

# AOPC<sup>ON</sup>NECTED



Issue 4, 2022

## In this issue

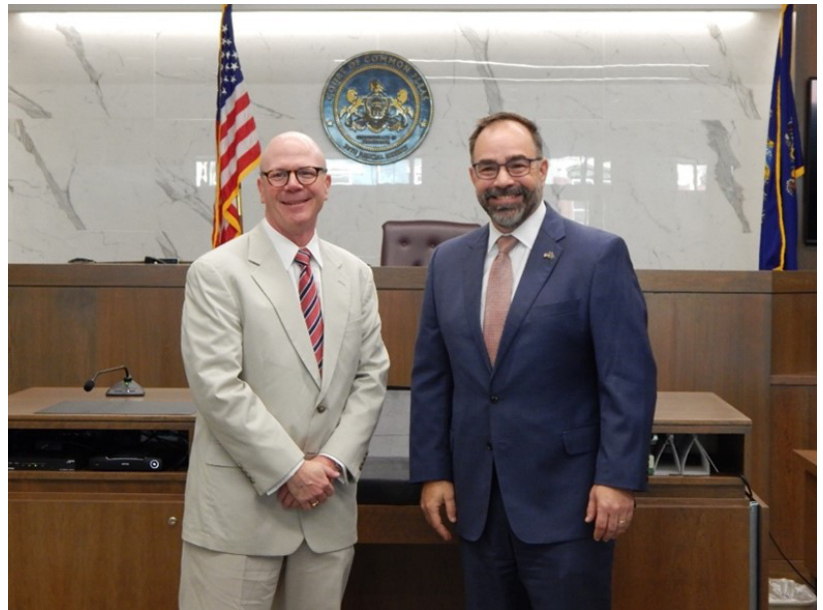
Read about a new interpreter scheduling dashboard, how Pennsylvania is addressing a shortage of court reporters, positive data outcomes for FEI counties, and more.

# 39th Judicial District Hosts Justice Brobson for Independence Day

Last month, Pennsylvania Supreme Court Justice **P. Kevin Brobson** paid a visit to the Franklin County Courthouse to celebrate Independence Day.

Justice Brobson's presentation, focusing on the Declaration of Independence, observation of July 4th and the ratification and adoption of the Pennsylvania Constitution, was simultaneously live-streamed to the Fulton County Courthouse.

"This is a milestone for the 39th judicial district and an honor to have a sitting justice of the Pennsylvania Supreme Court address our judicial district," said **Mark Singer**, Franklin/Fulton County district court administrator.



*left to right: Franklin/Fulton President Judge Shawn Meyers, Pa. Supreme Court Justice P. Kevin Brobson.*

## The Appellate Court Procedural Rules Committee

At the end of June, the Appellate Court Procedural Rules Committee convened in Erie, where they bid farewell to committee members Judge **Patricia A. McCullough**, chair, Judge **Mary Jane Bowes**, Judge **Dale M. Fouse** and **James L. McMonagle**.

These members have 24 years of combined service on the committee and volunteered their time to improving Pennsylvania appellate court practice and procedures.



*l to r: Judge Dale Fouse, Judge Mary Jane Bowes, Judge Patricia McCullough and James McMonagle*

# [Senior] Judge Paula Ott Honored with Piece of Pennsylvania History

Reprinted with permission of the law firm Gawthrop Greenwood, PC.

By Kristen Stewart

WEST CHESTER, PA — A treasured piece of Pennsylvania history now belongs to a former Gawthrop Greenwood attorney who went on to make her own history as a Pennsylvania Superior Court Judge as well as Chester County President Judge.

The law firm Gawthrop Greenwood and partner Kevin Holleran were pleased to present [Senior] Judge **Paula Ott** with a Pennsylvania Railroad club car chair at Gawthrop Greenwood's offices in West Chester earlier this month, in honor of her contributions to the legal field as well as her work to advance the role of women in the law.

The firm once showcased 10 of these chairs, believed to have been acquired by the father of Gawthrop founder W. Edward Greenwood, Jr., Esq. when a Pennsylvania Railroad car was discarded decades ago at a scrap yard located next to the old Lukens Steel Company in Coatesville, Pa.

Since its founding in 1904, Gawthrop Greenwood has produced seven judges, 11 presidents of the Chester County Bar Association and numerous high-profile lawyers whose commitment to unparalleled service has long distinguished the firm. The first female judge in Chester County came from Gawthrop Greenwood, as did two judges who went on to the Superior Court of Pennsylvania, another who became a Federal District Court Judge and three who have served as President Judge of Chester County.



