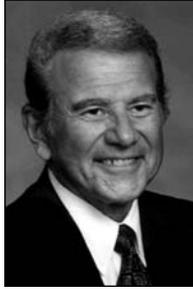


scholarly articles. She is a member of the American Law Institute, American Judicature Society, National Association of Women Judges, and an overseer at the University of Pennsylvania School of Nursing. She is Vice President of the Philadelphia Free Library, President of the Foundation for Cognitive Therapy and Chair of the Independence Foundation. She is a board member of Villanova Law School and Temple Law School, The Mann Center for the Performing Arts, WHYY (the local Public Broadcasting affiliate), and the Museum of American Jewish History. She serves on the Pennsylvania Commission on Women in the Profession and the Joint State Government Commission on Domestic Relations. She was a representative of the United States State Department in Argentina addressing Civic Participation in Judicial Reform. She is a Distinguished Daughter of Pennsylvania.

She is married to Dr. Aaron T. Beck. They have four children and eight grandchildren.

## SENIOR JUDGE PATRICK R. TAMILIA

Judge Patrick R. Tamilia was born in Pittsburgh. He attended Duquesne University, where he received his B.S., did graduate work, and received his J.D. from the School of Law. Judge Tamilia served with the U.S. Marine Corps, and received a commission as an officer in the U.S. Army Artillery.



He has served as Chairman of the Family Law Sections of the Pennsylvania and Allegheny County Bar Associations and the Juvenile Judges section of the Pennsylvania Conference of State Trial Judges; and member of the Supreme Court Domestic Relations Committee. Judge Tamilia was instrumental in the creation of the Neuropsychiatric Assessment Unit for Violent Children, the Parental Stress Center, and Infant Abuse Agency; Booth Parenting Program for unwed mothers and numerous other treatment programs for delinquent and dependent children. He has authored numerous articles on juvenile delinquency, mental health and family court. In 2000, he authored *Keystone of Justice, The Pennsylvania Superior Court*, published by the

Pennsylvania Historical and Museum Commission.

Judge Tamilia is a former Professor of Family Law, Duquesne University School of Law. Among his numerous awards are the Duquesne University Distinguished Alumnus Award, College of Arts and Science; Charter Membership in the Century Club of Distinguished Alumni of Duquesne University; the Columbus 500

Distinguished Citizen Award; and the ACBA Juvenile Justice Award, 1991. He was chairman of the Public Safety and Criminal Justice Task Force of the Allegheny County 2001 Project. He holds the position of Honorary National President of the Italian Sons and Daughters of America. He is presently a member of the Pennsylvania Supreme Court Juvenile Court Procedural Rules Committee.

Judge Tamilia was elected to the Court of Common Pleas in 1969. In 1983 he was elected to a ten-year term on the Superior Court and won retention in 1993. Judge Tamilia's chambers are in Pittsburgh.

## SENIOR JUDGE JOHN T. J. KELLY, JR.

Judge John T. J. Kelly, Jr., is a graduate of LaSalle University (B.S., 1956) and Creighton Law School (LL.B., 1961); he is admitted to practice in Pennsylvania and Nebraska.

Before coming to the bench, Judge Kelly served as Deputy Secretary of Labor and Industry (1980-1985); trial lawyer, Philadelphia Public Defenders Association (1972-1978); Assistant to the Lieutenant Governor of Pa.; Assistant to the President of the Pa. Constitutional Convention (1967-1971); Assistant Attorney General, Chief Counsel Department of Public Welfare (1963-1966). He has also been a private attorney, political consultant, and campaign director.

Judge Kelly is a member of The Pennsylvania Society,

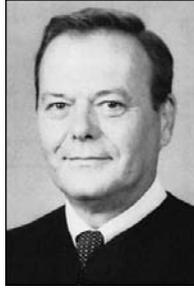


The Brehon Society, YMBA Society, American Bar Association, Pennsylvania Bar Association, the Montgomery County Bar Association, the Nebraska Bar Association, the Pennsylvania Conference of State Trial Judges, and Knights of Columbus. He was honorably discharged from the United States Army (1952-1954).

