The background of the top half of the page is a red-tinted seal of the Superior Court of Pennsylvania. The seal features two horses flanking a central shield, with a banner below them containing the words "VIRTUE LIBERTY AND INDEPENDENCE".

SUPERIOR COURT  
*of*  
*Pennsylvania*

ANNUAL REPORT **2009**







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TO THE CITIZENS *of*  
PENNSYLVANIA



CHAMBERS OF PRESIDENT JUDGE KATE FORD ELLIOTT  
SUITE 1660 / TWO CHATHAM CENTER / PITTSBURGH, PA 15219

## To the Citizens of Pennsylvania:

On behalf of the judges and staff of the Superior Court of Pennsylvania, I am pleased to present the 2009 Annual Report. As in previous years, the number of new appeal filings increased. In 2009, there were 8,169 appeals filed which continued this court's reputation as one of the busiest appellate courts in the nation.

Although the number of appeals reviewed and decided represented numbers well beyond national standards for appellate court caseloads per judge, the members of the court managed to timely and efficiently handle their case inventories.

We were particularly grateful to have the continuing help, experience and judgment of our senior judges, who serve by special assignment of the Supreme Court and work on a per diem basis. Although handling a large caseload similar to our judges in commission, they very often work for part of the year without compensation.

Regrettably, the court lost the services of two valued members with the retirements of Judge Maureen E. Lally-Green and Judge Richard B. Klein. Judge Lally-Green served on the court for 12 years. Judge Klein's judicial career spanned 36 years including 28 years on the common pleas court bench.

The Superior Court's expanded appellate mediation program continues to afford litigants from all over Pennsylvania the opportunity to resolve cases in a cost effective and expeditious manner. Family law related matters, such as, divorce, equitable distribution and support are now included in the program.

The Superior Court continues to work with the Supreme Court in codifying and institutionalizing this court's established children's fast track program. The newly enacted Supreme Court rules now set forth concrete timelines and procedures for monitoring and expediting appeals involving the lives of children, especially those who are at risk.

As President Judge, it is my privilege to lead this great court and to present this report to the citizens of Pennsylvania.

A handwritten signature in cursive script that reads "Kate Ford Elliott".

**Kate Ford Elliott**, President Judge



2009 - THE YEAR *in*  
REVIEW



The Court continued its tradition of holding argument sessions in locations throughout the Commonwealth. In addition to our courtrooms in Philadelphia, Harrisburg and Pittsburgh, the Court traveled to sessions in Mercer, Stroudsburg, Norristown and Easton. The Pennsylvania Cable Network continued to broadcast our en banc sessions accompanied by thoughtful commentary provided by respected members of the Bar whose participation greatly enhances these telecasts.

In March, Judge Christine Donohue was appointed by the Supreme Court to the Judicial Conduct Board for a term of four years.

The 2009 Appellate Courts' Educational Conference was held in June. Professor Peter Berkowitz of the Hoover Institution at Stanford University lectured on the nature of judicial function while the Honorable William M. Bulger, former President of the University of Massachusetts, addressed the conference. Professor John Q. Barrett of the St. John's University School of Law gave a presentation on the life of Justice Robert H. Jackson, and Professor Pamela Karlan of Stanford Law School lectured on the United States Supreme Court's 2008 term.

Judge Maureen Lally-Green retired from the Court in July after twelve years of outstanding judicial service. Senior Judge Joseph Hudock was specially assigned to our Court by the Supreme Court for the last five months of the year. An updated and enhanced case management system was rolled-out during the summer in an on-going effort to make the appellate process more efficient.

The Court's middle district administrative offices moved into the new Pennsylvania Judicial Center at the Capitol Complex in Harrisburg during August. Also that month the Supreme Court named Superior Court Judge John Cleland chairman of the Interbranch Commission on Juvenile Justice, a body created by legislation adopted by the General Assembly and signed by the Governor to investigate the juvenile justice system in Luzerne County and make recommendations.

The Court honored 50-year members of the Pennsylvania Bar Association during its en banc session in September in Harrisburg. The following month our Court co-hosted the annual conference of the Council of Chief Judges of State Courts of Appeal in Philadelphia.

Judge Robert A. Freedberg and Judge John M. Cleland continued to serve the court in 2009 by gubernatorial appointment. As a result of the general election in November, Judge Joan Orié Melvin won a seat on the Supreme Court of Pennsylvania. Judge Judith Olson of the Allegheny County Court of Common Pleas, Attorney Sallie Updyke Mundy of Tioga County, Judge Anne Lazarus of the Philadelphia County Court of Common Pleas and President Judge Paula Ott of the Chester County Court of Common Pleas won seats on the Superior Court. President Judge Kate Ford Elliott won retention to this Court.

On December 31, 2009, Judge Richard Klein retired from the Court after a distinguished judicial career during which he served the citizens of this Commonwealth for 36 years.



THE CHILDREN'S  
AND FAMILY  
FAST TRACK  
REPORT

On July 3, 2000 the Superior Court instituted the Family Fast Track Program in an effort to eliminate delays in the appellate review of cases involving the rights and needs of children: adoption, custody/visitation, child support, paternity, dependency and termination of parental rights. Superior Court closely monitored the timely filing of the trial court record and the parties' briefs. Once briefs were completed these appeals were given priority listing before panels and, thereafter, expedited treatment in chambers. Effective March 16, 2009 the Supreme Court adopted a comprehensive set of rule changes for cases identified as Children's Fast Track: adoption, custody, paternity, dependency and termination of parental rights. Superior Court concurrently published internal operating procedures, which set forth the court's procedures for monitoring and expediting these appeals, from the filing of the record to the final disposition of the appeal.

In 2009, a total of 833 appeals were designated for the Family and the Children's Fast Track Programs and 769 appeals were concluded. On average appeals in this program reached disposition within 201 days. The continued efforts of this Court, as well as the trial court Bench and the Bar, will ensure that appeals involving the rights of children will be thoroughly prepared and reviewed, and expeditiously resolved.

A close-up photograph of a person wearing a blue suit jacket and a white shirt with a tie. The person is holding several sheets of white paper. The background is a solid brown color.

**2009 ANNUAL REPORT**  
STATISTICS

## APPEALS PENDING, FILED and CONCLUDED

	TOTAL	Civil	Criminal
Appeals Pending 01/01/2009	6813	2352	4461
New Appeals Filed in 2009	8169	3302	4867
Appeals Concluded in 2009	8321	3403	4918
Appeals Pending 01/01/2010	6661	2251	4410

## OPINIONS FILED

	TOTAL	Civil	Criminal
Published Opinions 2009	262	144	118
Non-Published Opinions 2009	5122	1537	3585
<b>Total 2009</b>	<b>5384</b>	<b>1681</b>	<b>3703</b>

## REARGUMENT/RECONSIDERATION

Petitions Filed	457
Petitions Granted	32
Percent Granted	7%

## APPEALS, PETITIONS and WIRETAPS FILED, BY DISTRICT

	TOTAL	East	Middle	West
Appeals Filed	8169	3756	2208	2205
Petitions Filed	11,345	6285	2188	2872
Misc. Docket Filed	383	175	88	120
Wiretaps	59	50	0	9

## DISPOSITIONS BY TYPE

	TOTAL	Civil	Criminal
By Filed Decision	5833	1956	3877
By Order or Discontinuance	2488	1447	1041
<b>Total 2009</b>	<b>8321</b>	<b>3403</b>	<b>4918</b>

## SUPERIOR COURT TREATMENT OF CASES FROM COURTS OF COMMON PLEAS 2009

	Cases Decided By Published Opinions	%	Cases Decided By Unpublished Opinions	%	Total All Cases	%
Affirmed	156	51.7	4402	79.6	4558	78.1
Reversed	120	39.7	673	12.2	793	13.6
Affirmed in Part, Reversed in Part	22	7.3	204	3.7	226	3.9
Quashed, Dismissed, Transferred	4	1.3	238	4.3	242	4.2
Other	0	0	14	0.2	14	0.2
<b>TOTAL</b>	<b>302</b>		<b>5531</b>		<b>5833</b>	