*Pictured clockwise is [Senior] Judge Paula Ott with her former Gawthrop colleague and mentor John Halsted seated in the historic chair; the Pennsylvania Railroad club car chair with a photo of W. Edward Greenwood, Jr.; [Senior] Judge Ott with Gawthrop partners Stacey Fuller, John Rafferty, Walter Eells and Kevin Holleran.*

# Pa. Courts Release New Interpreter Scheduling Dashboard

By Stephen Baldwin and Marisa Lehr,  
AOPC Court Access Program

The courts have an obligation to effectively communicate with and provide meaningful access to court users who are Limited English Proficient (LEP), deaf or hard of hearing to ensure that all persons have due process and equal access to all judicial proceedings, court services, programs and activities.

The Pa. Courts fulfill this obligation, in part, by providing certified interpreters to court users at no cost through the Interpreter Certification Program (ICP).

The ICP was established to provide trained and qualified interpreters for the courts of Pennsylvania and maintains a statewide roster of qualified and certified interpreters to help each judicial district implement effective interpreter services.

The ICP team has been working hard to bolster the [court interpreter roster](#), which currently has 243 interpreters representing 38 languages.

While the ICP maintains a robust court interpreter roster, coordinating interpreter services for court proceedings has sometimes presented logistical difficulties. For example, AOPC has received reports from districts that have had to contact over 30 different interpreters to locate an interpreter for a proceeding.

To alleviate this problem, AOPC/IT staff teamed up with the AOPC/Court Access Program and the ICP to develop a mobile-friendly web application within the Language Access Data Collection System (LADC). The application streamlines the scheduling of interpreters for Language Access Coordinators (LACs) and centralizes assignment requests for the interpreters, thus ensuring access to justice without delay for court users who are LEP, deaf or hard of hearing.

This Uber-like application dramatically modernizes the process of scheduling rostered interpreters for court proceedings. Instead of making phone calls or sending emails each time there is a need to secure an interpreter, LACs will be able to enter the details of the proceeding into LADC, and the system will indicate which rostered interpreters are available.

From there, LADC will electronically notify the interpreter via email or text message of the pending interpreter request, and the interpreter can accept or decline the request at the click of a button.



Mobile view of dashboard

Before its statewide launch, the scheduling dashboard was piloted with Berks, Montgomery and Dauphin counties, along with a handful of rostered interpreters. Sandy Sharma, a rostered Nepali Interpreter, was thrilled with the dashboard's ease of use and was relieved that "it brings all the assignments with dates, times and information into one platform." We would like to thank the interpreters who helped pilot the new scheduling dashboard: Ugo Marmugi, Tom Gran, Bennetry Richard-Hermann, Sandhya Sharma, Sofia Parientes, Sonia Schlamowitz and Yongmei Li.

Rebecca Thatcher Murcia, the Language Access Coordinator for Dauphin County, loves the ability to find interpreters for upcoming proceedings quickly. The application also automatically populates her calendar with the details for each proceeding, including the info for the booked interpreter via a calendar invite LADC automatically sends out.

In late June and early July, AOPC IT, AOPC Court Access and ICP conducted trainings for all the district LACs and the rostered interpreters on how to use the new scheduling dashboard.

Currently, the scheduling dashboard is live for all judicial districts, with over 50 rostered interpreters already available for bookings, with several in the queue to be added in the coming weeks.

The full roster of interpreters should be available on the scheduling dashboard in the next six months.

Our sincere appreciation goes out to AOPC staff for their important contributions to this advancement in judicial administration – **Kelly McClain, Sam Maina, Mario Lanza, Kaveri Dasu, Keith Nigro, Marisa Lehr, Stephen Baldwin, Natalia Petrova and Ilana Torres.**

**more information** For more information on the scheduling dashboard, please contact **Marisa Lehr** or **Stephen Baldwin** at, [LanguageAccess@pacourts.us](mailto:LanguageAccess@pacourts.us), **Natalia Petrova**, or **Ilana Torres** at [interpreterprogram@pacourts.us](mailto:interpreterprogram@pacourts.us) or LADC Support at [LADCsupport@pacourts.us](mailto:LADCsupport@pacourts.us).