Judge Kelly was elected to the Superior Court as the nominee of both the Republicans and the Democrats in 1985 and was retained for a second term in 1995. He was appointed to a four year term on the Judicial Inquiry and Review Board commencing on December 9, 1988. His chambers are in Philadelphia.

## SENIOR JUDGE ZORAN POPOVICH

Judge Zoran Popovich was born on February 4, 1931, in Akron, Ohio. He received his Bachelor of Arts from the University of Pittsburgh in 1954 and his LL.B. from the University of Pittsburgh Law School in 1957. He was on active duty



with the United States Air Force from 1951-53. Judge Popovich was elected to the Court of Common Pleas of Allegheny County in 1973. In 1980, he was appointed to the Superior Court, and he was elected to a full ten-year term in 1985.

## SENIOR JUDGE JAMES R. Cavanaugh

Judge James R. Cavanaugh was born on August 26, 1931 in Philadelphia. He received his Bachelor of Science degree from St. Joseph's College and his J.D. from the University of Pennsylvania Law School.

Judge Cavanaugh has served as chairman of the advisory committee of the Prisoner's Family Welfare Association and as director of the Counseling or Referral Agency. Judge Cavanaugh was a director of the Philadelphia Bicentennial Committee. In addition, Judge Cavanaugh has served as Chairman and founding member of the Advisory Board of the Self-Help program, is a member of the Board of Managers of the Catholic Philopatrian Literary Institute and served as President of the St. Joseph's University Law Alumni.

The Judge has also served on the Governor's Justice



Commission Regional Board, the Pennsylvania Board of Judicial Inquiry and Review, and the executive committee of the Pennsylvania Conference of State Trial Judges.

Judge Cavanaugh became a commissioned judge on the Philadelphia Court of Common Pleas in 1969, and was appointed to the Superior Court in August of 1979. He was elected to the

Superior Court in November of the same year. In April, 1991, Judge Cavanaugh moved his chambers from Philadelphia to West Chester in Chester County, Pa. In West Chester he is a member of the Italian Social Club, Monsignor Henry C. Schuyler Knights of Columbus Council 1333, Rotary International and The Benevolent and Protective Order of Elks Lodge No. 853. Judge Cavanaugh was retained in the retention election of November, 1999.

## PRESIDENT JUDGE EMERITUS STEPHEN J. MCEWEN, JR.

Judge McEwen commenced service on the Superior Court following appointment by Governor Dick Thornburgh, and election in November 1981, and was elected President Judge by the members of the Superior Court for a five-year term commencing January 1996. Twice appointed by the Pennsylvania Supreme Court to the Board of Judicial Inquiry and Review, he was thereafter, in 1996, appointed by Governor Tom Ridge to the Court of Judicial Discipline and elected President Judge by the members of that Court.

Judge McEwen pursued his study of the law at St. Joseph's College and the University of Pennsylvania Law School, was in 1986 awarded the degree of Master of Laws by the University of Virginia Law School, and has received Honorary Doctorates from deSales University, Widener University Law School, and the University of Scranton.

Judge McEwen, an active trial lawyer during 23 years of private practice, was District Attorney of Delaware County from 1967 through 1976, and subsequently served as General Counsel for the



Pennsylvania District Attorneys Association. He was, for 10 years commencing in 1975, a Professor of Trial Advocacy at Villanova University Law School, published in 1997 *Not Even Dicta*, a collection of judicial/personal lessons in the law, has lectured at various law schools, universities, and PBI seminars, and has authored articles published by the *St. John's*

*Journal of Legal Commentary*, the *Notre Dame Journal of Law, Ethics and Policy*, the *Dickinson Law Review*, the *Appellate Journal of UALR*, the *Philadelphia Legal Intelligencer*, and *Court Review*, the *Journal of the American Judges Association*. He has served as Editor of the Appellate Judges News section of the *ABA Judicial Division Record* and upon the *Editorial Board of the ABA Judges Journal*.

Judge McEwen presently serves as President of the Council of Chief Judges of State Courts of Appeal, upon the Board of Advisors of the ABA UN Development Project, Legal Resource Center, as a member of the American Law Institute, and from 2000-2002 was a USAID lecturer in Bulgaria.