## MEDIAN NUMBER OF DAYS TO DISPOSITION FOR APPEALS CONCLUDED IN 2009

From Superior Court docket date for all appeals	301
From Superior Court docket date for appeals disposed by order or discontinuance	68
From Superior Court docket date for appeals disposed by filed decision	356
From original record filing date for appeals disposed by filed decision	269
From filing date of last brief filed	165

## SUPREME COURT TREATMENT OF SUPERIOR COURT CASES

### ALLOCATURS: Petitions Filed and Concluded in 2009

Total Allocatur Petitions Filed in 2009 from Superior Court Decisions	2078
Number Granted	51
Number Denied	1727
Number Voided	5
Other Disposition	55
Open	1003

### DISPOSITION OF APPEALS FROM SUPERIOR COURT CASES

Reversed	28
Affirmed	35
Other*	14
<b>Total</b>	<b>77</b>

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

## APPEALS BY COUNTY OF ORIGIN

Adams	39	Lackawanna	130
Allegheny	785	Lancaster	220
Armstrong	27	Lawrence	50
Beaver	47	Lebanon	99
Bedford	37	Lehigh	223
Berks	281	Luzerne	195
Blair	72	Lycoming	94
Bradford	46	McKean	13
Bucks	244	Mercer	38
Butler	76	Mifflin	19
Cambria	58	Monroe	98
Cameron	3	Montgomery	302
Carbon	32	Montour	7
Centre	82	Northampton	121
Chester	204	Northumberland	30
Clarion	29	Perry	25
Clearfield	52	Philadelphia	2068
Clinton	31	Pike	60
Columbia	23	Potter	11
Crawford	67	Schuylkill	87
Cumberland	90	Snyder	22
Dauphin	252	Somerset	33
Delaware	342	Sullivan	3
Elk	9	Susquehanna	16
Erie	259	Tioga	13
Fayette	99	Union	21
Forest	5	Venango	71
Franklin	57	Warren	11
Fulton	14	Washington	151
Greene	28	Wayne	62
Huntingdon	14	Westmoreland	112
Indiana	38	Wyoming	18
Jefferson	29	York	268
Juniata	7	<b>Total</b>	<b>8169</b>

## APPEALS BY CASE TYPE

Adoption	43	Domestic Relations Contempt	22	Rape	202
Aggravated Assault	354	Driving Under the Influence	253	Receiving Stolen Property	39
Aggravated Indecent Assault	43	Ejectment	33	Recklessly Endanger Another Person	27
Arbitration	31	Equity	89	Robbery	333
Arson	25	Escape	20	Simple Assault	105
Assumpsit	93	Estate/Probate/Wills/Intestate	124	Spousal Support	29
Attempted Murder	42	Forgery	43	Summary Offense/Conviction	92
Burglary	188	Harassment	67	Termination of Parental Rights	115
Child Support	152	Homicide	158	Terroristic Threats	54
Children's Fast Track	60	Indecent Assault	83	Theft	130
Civil Action Law	927	Involuntary Deviate Sexual Conduct	83	Theft by Unlawful Taking	47
Confession of Judgment	30	Involuntary Termination of Parental Rights	198	Trespass	112
Contract	92	Mechanics' Lien	23	Uniform Firearms Act	143
Controlled Substance	548	Medical Malpractice	47	Vehicle Violation	100
Corruption of Minors	48	Mortgage Foreclosure	83	Violation of Probation/Parole	42
Criminal	217	Motor Vehicle Accident	42	*Other	366
Criminal Attempt	110	Motor Vehicle Violation	21	<b>TOTAL</b>	<b>8169</b>
Criminal Conspiracy	129	Murder	193		
Criminal Contempt	24	Murder 1	166		
Criminal Trespass	23	Murder 2	28		
Custody/Visitation	221	Murder 3	68		
Declaratory Judgment	83	Possession of Firearms	54		
Dependency	178	Possession with Intent to Deliver	331		
Disorderly Conduct	40	Premises Liability - Slip/Fall	27		
Divorce	212	Protection from Abuse	64		

\*Includes appeals originally classified as "other" as well as appeals originally classified in categories with fewer than 20 appeals filed in 2009.



## JUDGES' BIOGRAPHIES

### PRESIDENT JUDGE **KATE FORD ELLIOTT**



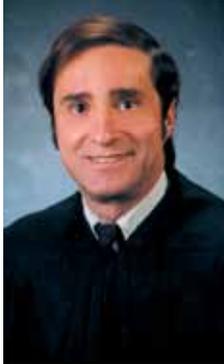
President Judge Kate Ford Elliott was born June 8, 1949, in Pittsburgh. She attended the University of Pittsburgh, where, in 1971, she earned a B.A. in Education; Duquesne University, M.S. in Education, 1973; Duquesne University School of Law, J.D. 1978.

A member of the Allegheny County, Pennsylvania, and American Bar Associations, Judge Ford Elliott is also Past Chairperson of the Allegheny County Appellate Practice Committee, a member of the ABA Judicial Administration Division, former Vice Chair of the Pennsylvania Futures Commission on Justice in the 21st Century established by the Pennsylvania Supreme Court, and is a member of the PBA Commission on Justice Initiatives.

Judge Ford Elliott is President-Elect of the Council of Chief Judges of the State Courts of Appeal. She is a Fellow of the American Bar Foundation, a member of the National Association of Women Judges, and the American Judicature Society. She has served on the Executive Board of the 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 and retained in 1999 and 2009. Judge Ford Elliott became President Judge of the Superior Court on January 9, 2006.



## JUDGE **CORREALE F. STEVENS**



Judge Correale F. Stevens graduated from Pennsylvania State University with a Bachelor of Arts degree and was inducted into the National Political Science Honorary. He earned his J.D. degree at Dickinson School of Law, where he was an associate editor of the Dickinson Law Review.

Judge Stevens was engaged in the private general practice of law, and served as Hazleton City 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 as well as on the boards of numerous charitable organizations.

Judge Stevens was elected to four successive terms in the Pennsylvania House of Representatives, and in 1987 he was elected District Attorney of Luzerne County. He won both nominations to the Luzerne County Court of Common Pleas and served as a trial judge for seven years until his election to the Superior Court in 1997. He was retained in 2007 for another ten year term.



## JUDGE **JOHN L. MUSMANNO**



John L. Musmanno was born in Stowe Township, Pa. He received a Bachelor of Arts degree from Washington and 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 served on the Pennsylvania Judicial Conduct Board 2001-2005 and on the Pennsylvania Court of Judicial Discipline 2005-2009 and as its President Judge. 2008-2009.

He maintained a private law practice, 1966-81, was elected district justice, 1970-81; elected judge, Allegheny County Court of Common Pleas, 1981, where he served in the Family, Criminal and Civil divisions. He was 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 and retained in 2007.



## JUDGE JOAN ORIE MELVIN



Judge Joan Orié 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 Orié Melvin served as corporate counsel and was engaged in a private law practice, concentrating in civil litigation before she was appointed Magistrate for the 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 Orié Melvin established Pennsylvania's first Domestic Violence Court. She also implemented innovative community service programs for defendants convicted of non-violent offenses in City Court and extended a similar program to Housing Court.

In 1990, Judge Orié 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. There, she served in the civil, criminal and family divisions.