DEPARTMENT SPOTLIGHT:

# AOPC Human Resources



*Front row l-r: Beth Schneider, Denise Parise, Hiliary Bower 2nd row l-r: Sarah Amalfitano, Leah Somers, Patti Campbell, Nicole Dadoun  
Back row l-r: Angela Dissinger, Molly Corman, Tiffeny Raker, Matt Gray*

AOPC’s Human Resources Department provides a variety of services to judiciary personnel including all judicial officers and state-level staff of the appellate courts, AOPC and judicial districts throughout Pennsylvania.

Located on the 7th Floor of the Pennsylvania Judicial Center, the department is led by **Denise Parise**, director, **Hiliary Bower**, assistant director and **Beth Schneider**, benefits administrator.

The department is comprised of two units, Benefits and Employee Services, that work collaboratively to develop, implement and administer HR policies and programs, communicate with jurists and employees regarding HR topics, ensure compliance with employment laws/regulations and address personnel issues.

The Benefits unit develops and administers comprehensive benefit programs for judiciary members/retirees and their dependents (8,000+ individuals) and ensures program compliance with state and federal regulations.

Additional responsibilities include benefit contract evaluation/negotiation, working with insurers to address

eligibility and claim issues, implementing program changes as required by state/federal law, retirement administration, and identifying and recommending improvements to benefit programs.

The Employment Services unit manages staffing and recruitment activities, develops and counsels on personnel related policies, serves as the point of contact for compliance with federal and state employment laws and statutes, addresses/resolves employee relations issues, maintains the judiciary pay plan, develops and maintains policies for evaluation and classification of employment positions and conducts confidential investigations.

Additional duties include assisting jurists and managers with hiring processes, administering performance evaluation processes, working with managers and staff to address personnel needs, tracking employment demographics and statistics to remain in compliance with federal programs and reviewing individual job descriptions for AOPC and state-level district positions, analyzing employee performance metrics and providing education programs for personnel.



# Legislative roundup

by Damian J. Wachter, Esq.

In conjunction with the adoption of the 2022-23 state budget, 75 bills were enacted into law, at least 21 impacting the courts in some fashion. Two House resolutions of interest were also adopted.

The House and Senate also passed as a part of one bill, five separate and distinct constitutional amendments. It sets up second passage and potential ballot questions in 2023. The proposed amendments are, however, the subject of a lawsuit filed by the governor ([73 MM 2022](#)). Several of the Article V (Judiciary) constitutional amendments moved forward, but ultimately, they did not receive final votes in either chamber.

Twenty-one other bills of interest were considered in either or both chambers but did not make it to the governor's desk prior to summer recess. Those bills are still in play for the fall when the House is scheduled for 12 session days and the Senate is scheduled for 10. Finally, 13 [common pleas](#) and eight [magisterial district court](#) vacancies were filled by nomination by the governor and confirmation by the Senate.

## Budget

[Act 1A of 2022](#) is the 2022-23 General Appropriations Act (GAA). It totals \$42.114 billion in spending – a 12.4 percent increase over the 2021-22 fiscal year. The GAA provides the Judiciary with \$362.369 million in state funding, a \$6.405 million or 1.8 percent overall increase.

[Act 54 of 2022](#) is the 2022-23 Fiscal Code budget implementation legislation. The act includes the reauthorization of the “Act 49” surcharges until July 31,

2023, revenue from which augments judicial line items in the GAA by approximately 17%. The surcharges total \$21.25 and are levied on filings enumerated in [42 Pa.C.S. § 3733](#). The act also extends the suspension of the diversion of \$15 million of judicial computer funding to school safety for the 2022-23 fiscal year.

[Article V Constitutional Amendments](#)  
[Civil Venue by Statute](#)  
[Selection of President Judge](#)  
Prior Passage: None

[House Bill 2660](#) amends Section 10, allowing the General Assembly to statutorily establish venue in civil cases. The bill was reported from House Judiciary, with all Democrats and one Republican opposed.

[Senate Bill 1127](#) amends Section 10, modifying the procedure for the selection of president judges for courts of common pleas. Under the amendment, president judges in courts with two or fewer judges would be the judge longest in continuous service. President judges of courts of common pleas with three or more judges would be selected for five-year terms by members of the respective court. The change in the process for selecting president judges would impact 21 judicial districts. The bill was reported from Senate State Government.