## *History of the Superior Court*

In 1895, the Pennsylvania General Assembly established the Superior Court to hear appeals from decisions of the Courts of Common Pleas of the Commonwealth. From time to time, the legislature has expanded the Court's jurisdiction, and today it decides appeals touching almost every aspect of life and commerce in the state, including family matters, such as child custody, visitation, adoption, divorce, and support; criminal cases; issues concerning wills and estates; property disputes; and cases involving damages for breach of contract or personal injury. The judges of the Court are also responsible for hearing applications made by the Attorney General and district attorneys under the Wiretapping and Electronic Surveillance Control Act.

The Superior Court is often the final arbiter of legal disputes in Pennsylvania. Although the Supreme Court may grant a petition for an appeal from a decision of the Superior Court, in the large majority of cases, such petitions are denied. Appeals allowed to the United States Supreme Court are even more infrequent.

The Superior Court was originally composed of seven judges who gathered at the three forums of the Court in Harrisburg, Philadelphia and Pittsburgh to hear every case. The Supreme Court, in 1978, citing the "exceedingly heavy

volume of appeals coming to the Superior Court," exercised its constitutional supervisory powers over Pennsylvania courts to order the Superior Court to begin sitting in panels of three judges composed of a Supreme Court justice, a Superior Court judge, and a Common Pleas judge. By rule, the Supreme Court provided that each panel would constitute a quorum and speak for the entire Superior Court.

In 1979, the voters approved an amendment to the Pennsylvania Constitution providing that the Superior Court be enlarged permanently. Pursuant to this constitutional change, the General Assembly in 1980 provided for the gubernatorial appointment of eight additional judges. By the start of 1986, all fifteen Superior Court seats had been filled by election.

Under statute, judges gain seniority by length of continuous service on the Court, and judges elected or appointed together determine seniority by lot. The president judge is chosen by election of the Court to serve a five-year term. Except for cases in which the Court specially orders consideration by an en banc panel of nine judges, the Court continues to sit in three-judge panels, assisted by senior judges specially appointed by the Supreme Court.

## PRESIDENT JUDGES

Charles E. Rice	1895-1915	Chester H. Rhodes	1947-1965	Edmund B. Spaeth, Jr.	1983-1986
George B. Orlady	1915-1925	Harold L. Irvin	1965-1967	Vincent A. Cirillo	1986-1991
William D. Porter	1925-1930	J. Colvin Wright	1968-1974	James E. Rowley	1991-1996
Frank M. Trexler	1930-1935	G. Harold Watkins	1974-1978	Stephen J. McEwen, Jr.	1996-2001
William H. Keller	1935-1945	Robert Lee Jacobs	1978-1979	Joseph A. Del Sole	2001-
Thomas J. Baldrige	1945-1947	William F. Cercone	1979-1983		