Judge Orié 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 American Judicature Society and the Federal Circuit Bar Association. She is a past member of the Pittsburgh Chapter of the American Inns of Court and the Allegheny County Mental Health/Mental Retardation Advisory Board. She is past President of the Allegheny County Prison Board. She currently serves on the Board of Directors of Passavant Hospital and Soldiers & Sailors Military Museum and Memorial. She 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 Task Force. Judge Orié Melvin is a member of the Allegheny County Bar Foundation Fellows Program Class of 2009. In 2009, she also instituted a program with the ACBA Young Lawyers Division aimed at educating young people on the topics of internet usage and cyber-bullying.

Judge Orié Melvin was the recipient of Carlow College's Woman of Spirit Award; Duquesne University School of Law Women's Law Association Woman of the Year; the YMCA of Greater Pittsburgh - A Tribute to Women Leadership Award in Government/Public & Civic Service; Anne B. Anstine Excellence in Public Service Award-2004; the Berks County Bar Association Liberty Bell Award-2005; and the Pennsylvania Business & Professional Women-Women in Government Award-2005.

Judge Orié Melvin was elected to the Superior Court in November 1997. She was retained for another ten-year term in November 2007.



## JUDGE MAUREEN E. LALLY-GREEN



Judge Maureen E. Lally-Green was born in Sharpsville, Mercer County. She graduated from Duquesne University with a B.S. in Secondary Education, Mathematics (1971) and its School of Law (1974) (Law Review). In 1998, Judge Lally-Green was appointed by Governor Tom Ridge to the Superior Court, and confirmed by the State Senate. In 1999, Judge Lally-Green was elected for a term of ten years.

Judge Lally-Green has been an associate with a private law firm in Pittsburgh (1974-75), counsel to Commodity Futures Trading Commission (Washington, D.C.) (1975-78), counsel to the former Westinghouse Electric Corporation (1978-83), a consultant to Justices of the Pennsylvania Supreme Court (1985-87; 1988-98), and a Professor of Law at Duquesne University's School of Law (1983-98). She continues as an adjunct professor of law at Duquesne's Law School (teaching Appellate Practice and Procedure and federal Employment Discrimination) and annually teaches in various law-related programs. She is published in various law reviews.

The Judge is, among other things, a member of: the Pennsylvania Supreme Court's Appellate Court Procedural Rules Committee (appointed by the Court and serves as its Chair); the Board of Directors, Ireland Institute of Pittsburgh; the Board of Directors, Epilepsy Foundation of Western/Central Pennsylvania; the Board of Trustees, Auberle, McKeesport, Pa. (and serves as its Secretary); the Board of Regents, St. Vincent Seminary, Latrobe, Pa.; the Board of Directors, St. Thomas More Society of Allegheny County; the Board of Directors, Saint Francis University, Loretto, PA; the Board of Directors, Mercy-

UPMC Hospital; the National and International Associations of Women Judges; the Pennsylvania Bar Association; the Allegheny County Bar Association; Western Pennsylvania Women's Bar Association; and the Executive Committee of the Pennsylvania Bar Association's Commission on Women in the Profession.

She has served, among other things, as: Chair and Vice Chair of the Pennsylvania Supreme Court's Appellate Court Procedural Rules Committee (appointed by the Court); Secretary and Member of the Pennsylvania Intergovernmental Commission on Race, Gender and Ethnic Fairness (appointed by the Supreme Court) (until December 31, 2007); Chair of the Supreme Court's Gender Fairness Implementation Committee; Chair of the PBA's Quality of Work Life Committee; elected member and Secretary of the Board of the Allegheny County Bar Association for 10 years; and member and Chair of the Zoning Hearing Board of Cranberry Township for 14 years. She is also a former President of the Western Pennsylvania Partners of the Americas.

She has been recognized for her achievements: Anne X. Alpern Award, the highest honor given by the Pennsylvania Bar Association's Commission on Women in the Profession (2006); St. Thomas More Award, St. Thomas More Society (2002); Duquesne University Law School Distinguished Alumna Award (2001); Chatham College's President's Medal (2000); Fellow in International Development, Kellogg Foundation; and, Duquesne University School of Law Women's Law Association Woman of the Year. In 1997, Governor Tom Ridge nominated her for the Pennsylvania Supreme Court. Finally, she has been recognized in: Presidential Who's Who; Who's Who in the World; Who's Who in America; Who's Who in American Law; Who's Who Among American Women; Who's Who in Emerging Leaders; and, Who's Who in Executives and Professionals.

The Judge and her husband reside in Butler County and are the parents of three adult children.



## 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. Judge Klein founded and is chair-emeritus of the Pennsylvania Bar Association "Plain English" committee. He serves in the House of Delegates of the Pennsylvania Bar and is on its ADR and Appellate Advocacy committees. He is vice-chair of the Pennsylvania Futures Commission. He is a member of the Pennsylvania Supreme Court's Appellate Court Procedural Rules Committee.

He is a member of the Joint State Government Commission's Advisory Committee on Alternate Dispute Resolution. He is an active member of the Philadelphia Bar Association's Alternate Dispute Resolution, State Civil, and Appellate Advocacy committees. Judge Klein was founding chair of the Philadelphia Bar's "LUG-PC," the Lawyers User Group for Personal Computing, and is on the Superior Court technology committee. He chaired the Jury Selection Committee of the Philadelphia Common Pleas Court.

Judge Klein is also active in comparative international law. He has served as education leader for legal-study tours to over a dozen countries, most recently, Vietnam, Hungary, Egypt, Greece, China; Russia; Poland and the Czech Republic; and Chile and Argentina.

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 Appellate Advocacy, Legal Writing, Alternative Dispute Resolution, Trial Techniques, Technology, Ethics, etc. He served as an adjunct Lecturer in Law at the James Beasley School of Law of Temple University for fifteen years, teaching Trial Advocacy and Legal Writing.

He is known as a jazz drummer and bandleader and a 40+ year member of the Musicians' Union.