## Separate and Distinct Constitutional Amendments Abortion, Concurrent Orders and Resolutions, Lieutenant Governor Selection, Voter ID, and Election Audits Prior Passage: None

[Senate Bill 106](#) amends Articles I, III, IV and VII to:

1. Clarify that nothing in the constitution provides “the right to a taxpayer-funded abortion or any other right relating to abortion”
2. Add “disapproval of regulations” to the list of exceptions to the requirement that concurrent resolutions must be presented to the governor
3. Direct candidates for governor to select the candidate for lt. governor upon nomination and prohibit individuals from running for both offices
4. Require valid identification to vote regardless of voting method
5. Require the General Assembly to legislatively provide for the auditing of elections by the auditor general.

The bill passed both chambers on near party line votes and is filed as JR # 1 of 2022.

## Common Pleas Complement

[Senate Bill 691](#) adds a common pleas judge in three judicial districts: Columbia/Montour, Huntingdon and Chester. The Columbia/Montour seat would be established on Jan. 1, 2024, filled in the 2023 election. The Huntingdon seat would be established on Jan. 5, 2026, filled in the 2025 election. The bill is silent on the establishment of the Chester seat and would therefore create an immediate vacancy upon enactment. The bill passed the Senate 50-0.

## Crime Victims and Notice of Bail Proceedings

[Act 71 of 2022](#) amends the Crime Victims Act to require arresting officers to provide name and contact information of victims to the magisterial district court (MDC) or the Philadelphia Municipal Court (PMC) conducting the preliminary arraignment, to provide the victim with notice of proceedings to modify bail conditions and exercise the opportunity to appear.

The MDC or PMC must transmit the information to the court of common pleas at the conclusion of the preliminary hearing so clerks of courts can notify the victim of any proceedings to modify bail and the victim may exercise the opportunity to appear.

The act also seeks to ensure that victims are afforded the right to offer comment regarding bail conditions at the time conditions are imposed or at any subsequent proceeding where conditions may be modified. The act has a six-month implementation period.

## Probation Meetings and Standards for Probation Personnel

[Act 46 of 2022](#) amends Title 42, allowing probation officers to utilize technology portals in lieu of in-person probation meetings. Technology portal is defined as a “device, including a cellular phone and other electronic device, that allows simultaneous voice and video communication in real time between the offender and the probation officer.”

[Act 47 of 2022](#) amends the Pennsylvania Commission on Crime and Delinquency Law, requiring the County Adult Probation and Parole Advisory Committee to, as a part of its duty to develop standards for probation personnel, adopt a standard that includes circumstances under which an offender’s schedule, including work and essential medical care, must be weighed when making probation scheduling decisions.

## Joinder Statute and *Perfetto*

[Act 85 of 2022](#) seeks to address *Commonwealth v. Perfetto*, 652 Pa. 101 (2019), which held that the state was precluded, under the compulsory joinder statute, from prosecuting charges for DUI following prosecution and conviction of a summary offense arising out of the same conduct or same criminal episode. The act clarifies that prosecution is not barred for offenses based on the same conduct or arising from the same criminal episode if the offense for which the defendant was formerly convicted or acquitted was a summary or summary traffic offense.

## Crime Victim Standing JRI 2 and Crime Victims Act

[Act 77 of 2022](#) amends the Crime Victims Act (CVA), granting a victim of a crime legal standing “to assert and enforce a right enumerated in the [act] or any other right afforded to the victim by law in a trial or appellate court or before an official body with jurisdiction over the victim’s case.”

The underlying bill was amended to include the provisions of [Senate Bill 708](#), which included comprehensive updates and modifications to definitions, adding responsibilities for victims, state and local law enforcement and prosecutors. The act repeals the current law governing the Crime Victims Compensation and Victim Witness Services Funds, establishing in their place a single Crime Victim Services and Compensation Fund to be used by the Office of Victim Services. Costs imposed under current law remain and will be paid into the fund, except that 70 percent of the costs exceeding \$60 is paid into local victim service funds. The act also eliminates the 50 percent share of the minimum \$25 supervision fee assessed against offenders that is currently deposited into the State Offender Supervision Fund – all funds will go to county supervision fee restricted receipts accounts.