## JUDGES OF THE COURT

Charles E. Rice	1895	William E. Hirt	1939	Justin M. Johnson	1980*
James A. Beaver	1895	Charles E. Kenworthy	1941	Frank J. Montemuro, Jr.	1980**
Howard J. Reeder	1895	Claude T. Reno	1942	Zoran Popovich	1980**
George B. Orlady	1895	F. Clair Ross	1945	Perry J. Shertz	1980
John J. Wickham	1895	W. Heber Dithrich	1945	Phyllis W. Beck	1981**
Edward N. Willard	1895	John C. Arnold	1945	Stephen J. McEwen, Jr.	1981**
Henry J. McCarthy	1895	John S. Fine	1947	Vincent A. Cirillo	1982
Peter P. Smith	1896	Blair F. Gunther	1950	James E. Rowley	1982
William W. Porter	1897	J. Colvin Wright	1953	Peter Paul Olszewski	1984**
William D. Porter	1898	Robert E. Woodside	1953	Joseph A. Del Sole	1984*
Dimmer Beeber	1899	Harold L. Ervin	1954	Patrick R. Tamilia	1984**
John I. Mitchell	1900	Phillip O. Carr	1956	John T.J. Kelly, Jr.	1986**
Thomas A. Morrison	1902	G. Harold Watkins	1957	James R. Melinson	1988
John J. Henderson	1903	Harry M. Montgomery	1960	Joseph A. Hudock	1990*
John B. Head	1906	Gerald F. Flood	1961	Kate Ford Elliott	1990*
John W. Kephart	1914	Robert Lee Jacobs	1965	Thomas G. Saylor	1994
Frank M. Trexler	1914	J. Sydney Hoffman	1965	D. Donald Jamieson	1995
J. Henry Williams	1916	Theodore O. Spaulding	1966	J. Michael Eakin	1996
William H. Keller	1919	John B. Hannum	1968	Berle M. Schiller	1996
William B. Linn	1919	William F. Cercone	1969	Michael T. Joyce	1998*
Robert S. Gawthrop	1922	Israel Packer	1971	Correale F. Stevens	1998*
Jesse E.B. Cunningham	1926	Edmund B. Spaeth, Jr.	1973	John L. Musmanno	1998*
Thomas J. Baldrige	1929	Gwylm A. Price, Jr.	1974	Joan Orie Melvin	1998*
J. Frank Graff	1930	Robert Van der Voort	1974	Maureen E. Lally-Green	1998*
John G. Whitmore	1930	Donald E. Wieand	1978	Debra McCloskey Todd	2000*
James B. Drew	1931	John P. Hester	1978	Richard B. Klein	2002*
Joseph Stadtfeld	1931	James R. Cavanaugh	1979**	John T. Bender	2002*
William M. Parker	1932	John G. Brosky	1980	Mary Jane Bowes	2002*
Arthur H. James	1933	Richard B. Wickersham	1980	Robert A. Graci	2002*
Chester H. Rhodes	1935	Richard DiSalle	1980		

\*Currently serving

\*\*Currently serving as Senior Judge

# *Administrative Offices*

## **OFFICE OF THE EXECUTIVE ADMINISTRATOR**

The Executive Administrator is the chief administrative officer of the Court and is directly responsible to the President Judge for the performance of administrative assignments necessary for the efficient operation of the Court. He manages the business and judicial operations of the Court and oversees the various administrative offices within the Court. He also is the liaison between the Superior Court and the Administrative Office of Pennsylvania Courts, the other appellate courts, and the public in general.

The Executive Administrator is responsible for all of the fiscal operations of the Court. This includes preparing the Court's annual budget and monitoring the Court's expenditures of its appropriations, functions overseen by the Budget/Fiscal Coordinator. The Executive Administrator also supervises the daily

processing of invoices for goods and services applied to the Court, and the procurement of supplies.

Business responsibilities also extend to other operations within the Court such as the administration of the 260 individuals who serve the Court, and include maintenance of all personnel records, preparation of all personnel transaction forms, and resolution of questions and problems relating to personnel. In addition, the Executive Administrator is responsible for the administration of telecommunications within the Superior Court, including all staff and judicial offices, and the management of the facilities used by the Court.

The Executive Administrator maintains offices in Philadelphia and Pittsburgh.

## **OFFICE OF THE PROTHONOTARY**

As the filing office of the Court, the Prothonotary's Office is responsible for: docketing appeals, petitions and ancillary papers; collecting appropriate fees; docketing, maintaining and circulating original records; corresponding with judges, litigants and attorneys; processing and distributing court orders, opinions and judgments; and scheduling argument and submit panel sessions as well as hearings on emergency petitions. The office also functions as a liaison between the Court and the public by providing status information concerning pending matters and answering inquiries.

This office is also responsible for the efficient management of the Court's case flow which directly impacts the Court's ability to provide expeditious review of

appeals. Monitoring the filing of records and curing any deficiencies therein are primary components of case flow management.

The Crier of the Court, as a member of the staff of the Prothonotary, is responsible for: indexing, maintaining, and distributing all briefs filed with the Court; preparing the courtrooms; collecting and distributing materials for each court session; and providing assistance to the judges as well as the public during argument sessions.

The Prothonotary's Office has a staff of 44 individuals and its three offices in Philadelphia, Harrisburg, Pittsburgh are centrally located.