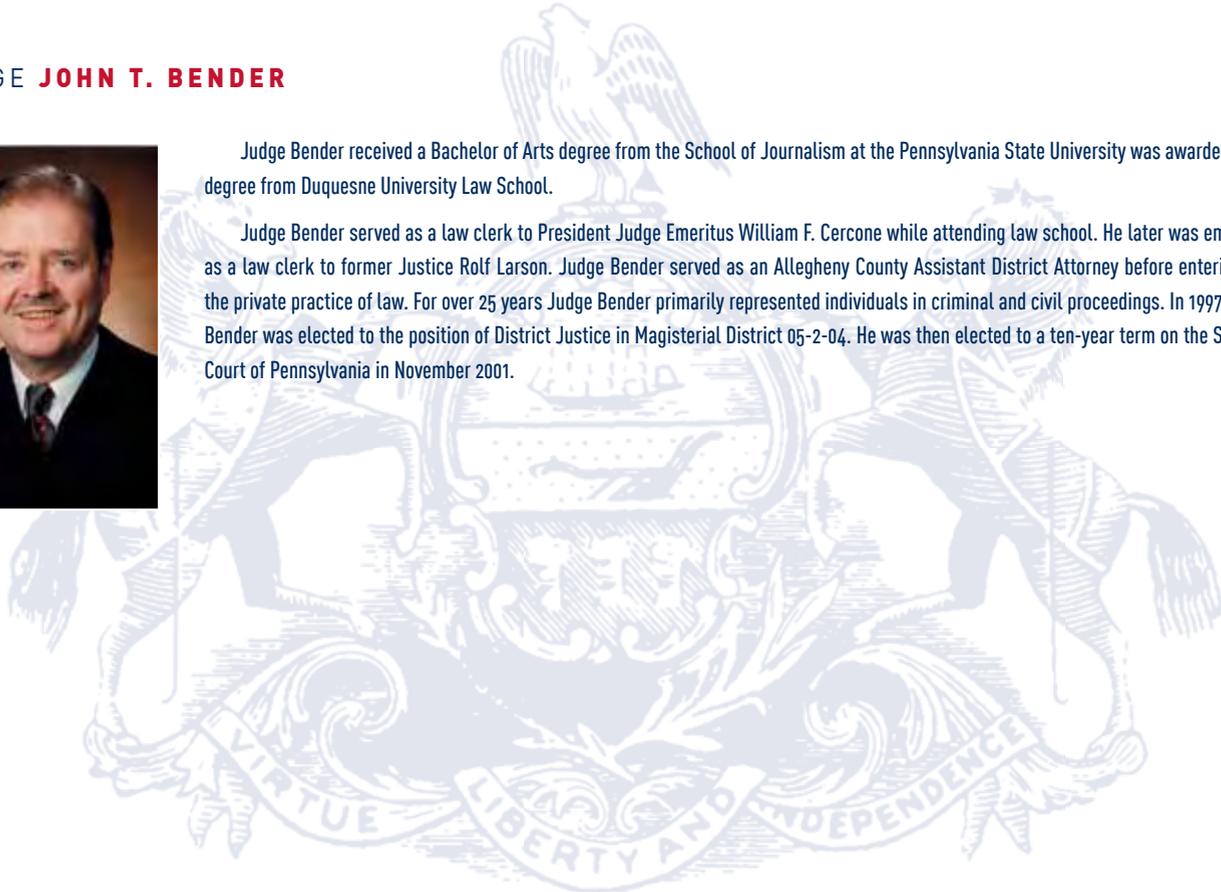


## JUDGE **JOHN T. BENDER**



Judge Bender received a Bachelor of Arts degree from the School of Journalism at the Pennsylvania State University 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 served as an Allegheny County Assistant District Attorney before entering into the private practice of law. 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. He was then elected to a ten-year term on the Superior Court of Pennsylvania in November 2001.





## 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, upon graduation, was selected for the James Fulton Internship with Congressman H. John Heinz III. While attending the University of Pittsburgh School of Law, Judge Bowes participated in legal internships with the District Attorney's Office, the Public Defender's Office and Neighborhood Legal Services in Homewood. She received her law degree in 1979.

After graduating from law school, Judge Bowes served as a law clerk to Chief Justice Henry X. O'Brien of the Supreme Court of Pennsylvania and to Senior Judges Harry Montgomery and John P. Hester, of the Superior Court of Pennsylvania. From 1986 to 1998, she was engaged in the private practice of law. Her extensive legal experience included work in the areas of personal injury, insurance defense, real estate, corporate and commercial litigation, and social security disability matters. In 1994, Judge Bowes founded her own firm, specializing primarily in construction and commercial litigation. While in private practice, she was chosen as arbitrator in numerous matters in both federal and state court arbitration programs as well as in private arbitrations. She received an AV Peer Review Rating by Martindale Hubbell®. In 1996, Judge Bowes was elected to membership in the Academy of Trial Lawyers of Allegheny County. She joined a publicly-traded environmental remediation company as Corporate Counsel in 1998.

Judge Bowes is a member of the Allegheny County Bar Association, and served on its Professional Ethics and Appellate Practice Committees. She is also a member of the Pennsylvania Bar Association and is past Co-Chair of the Appellate Advocacy Committee. In 2008, she was awarded a Special Achievement Award by the Pennsylvania Bar Association for her work on that committee. She previously served as co-president of the Women's Bar Association of Western Pennsylvania and is past president of the St. Thomas More Society.

In addition to her duties in court, Judge Bowes has been a continuing legal education course planner and lecturer for the Pennsylvania Bar Institute, the Pennsylvania Bar Association, American Inns of Court, and numerous county bar associations. She has published several articles on diverse subjects pertaining to the Superior Court.

Active in community affairs, Judge Bowes chairs the St. Anthony Charitable Foundation, and sits on the Board of Trustees of the Allegheny County Medical Society Foundation. She is a former Board member of the Allegheny County Finance and Development Commission, which comprise five municipal authorities, St. Clair Memorial Hospital, Duquesne University, and numerous other charitable and civic organizations. In 1997, she was honored by Governor Tom Ridge with Pennsylvania's Best 50 Women in Business Award. She was named Woman of the Year in 2007 by the University of Pittsburgh Law Women's Association for her work on the Color of Justice Program.

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 SUSAN PEIKES GANTMAN



Judge Susan Peikes Gantman is a cum laude graduate of the University of Pennsylvania, where she received her Bachelor of Arts and Masters of Arts degrees in 1974. Judge Gantman graduated from the Villanova School of Law in 1977. Following graduation from law school, Judge Gantman served as law clerk to the Honorable Richard S. Lowe, of the Montgomery County Court of Common Pleas. Judge Gantman has also served as Solicitor for the Montgomery County Office of Children and Youth and the Montgomery County Housing and Community Development. Her career includes

additional public service as an Assistant District Attorney for Montgomery County, where she worked in the major crimes unit.

In 1981, Judge Gantman entered private practice. Her extensive legal experience includes litigation, domestic law, juvenile law, Orphans Court actions and appellate practice. In 1991, Judge Gantman joined the law firm of Sherr, Joffe & Zuckerman, P.C. as Partner and Chair of the Domestic Relations Section. In 1998, she became a senior member and served as Co-chair of the Family Law Section of the law firm of Cozen OConnor.

Throughout her career, Judge Gantman has been a tireless advocate on behalf of children and other victims of abuse. During her years in practice, Judge Gantman appeared as a frequent lecturer and instructor, conducting

numerous classes and seminars for the Pennsylvania State Police Academy, the Pennsylvania Bar Institute, the Montgomery County Bar Association, and the Department of Public Welfare. Judge Gantman is currently a frequent lecturer on issues of Appellate Practice and Procedure for the Pennsylvania Bar Association, Montgomery Bar Association and the Lawyers Club of Philadelphia. She has also served on the Board of Directors for Womens Philanthropy, the Federation of Allied Jewish Appeal, and Women of Vision. Judge Gantman has been recognized by the Montgomery County Office of Children and Youth for her achievements and outstanding service. She was presented with the Margaret Richardson Award given by the Montgomery County Bar to a person who has advanced the role of women in the legal field and furthered womens legal rights. She is a current member of the National Association of Women Judges. Other honors include the Bond of Faith and the Juvenile Advisory Association Award.

Judge Gantman is a member of the American Bar Association, Pennsylvania Bar Association and Montgomery County Bar Association. She is also a member of the Pennsylvania Bars Commission on Women in the Profession, the Appellate Practice Committee, the National Association of Women Judges, and the Montgomery County Bar Foundation Taxic Circle. She is a Fellow of the Pennsylvania Bar Foundation and a Master of the Villanova University School of Law Inns of Court.

Judge Gantman's election to a ten-year term on the Superior Court was confirmed in January 2004. Her Chambers are located in Montgomery County.



## JUDGE JACK A. PANELLA



Judge Jack A. Panella was elected to the Superior Court of Pennsylvania in November 2003, and sworn into office as an appellate judge on January 9, 2004. He now presides over appeals from civil, criminal and family law cases. He was the statewide Administrative Judge for Wiretap & Electronic Surveillance in Pennsylvania from 2004 through 2009.

His election to the appellate court followed twelve years as a trial judge. Judge Panella was initially sworn in as a trial judge on the Court of Common Pleas of Northampton County in October 1991, and was subsequently elected to a ten-year term commencing January 1, 1994. He presided over civil and criminal trials and was

also the Administrative Judge for Asbestos Litigation, which involved complex mass tort litigation. Judge Panella also presided in the Juvenile and Domestic Relations Divisions of the Court.

Judge Panella was admitted to practice law in the Commonwealth of Pennsylvania in 1980. He was selected to serve as a Judicial Law Clerk for the Court of Common Pleas of Northampton County, a position he held until August 1982. From 1982 to 1991, he maintained his law practice as a sole practitioner. He had a diverse private practice with an emphasis in civil and criminal litigation. His clients included Larry Holmes, the former world's heavyweight boxing champion, and the late Albert Loquasto, a former champion professional race car driver.