## Juvenile Justice Task Force

A package of bills that represents some of the legislation that was recommended as a part of the Juvenile Justice Task Force [report](#). [Senate Bill 1226](#), [Senate Bill 1227](#), [Senate Bill 1228](#) and [Senate Bill 1229](#) amend several statutes to:

- Standardize the process, including establishing new duties for juvenile probation officers and requiring JCJC to develop and implement case management tools, and shorten eligibility timeframes for juvenile expungement
- Require a court upon a finding of dependency to enter a disposition order that is best suited for the safety, protection, and physical, mental and moral welfare of the child
- Require a court upon a finding of delinquency to enter a disposition order that is consistent with protection of the public, the imposition of accountability for offenses committed and the development of competencies to enable the child to become a responsible and productive member of the community
- Require a disposition review hearing at least every three months to ensure that a child committed to out-of-home placement is receiving necessary services and treatment, and terms and conditions of the disposition are being met
- Repeal current county reimbursement provisions for expenditures incurred in the performance of obligations under [42 Pa.C.S. Ch. 63](#), and providing an updated formula.

The bills were reported from the Senate Judiciary and Aging and Youth Committees.

## Criminal History Record Information Crime Victim Right of Access

[House Bill 2525](#) amends Title 18, adding a new subchapter to the Criminal History Record Information chapter to allow a crime victim or a defendant in a civil action in which a crime victim is a party (requesting party) to obtain criminal history investigative information for use in or investigation of an actual or potential civil action relating to the criminal history investigative information. A requesting party may also seek the dissemination of criminal history investigative information that is directly related to a civil action and request the dissemination of criminal history investigative information that is material and necessary to the investigation or the preparation of a civil action. The attorney general and the Supreme Court are required to promulgate rules necessary to implement the act. The bill passed the House 160-43.

## Family Finding

[House Bill 1866](#) amends Titles 42 and 67, requiring a court during a permanency hearing to determine whether a transition plan and services are being provided and, for child who is 18 years of age, whether a suitable transition plan has been presented. In cases where the child will be placed in another planned permanency arrangement approved by the court, the county agency must identify at least two significant connections with supportive adults.

The bill that clarifies the legislative intent of family finding is to ensure that each child leaving foster care at 18 years of age and older is prepared for transition to successful adulthood and updates the definition of *family finding* to reflect current practice. It also defines the terms *permanency plan* and *transition plan*.

The bill incorporates the provisions of [House Bill 1650](#), which is a comprehensive, but technical reorganization of Title 67. One of the technical changes is moving Family Finding and Kinship Care from Chapter 31 to Chapter 75. The bill passed the House 203-0.

## Task Force on Intellectual and Developmental Disabilities and Autism

[House Resolution 212](#) establishes a legislative task force on intellectual and developmental disabilities and autism comprised of four members of the House appointed by the speaker, two each recommended by the Majority and Democratic leaders. Under the resolution, the Joint State Government Commission will assist the task force by establishing an advisory committee and conducting a study on the impact of the Commonwealth's current needs and system capacity for providing opportunities for individuals with intellectual disabilities, developmental disabilities and autism. The resolution was adopted 173-27 by the House. Senate action is not required.

## Select Committee on Law and Order

[House Resolution 216](#) establishes the Select Committee on Restoring Law and Order to investigate, review and make findings and recommendations concerning rising rates of crime, law enforcement and the enforcement of crime victim rights, with a heavy focus on the City of Philadelphia. The resolution was adopted 114-86 by the House. Senate action is not required. The speaker appointed five members to serve on the committee: Reps. John Lawrence (R-Chester), Wendi Thomas (R-Bucks), Torren Ecker (R-Adams), Amen Brown (D-Philadelphia) and Danilo Burgos (D-Philadelphia).



{Damian Wachter, Esq.  
is the acting director of  
Legislative Affairs.}



# How Pennsylvania is Addressing the National Shortage of Court Reporters

By: Amy Kehner, Judicial Programs administrator, and Melissa Keating, lead court reporter, Mercer County

Courts are facing a myriad of budgeting and administrative concerns while also being challenged to recruit and maintain new court reporters to fill vacancies created by retirements, vacations or illness.

The shortage of court reporter resources is further exacerbated because there is no “quick fix,” as proper schooling and training for steno reporters can take approximately two years.

A live stenographic court reporter is the best method to preserve and transcribe the official court record. Only a live court reporter can provide syllable-by-syllable authentication of every word, protect private information, and bear personal responsibility and accountability for the official record.

## Increased Recruitment

Court reporters are the “silent people” in the room and often lack widespread recognition as a career option for high school students. The Pennsylvania Court Reporters Association (PCRA), the National Court Reporters Association (NCRA), and [Project Steno](#), a nonprofit organization, have spent tens of thousands of dollars on advertising to highlight this as a viable career option.