# *Administrative Offices*

## **CENTRAL LEGAL STAFF**

The Central Legal Staff is composed of 22 attorneys who assist the Court in procedural and substantive matters under the direction of the President Judge. The Staff has offices in Philadelphia, Pittsburgh and Harrisburg under the immediate supervision of the Chief Staff Attorney. Staff responsibilities include screening all appeals for jurisdictional defects prior to listing before the Court; reviewing and screening cases for the Court's special treatment programs; assisting the Court in the processing of miscellaneous motions, applications for relief, and petitions for reargument; preparing bench memoranda on selected cases listed before the Court; reviewing panel decisions to assist the

Court in avoiding the issuance of conflicting opinions; maintaining a computerized issue-tracking index of the Court's opinions for both conflict clearance and legal research purposes; preparing position papers and memoranda of law on various substantive and procedural issues before the Court, and, conducting seminars for new law clerks.

Through the Chief Staff Attorney, the Staff may advise the Court and President Judge, either upon request or upon the Staff's own initiative, of recommended changes in court operations and procedures due to changes in the law or administrative policy.

## **OFFICE OF LEGAL SYSTEMS**

The Legal Systems Coordinator is responsible for the Court's computer operations and related data and information processing activities. With the help of the Legal Systems staff, which is located in Philadelphia and Pittsburgh, he advises and assists the President Judge, individual judges, and the various administrative offices of the Court in all aspects of the acquisition, installation, programming and use of computers and office automation equipment, both hardware and software.

The Legal Systems staff sets up new computer accounts when new staff join the Court, assists in training of new staff, provides orientation and training for existing staff when new software and hardware are installed, and coordinates all hardware and maintenance, resolving problems whenever possible and referring other problems to the appropriate outside source.

The Legal Systems Coordinator and other members of the Legal Systems staff work with staff from the Administrative Office of Pennsylvania Courts and the other appellate courts on shared projects including the high speed data network that links all of the offices of the three courts and AOPC with each other and the Internet (PACNET), the appellate case management system (PACMS) and the shared electronic mail system. The Legal Systems Coordinator serves as the Superior Court's representative on the Architectural Standards Committee that has been charged by the Supreme Court with making decisions affecting the Microsoft Active Directory network that is also shared by the three courts and AOPC.

The Legal Systems Coordinator is also responsible for using the Court's computer resources to generate and analyze caseload statistics and to prepare statistical reports as requested for use by the Court and for submission to the Administrative Office of Pennsylvania Courts.

# *Administrative Offices*

## **OFFICE OF THE REPORTER**

**F**rom the time a judge receives a case assignment until the decision is filed, the Reporter is responsible for the maintenance of all records pertaining to the judges' assignments. The Reporter's office uses computer-housed records to prepare statistical information for the Court. The Reporter also monitors late votes, file letters, en banc cases and cases 60 days or older.

The Reporter is the liaison with Thomson West, the official publisher of the Court's opinions. The Reporter provides Thomson West with filed opinions, a memorandum decisions table, whose text is not published, and a table identifying those cases in which a petition for reargument is pending. Correction letters are sent to Thomson West before final publication in the event an error is discovered or at the request of a judge. The Reporter forwards to Thomson West transcripts of special ceremonial

sessions of the Court for publication.

The Reporter adds the universal citation to the opinions before they are sent for filing. These filed opinions are electronically transmitted daily to the Superior Court Home Page, Lexis, West Law, the Administrative Office of the Pennsylvania Courts' Home Page and The Legal Intelligencer. Revisions, withdrawal of opinions and rearguments pending on opinions are updated and sent to the publishing/research companies when the mentioned situations occur.

In addition to providing information from the Court to the legal publishing/research companies, the Reporter also provides the Court with information from the publishers identifying the citations where the Court's recently published decisions can be found.

# Directory

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*\* This chamber closed on December 31, 2003.*

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**PORTRAIT OF WILLIAM PITT**

*Edward Trumbull, 1923*

The Supreme/Superior Court Courtroom  
City-County Building, Pittsburgh



SUPERIOR COURT OF PENNSYLVANIA

[WWW.SUPERIOR.COURT.STATE.PA.US](http://WWW.SUPERIOR.COURT.STATE.PA.US)