After the completion of his judicial clerkship, Judge Panella returned to public service in December 1982, when he was appointed an Assistant County Solicitor for Northampton County, a position he held until he was appointed County Solicitor in May 1987. He was the youngest attorney in Northampton County history to be appointed County Solicitor. He served in that capacity until his appointment to the Northampton County Bench in 1991 by Governor Robert P. Casey. He then became the second youngest judge in the history of Northampton County.

Judge Panella is a member of the American Bar Association as well as the Pennsylvania and Northampton County Bar Associations. He is also a member of the American Judges Association.

In 2004, he was appointed by Chief Justice Ralph J. Cappy to the *Commission For Justice Initiatives in Pennsylvania* (CJI), a committee organized to coordinate and recommend judicial outreach and specialized court programs. He was the Chair of the Public Education and Community Outreach subcommittee of the Commission. As part of his responsibilities for the CJI, Judge Panella conceived and wrote a popular short film on the history and operation of the Pennsylvania Judiciary. The film has been used as an educational tool in classrooms around the state, and can be viewed on the websites of the Administrative Office of Pennsylvania Courts and the Supreme Court of Pennsylvania.

While a trial judge, he was a member of the Pennsylvania Conference of State Trial Judges. He was Chair of the Commonwealth Partners Program, which involves statewide meetings attended by judges and legislators to discuss and resolve issues of mutual concern. In recognition of the success of this program, Judge Panella was given the Presidents Award from the Conference of State Trial Judges in 2002. In his capacity as a trial judge, Judge Panella was also a member of the Judicial Ethics Committee of the Conference.

On August 26, 1997, Judge Panella was appointed by the Supreme Court of Pennsylvania to be a judge of the Pennsylvania Court of Judicial Discipline. In June 2000, he was elected President Judge by his fellow judges. The Court of Judicial Discipline is a constitutional court, which hears charges filed by the Judicial Conduct Board against judicial officers. His four-year term expired in August 2001.

Judge Panella's first book, *THE PENNSYLVANIA SEXUAL VIOLENCE BENCHMARK* was published in December 2007. The book provides judges with a comprehensive understanding of Pennsylvania's current sexual offense laws, and is a valuable resource for judges overseeing cases dealing with sexual crimes, violence and abuse. The book has received widespread acclaim from the legal and judicial communities.

In 2002, Judge Panella was selected to join the United States Army National Guard to visit troops from Pennsylvania in Germany and Bosnia. The trip was a cooperative effort of the 28th Infantry Division and the Employer Support of the Guard and Reserve (ESGR) Committee.

Judge Panella's other community activities, past and present, include Solicitor and Board Member for United Cerebral Palsy of the Lehigh Valley, and President and Board Member of the Boys and Girls Club of Easton. He is also a past member of the Boards of Easton Hospital and Northampton Community College, as well as the Advisory Board for Turning Point. He was an officer of the Clinton Budd Palmer Inn of Court for four years.



## JUDGE CHRISTINE L. DONOHUE



Judge Christine Donohue was born December 24, 1952, in Coaldale, Pennsylvania and was raised in Lansford in Carbon County. She graduated from East Stroudsburg University in 1974 with a B.A. in Political Science. She earned her Juris Doctor at Duquesne University School of Law, 1980 and served on the Duquesne Law Review. Judge Donohue has resided in the City of Pittsburgh since 1977.

Prior to taking the bench in January 2008, Judge Donohue was listed in Best Lawyers in America, Pennsylvania Super Lawyers and the Top 50 Attorneys in Pittsburgh. She is an elected Fellow of the American College of Trial Lawyers, International Academy of Trial Lawyers, Academy of Trial Lawyers of Allegheny County and the American Board of Trial Advocates. She is a past president of the Western Pennsylvania Trial Lawyers Association. Judge Donohue was a shareholder in Buchanan Ingersoll & Rooney, P.C. and was the practice manager of the commercial litigation department in its predecessor firm, Klett Rooney Lieber & Schorling, P.C.

Judge Donohue is a member of the American, Pennsylvania and Allegheny County Bar Associations. She was on the Board of Governors of the Allegheny

County Bar Association from 1988-1990 and was also the Chair of the Young Lawyers Division in 1989. She is a Charter Member of the Allegheny County Bar Foundation. She served as a member of the House of Delegates of the Pennsylvania Bar Association from 1986-2007. She has been twice recognized, most recently in 2008, in Pennsylvania Law Weekly as one of the States Women Leaders in the Legal Profession. Judge Donohue is also a recipient of the Celebrate & Share Women of Achievement Award.

Judge Donohue is a current member of the Judicial Conduct Board of Pennsylvania. She is also a former judge on the statewide Pennsylvania Court of Judicial Discipline, a former chair of the Pennsylvania Board of Law Examiners and she served for six (6) years on the Disciplinary Board of the Supreme Court of Pennsylvania.

Judge Donohue taught ethics for attorneys at the Duquesne University School of Law. She has served on the Board of Directors of the Hill House Association, Make-A-Wish Foundation of Western Pennsylvania, Turtle Creek Valley Mental Health/Mental Retardation, Inc. and is a former member of the Board of Directors of the National Aviary of Pittsburgh.

Judge Donohue was elected to the Superior Court in November 2007. Her chambers are in Pittsburgh.



## JUDGE **JACQUELINE O. SHOGAN**



Judge Jacqueline (Jackie) O. Shogan was born on June 5, 1953, and raised in the Pittsburgh area. A graduate of Gateway High School in Monroeville, Judge Shogan went on to Temple University to receive a B.S. in Nursing, summa cum laude, in 1975. She subsequently obtained an M.S. in Nursing from the University of Virginia. Judge Shogan practiced for over 10 years as a staff nurse, clinical nurse specialist, and clinical instructor at several major teaching hospitals. She also published in nursing and critical care journals and served

on the faculty of Duquesne University.

Judge Shogan had a longstanding interest in public policy and the legal system. She returned to school to obtain a J.D., with high honors, from Duke University School of Law in North Carolina, graduating in 1990. While at Duke, Judge Shogan was elected to the Order of the Coif and received the Bidlake Legal Research and Writing Award, the American Jurisprudence Award for Achievement in Federal Appellate Practice, and the Most Effective Advocate Award by the North Carolina Academy of Trial Lawyers.

Upon graduation from law school, she practiced in the areas of civil litigation, health law, and administrative law. Because she hoped to eventually pursue a judicial career, she then spent four years as an attorney on the staff of Judge Maurice B. Cohill, Jr., of the United States District Court for the Western District of Pennsylvania. Judge Shogan received extensive experience

in criminal law during that time. She returned to private practice at the end of 2001 as a member of the complex civil litigation group at Thorp, Reed & Armstrong, LLP. Judge Shogan also served as an arbitrator and mediator prior to being elected to the Superior Court in 2007.

In addition to her judicial duties, Judge Shogan teaches appellate practice at the University of Pittsburgh School of Law. She also has a certificate in writing from the National Judicial College. Judge Shogan was honored as a 2007-2008 Woman of the Year by the Legal Intelligencer and Pennsylvania Law Weekly. She is also a recipient of the Celebrate & Share Women of Achievement Award.

Judge Shogan has been involved in her community for many years. She is a past member and officer of the Board of Directors of Neighborhood Legal Services, which provides pro bono legal assistance in civil matters to the indigent in southwestern Pennsylvania. She is also a past member and officer of the Board of Directors of Easter Seals Western Pennsylvania and of the Board of Trustees of St. Edmunds Academy in Pittsburgh. Judge Shogan is currently a member of the Allegheny and Westmoreland County Bar Associations, the Pennsylvania Bar Association, the American Bar Association, the Federal Bar Association, the Bar Association of the Third Federal Circuit, the Womens Bar Association, and the National Association of Women Judges. She holds leadership positions in a number of these organizations. Judge Shogan is also a fellow of the Pennsylvania and Allegheny County Bar Foundations.