Recruiting efforts are directed to high schools, career centers and Vocational Technical (Vo-Tech) schools to help replenish the workforce. Pennsylvania is fortunate to have two brick-and-mortar schools teaching steno reporting – Luzerne County Community College (LCCC) and Community College of Allegheny County (CCAC). LCCC classes are offered online except for the steno machine classes and CCAC provides an online program.

In addition, Lehigh Carbon Community College is exploring implementing a court reporting program. The trend of moving courses to an online platform makes these classes more convenient and can reduce student loan debt.

## Project Steno and NCRA Programs

Project Steno’s high school program focuses on bringing introductory classes directly to the high schools. Huntingdon County is working with their county Vo-Tech school to implement this program. This six-week program is at no cost to the school districts or the public, and Project Steno also provides the machines at no charge. The program is open to anyone and requires approximately 1-hour per week with flexible days and times. After the

## Challenges for counties

Some counties are advertising positions multiple times, and when they select candidates to interview, the candidate might not show up. Other counties face a lack of qualified candidates or must raise salaries to compete with neighboring counties.

### Columbia/Montour

In Columbia/Montour, the Commissioners approved raising the starting salary by forty percent to compete with the larger, surrounding counties vying for the same applicants. The court administrator compiled and shared salary information from other counties to highlight the disparity and support their request. Larger counties also struggle and are forced to increase their salaries too.

### York County

York County’s continuous challenge is replacing retiring reporters. One thing that has helped the county is the flexibility of the court administrator and commissioners to allow retired reporters to work part-time.

York County raised its rates to compete with some of the surrounding counties to make it financially comparable. They are also recruiting court reporting students by hosting high school students within the courthouse for career exploration programs. In addition, they are mentoring local court reporting students with the hope of hiring after graduation.

### Luzerne County

The county focused on developing relationships with their per diems – and helped meld them into the organization. Loyalty is a two-way street and county staff treated them as a vital part of their group – in turn leading to enhance service until they were able to bring new court reporters on board.

*(continued p. 10)*

program, Project Steno assists students with enrolling in a two-year program that meets their needs.

The NCRA offers two promising programs: the A to Z® Intro to Machine Steno program, a free, 8-week class that introduces interested individuals to the industry, and the Legal Education Program, offered through the National Court Reporters Foundation. This program consists of court reporter–led seminars educating law students, attorneys, judges, and justice protection groups on “Making the Record” and the value of using a trained stenographic court reporter.

### Alternative methods

Most judges prefer using a live stenographic court reporter. One reason is that a live court reporter, trained in Pennsylvania’s judicial system, possesses the skills to quickly stop a proceeding to clarify critical language, which is vital to making a complete and accurate written record.

At the same time, judges acknowledge the need to consider other solutions.

Some states are using an online platform where a live steno reporter reports proceedings remotely in real-time. A recently retired court reporter from Pennsylvania provides this real-time streaming service to judicial districts in Idaho and Colorado from her home. This approach can benefit our judicial districts that do not have local options and experienced professionals desiring more flexibility.

Another digital court reporting company recently upgraded its system to make its product more competitive among courts seeking a solution. In addition to a faster engine, their product includes sixteen high-fidelity audio channels and four high-definition video channels to simultaneously record, monitor and live stream proceedings anywhere on the court’s network.

Decision-makers must stay informed and aware of the benefits and limitations of each method and remain vigilant in evaluating technological advancements as they evolve.

Pennsylvania’s Rule 4000, which governs the making, preserving and transcribing of the record of proceedings in the judicial districts within the Unified Judicial System, has very stringent qualifications for court reporters to help ensure quality. However, there are no guidelines or standards for alternative methods.

Transcripts produced from recorded proceedings are often replete with “(inaudible)” and “(unintelligible)” in place of critical information, resulting in records being unable to be certified and rendered entirely devoid of any appellate use.

Good enough is not an appropriate standard when taking the official court record where hearings such as

the termination of parental rights, custody and jury trials have long-term, life-changing effects for the parties.

### Looking Ahead

Some judicial districts purchased digital court recording equipment using grants or COVID relief funds. As a result, more proceedings are recorded and sent to a transcription company, using the audio file to produce a formatted text document. Because this approach relies on different systems and specifications to create one accurate and complete transcript, there are some essential points to understand and consider when using a transcription company.

## Important Questions to Consider

Does the company use qualified professionals, and how are their skills assessed?

Do they know that the recording sometimes picks up off-the-record discussions that should not be included in the transcript?

Are they trained in legal terminology? Medical terminology? Complex litigation?