Judge Shogan was elected to the Superior Court in November 2007. Her chambers are in the Pittsburgh area.



## JUDGE CHERYL ALLEN



Cheryl Lynn Allen was elected to the Superior Court of Pennsylvania in November 2007. She is a Pittsburgh native and a graduate of Schenley High School, Penn State University, and the University of Pittsburgh School of Law.

Judge Allen began her career as an elementary school teacher in the Pittsburgh Public Schools. After graduating from law school, she worked as an attorney for Neighborhood Legal Services, the Pennsylvania Human Relations Commission, and the Allegheny County Law Department. She also

maintained a small civil practice.

In the spring of 1990, Judge Allen earned a merit selection appointment to the Court of Common Pleas of Allegheny County, where she served in the Criminal Division. Judge Allen was elected to a ten-year term in November of 1991 and was assigned to the Juvenile Section of the Allegheny County Court of Common Pleas. The voters retained Judge Allen for a second ten-year term in November of 2001, and she continued to serve in the Juvenile Section until April 2, 2004. While serving in Juvenile Court, Judge Allen was appointed to the Supreme Court Juvenile Court Judges Commission. On April 12, 2004, Judge Allen returned to the Criminal Division, where she served until her election to the Superior Court. Judge Allen was also an Associate Professor at Point Park University from 2001-2006.

Judge Allen has volunteered extensively throughout her career. She currently serves on the Boards of the Women's Choice Network, Pittsburgh Leadership Foundation, Hosanna House, Cornerstone Television, Waynesburg University Board

of Trustees, and the National Regional Church CARE Advisory Board. She is a former Board Member of Child Watch and CASA (Court Appointment Special Advocates).

In addition, Judge Allen has been instrumental in the creation and implementation of treatment programs such as the Academy's Alternative Summer School Program and the Alternative to Detention program through Youth Enrichment Services. Judge Allen also worked with the Juvenile Law Project to implement the Birth Parent Mentoring Program.

Judge Allen has received numerous awards and recognition for her efforts on behalf of children and families. Her most recent awards include:

- New Pittsburgh Courier's Women of Excellence Awards, 2008
- The Legal Intelligencer and Pennsylvania Law Weekly Women of the Year, 2008
- Bidwell United Presbyterian Church Phenomenal Woman's Award, 2008
- Camp Fire USA Incredible Kid Day® Breakfast of Champions, 2008
- Celebrate & Share Women of Achievement Award, 2008
- 3 Rivers Youth Nellie Leadership Award, 2006
- YWCA of Greater Pittsburgh 2006 A Tribute to Women Award

Judge Allen is married to Jimmie Skipwith and is the mother of 3 sons, Frederick, Justin and Jason, and the grandmother of six. Raising her sons to be responsible and productive young men is one of her proudest accomplishments. Judge Allen is the eldest of five siblings, born to Robert and Corrine Allen.



## JUDGE **ROBERT A. FREEDBERG**



Education: Lafayette College (B.A. with Honors-1966); Columbia University School of Law (J.D. 1969).

Elected: Judge of Court of Common Pleas of Northampton County 1979, retained 1989 and 1999. President Judge of Court of Common Pleas 1991-2008. Appointed Judge of Superior Court of Pennsylvania in 2008. Law Clerk to Judge Clinton Budd Palmer 1969-1970. Private Practice 1970-1980; Assistant District Attorney-Northampton County 1973-1979; Assistant City Solicitor-Easton, 1976-1980.

Member: Pennsylvania and Northampton County Bar Associations. Pennsylvania Conference of State Trial Judges-Chair of President Judges Committee; Education Committee.

Served as President of B'Nai Abraham Synagogue, Chair of President's Advisory Board of Good Shepherd Home, Member of the Board of Directors of United Cerebral Palsy of Lehigh Valley, Member of Board of Directors of Lehigh Valley Legal Services, current member of Judicial Council of Pennsylvania.

Awards: Honorary Doctor of Law Degree from Lafayette College-2002. Liberty Bell Award of Lehigh County Bar Association-2002. St. Anthony's Youth Center Humanitarian Award-2007.



## JUDGE JOHN M. CLELAND



Judge John M. Cleland was born in Kane, Pa. He received a Bachelor of Arts in History from Denison University in 1969, and a Juris Doctor with honors from The National Law Center of The George Washington University in 1972.

After serving as a law clerk to United States District Judge Barron P. McCune in Pittsburgh, Judge Cleland returned to his hometown to engage in the general practice of law. In 1984 he was a merit selection appointment to the Court of Common Pleas of McKean County. He was elected to a full term in 1985 and, after waiving retention, was re-elected in 1995 and 2005. He was appointed to the Superior Court in 2008.

He has been involved in a variety of projects in the areas of judicial education, juvenile dependency and delinquency, court computerization, media relations, sentencing, reform of the district justice system, orphans court rules, and court administration.

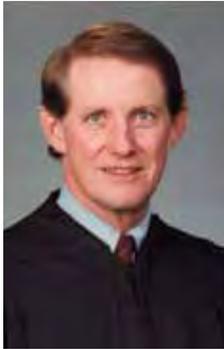
Judge Cleland is a member of the Juvenile Court Judge Commission. He has served as a Trustee of the University of Pittsburgh, and as Advisory Board Chair of the University's Bradford Campus. He is an invited participant in the Harvard University Kennedy School of Governments Executive Session for State Court Leaders in the 21st Century. He serves as the Chair of the Interbranch Commission on Juvenile Justice which has been created by all three branches of state government and is charged with addressing concerns arising from the Luzerne County juvenile justice corruption scandal.

Since 2005 he has been involved in efforts statewide and nationally to address the interplay between the judicial and public health systems, including leading work to develop guidelines for courthouse biohazard preparedness, to create continuity of operations templates for Pennsylvania's trial courts, and to write a bench book for judges on public health law.

He has been awarded the Pennsylvania Conference of State Trial Judges President's Distinguished Service Award and the Golden Crowbar Award, the University of Pittsburgh at Bradford's Presidential Medal of Distinction, and the Pennsylvania Bar Association's Clarity in Writing Award.



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); and 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).

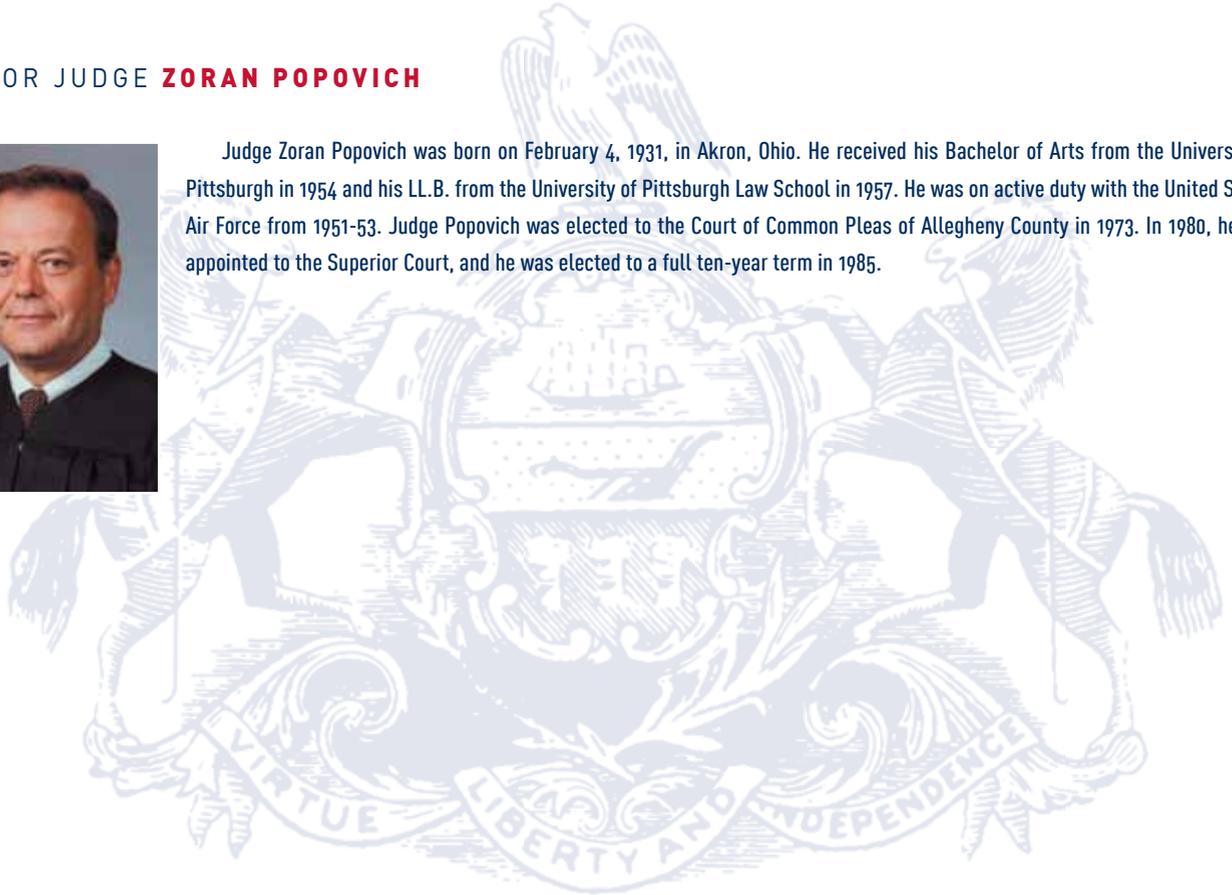
Judge Kelly was elected to the Superior Court as the nominee of both the Republicans and the Democrats in 1985 and was retained for a second term in 1995. He was appointed to a four year term on the Judicial Inquiry and Review Board commencing on December 9, 1988. His chambers are in Philadelphia.



## 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.





PRESIDENT JUDGE EMERITUS **STEPHEN J. McEWEN, JR.**



Judge McEwen commenced service on the Pennsylvania Superior Court in 1981, and was President Judge from 1996-2001. He was twice appointed by the Supreme Court in the 1980s to the Judicial Inquiry and Review Board, and in 1996, was appointed by Governor Tom Ridge to the Court of Judicial Discipline, and was thereafter elected President Judge of that Court.

The Supreme Court appointed him in October 2004 to serve with Chief Justice Emeritus John P. Flaherty as co-chair of the Pennsylvania Judicial Independence Commission.

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, a trial lawyer for 23 years, was the elected District Attorney of Delaware County from 1967-1976, and thereafter served as General Counsel for the Pennsylvania District Attorneys Association. He was a Professor of Trial Advocacy at Villanova University Law School for 10 years, and served as Editor of the "Appellate Judges News" section of the *ABA Judicial Division Record* and on the Editorial Board of the *ABA Judges Journal*.

He is a Past President of the Council of Chief Judges of State Courts of Appeal, is on the Board of Advisors of the ABA United Nations Development Project, and was a member of the American Law Institute. During the summers of 2000-2002, he was a USAID lecturer in Bulgaria, and in July 2004 was appointed by the Republic of Bulgaria to serve as Honorary Consul.



## SENIOR JUDGE **ROBERT E. COLVILLE**



Judge Robert E. Colville was born in Pittsburgh in 1935. After graduating from North Catholic High School in 1953, Judge Colville joined the United States Marine Corps, and, upon discharge attended Duquesne University, obtaining his Bachelor of Arts degree in 1963. From 1959 to 1963, he was Teacher and Head Coach of the North Catholic High School football team.

Judge Colville served the City of Pittsburgh for fifteen years as a Patrolman, Homicide Detective and Chief of Police. While serving as a Police Officer, Judge Colville enrolled in evening classes at Duquesne University School of Law where he earned his Juris Doctor degree in 1969. In 1976 he was elected District Attorney of Allegheny County, a position he held until 1997 when he was elected a Judge in the Court of Common Pleas of Allegheny County. Judge Colville now serves as a Senior Judge for the Superior Court, being assigned to that position by the Supreme Court in March of 2006.

Judge Colville is a member of the Allegheny County Bar Association, the Pennsylvania Bar Association and the American Bar Association. He served on the Supreme Courts Criminal Procedural Rules Committee; Chaired the Allegheny County Victim/Witness Services Committee and the Allegheny County Drug Initiative; served on the Board of Trustees of Community College of Allegheny County. Judge Colville is also a member of Pennsylvania Mental Health Courts Commission for Justice Initiatives, and serves on the Wrongful Convictions Advisory Committee of Pennsylvania. He is a member of the distinguished Duquesne University Century Club and received the Outstanding Law Alumnus Award from the Duquesne University Law Alumni Association.

Judge Colville and his wife, Janet, have six children and seven grandchildren and make their home in Pittsburgh, Pennsylvania.



## SENIOR JUDGE **JAMES J. FITZGERALD III**



Born in 1939 in Winchester, Massachusetts Justice James J. Fitzgerald III came to Philadelphia in 1958 to attend the University of Pennsylvania as an undergraduate. There he studied economics, served as vice president of his senior class, president of the Kite and Key Service Society, rowed varsity crew for three years, rowed in two Olympic trials in 1960 and 1964, and met his wife, Carol.

After earning his law degree from Villanova University Law School, Justice Fitzgerald went to work in the Office of the District Attorney. There, alongside other young advocates, he fulfilled his lifelong dream of becoming a trial

lawyer. For twelve years he honed his skills and broadened his knowledge, trying every kind of criminal case imaginable. He was in charge of thirty-three ADAs as Chief of the Felony Waiver, Municipal Court, and Police Advisory Units.

Following a bold run for Philadelphia City Controller, Justice Fitzgerald served as Chief Counsel to the Pennsylvania Liquor Control Board, followed by a four-year stint with a private law firm trying civil cases, and four years as Executive Vice President for Government Affairs at the Greater Philadelphia Chamber of Commerce.

Justice Fitzgerald's longtime love for the courtroom and the law resulted in his being elevated to the bench of the Philadelphia Court of Common Pleas in 1989. In 2002, he was appointed Administrative Justice of the Trial Division by the Pennsylvania Supreme Court where he was in charge of and coordinated the activities of 66 commissioned judges, 12 senior judges, 1,000 employees, and a \$46 million dollar budget. He launched electronic filing initiatives for

the civil section, trial division; established and supported the judicial pro bono publico program; established the juror appreciation day program and disposed of over 10,000 felony cases including numerous homicide cases.

On February 13, 2007, Justice Fitzgerald was nominated by Governor Edward G. Rendell to serve as a Justice on The Supreme Court of Pennsylvania. After his unanimous confirmation by the Pennsylvania Senate, he was sworn in by Justice Ronald D. Castille as an interim Justice. He served as Liaison Justice for the Supreme Court Mental Health Task Force. On January 7, 2008 he was appointed by Chief Justice Castille as Co-Chair of the Pennsylvania Commission on Judicial Independence along with Chief Justice Emeritus John P. Flaherty. Governor Rendell appointed Justice Fitzgerald as a member of the Pennsylvania Commission on Crime and Delinquency on October 22, 2009. Currently, Justice Fitzgerald is serving as a Senior Judge on The Superior Court of Pennsylvania.

Justice Fitzgerald and his wife Carol have three grown children and four grandchildren.