Is a courtroom monitor present during the proceedings to monitor the recording and take notes of who is talking?

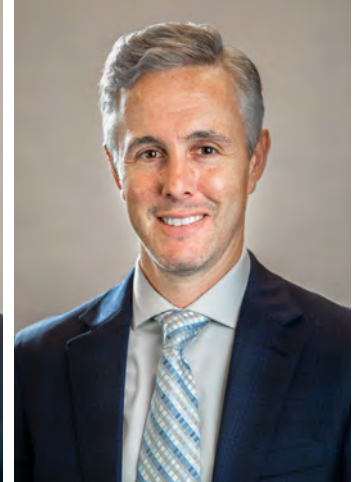
Will the company use the same person to transcribe the entire proceeding, or will the recording be divided into one-hour segments and given to different transcribers?

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*Other contributors: **Katie L. Otuyelu**, chief court reporter, York County | **Tami B. Kline**, district court administrator, Columbia/Montour | **Stephanie Smith**, deputy court administrator, Huntingdon County | **Mary Corbin**, district court administrator, Bradford County | **Marlene Marriggi**, deputy court administrator, Luzerne County. Additional source: National Court Reporters Association, June 2022 Update to National Association of Court Management*

# Commonwealth Court Transitions

After serving Commonwealth Court for seven years, Executive Administrator **Gary Hollinger** retired. Previously, Gary spent 20 years with the Federal Judiciary and worked with other state and county agencies throughout his career. One of Gary's many accomplishments was working with the first Court of Judicial Discipline when it was founded in 1993. Thank you Gary for your service and congratulations on your retirement!



*l to r: Gary Hollinger, Kurt Baldwin, Adam Wissler*

Succeeding Gary is **Kurt Baldwin**, a Commonwealth Court employee since 2002 and the legal systems coordinator since 2010. Kurt has provided excellent leadership and guidance throughout his career with the Court and going forward, he will continue to provide guidance for the administrative functions of the Court.

In addition, **Adam Wissler** has moved into the role of legal systems coordinator. Adam began working for the judiciary in the AOPC/IT department in 2009 and has served in several supervisory positions since 2013 before transferring to Commonwealth Court in October 2021.

Congratulations to both Kurt and Adam!

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## SCJAP Welcomes Judge Kissner as New President

Carbon County Magisterial District Judge **William J. Kissner** was recently sworn in as president of the Special Court Judges Association of Pennsylvania (SCJAP) after first being elected as a Magisterial District Judge in 2011.

Throughout his career, Kissner has been an active member of the SCJAP serving as the District 10 president from 2012 to 2020.

Judge Kissner serves on multiple Carbon County committees – the Re-Entry Coalition, Law Enforcement Treatment Initiative, Criminal Justice Advisory Board and more.

He has served on numerous state committees including constables relations, rules committee, strategic planning, budget and finance, audit committee and advisory board to the SCJAP president. In June 2020, Judge Kissner was elected by 500



*Judge William J. Kissner*

MDJs to serve as the SCJAP 2nd vice president.

Kissner will work closely with the Pennsylvania Supreme

Court, Pennsylvania court administrators, the Administrative Office of Pennsylvania Courts, president judges of the Court of Common Pleas, local officials, the Pennsylvania General Assembly, the Minor Judiciary Education Board, and his fellow MDJs on issues affecting and impacting the District Courts, while enhancing magisterial judges performance of their duties.

*“Serving as president, I will work hard by way of my commitment and dedication to move the District Courts in the right direction, ensuring access along with fair and equal justice to all the members of the communities we serve,” Kissner said.*

# 2021 Data Reveals Positive Outcomes for Family Engagement Initiative Participating Counties

By Angela Sager, judicial analyst, Office Children and Families in the Courts

Established by the Pennsylvania State Roundtable in 2017 and supported by the Office of Children and Families in the Courts, the Family Engagement Initiative (FEI) is designed to assist select counties in furthering collaborative efforts between dependency courts and child welfare agencies to enhance meaningful family involvement in the child dependency system. The FEI has three components that build upon the Permanency Practice Initiative. Those components are: Enhanced Legal Representation, Family Finding-Revised and Crisis/Rapid Response Family Meetings.