Justice Fitzgerald's other associations and activities have included being President of the J. Willard O'Brien Villanova Law Inn of Court; Chair for Strategic Planning Committee for Jenkins Law Library; Member of Administrative Governing Board, First Judicial District of Pennsylvania; Member of Criminal Justice Coordinating Committee; Vice President of Philadelphia Flag Day Association; Member of Brehon Law Society; Member of The Society of the Friendly Sons of St. Patrick, Former Treasurer of St. Thomas More Society; Board of Trustees at Springside School.

Awards Justice Fitzgerald has been honored with are from the Brehon Law Society Award for Lifetime of Achievement in the Law and the Award for Judicial Excellence; Philadelphia Flag Day Associations Annual Citizens Award; the Louis D. Brandeis Law Society Award; and the Alumni Award of Merit from the University of Pennsylvania.



## SENIOR 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 General's 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 the Past 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.



## SUPERIOR COURT

## HISTORY

In 1895, the Pennsylvania General Assembly established the Superior Court to hear appeals from certain 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; matters concerning wills and estates; property disputes; and those involving damages for breach of contract or personal injury. 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 sat together to hear every case. However, in 1978, the Supreme Court, 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. 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, with elected judges receiving seniority over those serving by appointment. 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. Ervin	1965-1968	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	2001-2006
Thomas J. Baldrige	1945-1947	William F. Cercone	1979-1983	Kate Ford Elliott	2006-

## JUDGES OF THE COURT

Charles E. Rice	1895	Joseph Stadtfeld	1931	Gwilym A. Price, Jr.	1974	Berle M. Schiller	1996
James A. Beaver	1895	William M. Parker	1932	Robert Van der Voort	1974	Michael T. Joyce	1998
Howard J. Reeder	1895	Arthur H. James	1933	Donald E. Wieand	1978	Correale F. Stevens	1998*
George B. Orlady	1895	Chester H. Rhodes	1935	John P. Hester	1978	John L. Musmanno	1998*
John J. Wickham	1895	William E. Hirt	1939	James R. Cavanaugh	1979	Joan Orie Melvin	1998*
Edward N. Willard	1895	Charles E. Kenworthy	1941	John G. Brosky	1980	Maureen E. Lally-Green	1998
Henry J. McCarthy	1895	Claude T. Reno	1942	Richard B. Wickersham	1980	Debra McCloskey Todd	2000
Peter P. Smith	1896	F. Clair Ross	1945	Richard DiSalle	1980	Richard B. Klein	2002*
William W. Porter	1897	W. Heber Dithrich	1945	Justin M. Johnson	1980	John T. Bender	2002*
William D. Porter	1898	John C. Arnold	1945	Frank J. Montemuro, Jr.	1980	Mary Jane Bowes	2002*
Dimner Beeber	1899	John S. Fine	1947	Zoran Popovich	1980**	Robert A. Graci	2002
John I. Mitchell	1900	Blair F. Gunther	1950	Perry J. Shertz	1980	Susan Peikes Gantman	2004*
Thomas A. Morrison	1902	J. Colvin Wright	1953	Phyllis W. Beck	1981	Seamus P. McCaffery	2004
John J. Henderson	1903	Robert E. Woodside	1953	Stephen J. McEwen, Jr.	1981**	Jack A. Panella	2004*
John B. Head	1906	Harold L. Ervin	1954	Vincent A. Cirillo	1982	Robert C. Daniels	2007
John W. Kephart	1914	Phillip O. Carr	1956	James E. Rowley	1982	Christine L. Donohue	2008*
Frank M. Trexler	1914	G. Harold Watkins	1957	Peter Paul Olszewski	1984	Jacqueline O. Shogan	2008*
J. Henry Williams	1916	Harry M. Montgomery	1960	Joseph A. Del Sole	1984	Cheryl Lynn Allen	2008*
William H. Keller	1919	Gerald F. Flood	1961	Patrick R. Tamilia	1984	Robert A. Freedberg	2008*
William B. Linn	1919	Robert Lee Jacobs	1965	John T.J. Kelly, Jr.	1986**	John M. Cleland	2008*
Robert S. Gawthrop	1922	J. Sydney Hoffman	1965	James R. Melinson	1988		
Jesse E.B. Cunningham	1926	Theodore O. Spaulding	1966	Joseph A. Hudock	1990**		
Thomas J. Baldrige	1929	John B. Hannum	1968	Kate Ford Elliott	1990*		
J. Frank Graff	1930	William F. Cercone	1969	Thomas G. Saylor	1994		
John G. Whitmore	1930	Israel Packer	1971	D. Donald Jamieson	1995		
James B. Drew	1931	Edmund B. Spaeth, Jr.	1973	J. Michael Eakin	1996		

\* CURRENTLY SERVING

\*\* CURRENTLY SERVING AS SENIOR JUDGE





## ADMINISTRATIVE OFFICES

### OFFICE OF THE EXECUTIVE ADMINISTRATOR

The Executive Administrator is responsible for all the fiscal operations of the Court including preparing the Court's annual budget and monitoring the Court's expenditures of its appropriations. The Executive Administrator also supervises the daily processing of invoices for goods and services applied to the Court, the procurement of supplies and the performance of contracts with the Court as well as adherence to the provisions of the Right to Know Act. Business responsibilities also extend to other operations within the Court such as the administration of the various administrative departments and the 221 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, the management of the facilities used by the Court, oversight of Court Security, and compliance with the health and safety policies of the Department of State.

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

The Criers of the Court, as members of the staff of the Prothonotary, are 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.



## CENTRAL LEGAL STAFF

The Central Legal Staff is composed of 20 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; 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 THE REPORTER

The Reporter is responsible for the maintenance of all records pertaining to the judges' assignments. These records are monitored through the Pennsylvania Appellate Court Management System. The Reporter provides the judges with status reports involving assignments, votes and filings for argued, submitted and en banc cases as well as providing monthly and yearly statistical reports.

The Reporter assigns a universal citation to published opinions prior to filing. The filed opinions are posted daily to the Superior Court and the Administrative Office of Pennsylvania Courts websites. These opinions are also electronically transmitted to Lexis, Westlaw and The Legal Intelligencer.

The Reporter is the liaison with Thomson Reuters, the official publisher of the Court's opinions. The Reporter provides Thomson Reuters with filed opinions, tables of memorandum decisions, whose text is not published, tables identifying cases with pending reargument applications and any revisions prior to final publication. Thomson Reuters also receives from the Reporter transcripts of special ceremonial sessions of the Court for publication.



## OFFICE OF LEGAL SYSTEMS

**T**he Office of Legal Systems is a multi-discipline department serving the 26 offices of the Superior Court. The Department consists of systems administration, network services, voice applications, application training, and database administration. This five member department not only manages the Court's integrated computer and voice systems, the Department coordinates and provides application training, and negotiates and manages information technology related contracts. Additionally, Legal Systems staff members collaborate with staff from the Administrative Office of the Pennsylvania Courts (AOPC), the other appellate courts, and the administrative boards on shared projects including the high speed data network (UJSNet) that links all offices of the three appellate courts and AOPC with each other, the appellate case management system (PACMS), and the shared electronic mail system. Generally, work is conducted out of either Philadelphia or Pittsburgh; however, supporting the Court offices requires travel throughout the Commonwealth.

## OFFICE OF COURT MEDIATION

**T**he Office of Court Mediation was established to provide alternate means of dispute resolution for litigants in the Superior Court. The goal of the Office is to assist the parties and the Court in resolving cases in the early stages of the appellate process. Early resolution results in: reduced litigation expenses; prompt, predictable, and amicably compromised judgment amounts; and, equitable, mutually satisfactory results that cannot be achieved in the normal course of the appellate process. The Office of Mediation assists the Court in managing its increasing caseload.

The Offices of Court Mediation are located in Philadelphia and in Pittsburgh. They are staffed by mediators with extensive appellate and ADR experience, as well as veteran Court staff.





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