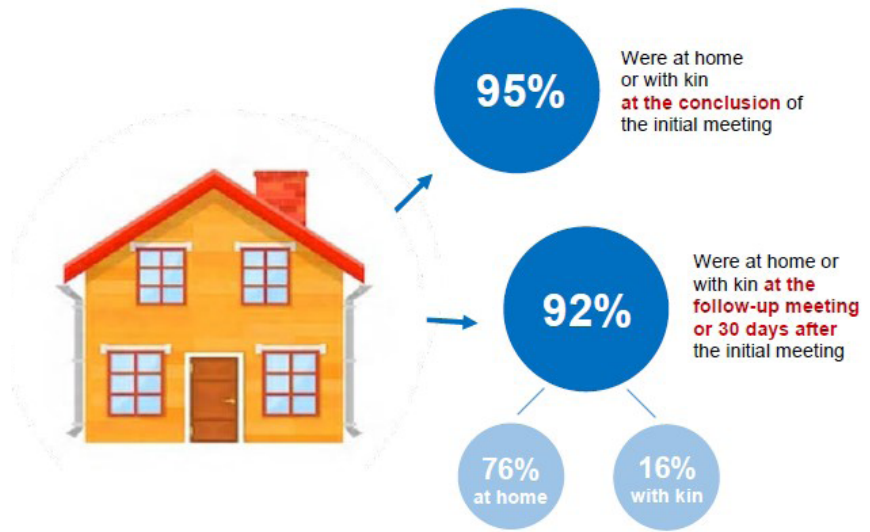
Now in its fifth year, the FEI is operational in 18 Pennsylvania counties serving over 44 percent of Pennsylvania's dependent children. The participating counties are Beaver, Blair, Bradford, Butler, Clinton, Dauphin, Fayette, Lackawanna, Lehigh, Lycoming, Northampton, Northumberland, Philadelphia, Snyder, Tioga, Union, Venango and Washington.

During the 2022 Pennsylvania State Roundtable meeting held in June, the 2021 FEI Data Report was shared with State Roundtable members. This report includes the cumulative efforts and data elements of 15 FEI counties, excluding Philadelphia because of its size, and the three counties that just started the FEI in 2022 (Bradford, Lycoming, and Washington).

The outcomes continue to be encouraging for FEI counties individually, collectively and, in comparison to non-FEI counties. One of the key components of the initiative is Crisis/Rapid Response Family Meetings. These family meetings involve gathering family and kin quickly following an emergency that might otherwise result in a child being placed out of home. The goal of either a Crisis (immediate to within 24 hours of the

## CRISIS/RAPID RESPONSE FAMILY MEETINGS: FOLLOW-UP PLACEMENT

Of the **1,337** children who had a meeting in 2021...



emergent event) or a Rapid (between 25-72 hours) Response Family Meeting is for the family to address the urgent concern and develop a plan to either safely keep the child in their home or if placement must happen, place the child with someone they know and love.

The majority of these meetings result in children not entering the court system, but for those who do, the family's plan must be presented at the shelter care hearing so the judge can consider what the family believes is in the best interest of the child.

From 2018-2020, these family meetings exceeded expectations with positive results. The 2021 data continues to show very impressive outcomes. There were 676 meetings held serving 1,337 children. Of those meetings held, 85 percent had more family in attendance than professionals (one of the requirements of the meetings). At the conclusion of the meetings, for those

children who were at home at the time of the meeting, 95 percent of children were able to safely remain at home or be placed with kin, with the vast majority safely staying home (79 percent). Follow-up data revealed that 30-days post meeting, 92 percent remained at home or with someone they love.

“As you can observe from the collection of data, these meetings are taking the government out from important family decisions and returning the power to the ever-increasing definition of our “family and kin,” said Pa. Supreme Court Justice **Kevin Dougherty**. “Our success has kept families together and reduced trauma connected to the removal of children to stranger care!”

Of the children under court supervision, the percent of cases that were court involved for 24 months or less (from point of adjudication forward) was 70 percent in FEI counties compared to 60 percent

in non-FEI counties. FEI counties also have a larger number of children by percentage in kinship care (55 percent) compared to non-FEI counties (40 percent). In FEI counties, more children are reunified (41 percent compared to 31 percent), and fewer age out (7 percent compared to 13 percent).

While Philadelphia County is not included in the 2021 report, its outcomes match other FEI counties' positive results.

"Philadelphia began FEI implementation in 2020 and was fully implemented by December 2021 and we are pleased with the results we are seeing so far," said the Hon.

Margaret T. Murphy, administrative judge, Philadelphia Family Division. "The FEI takes a total system effort -- judicial, child welfare, attorneys and providers -- to work together for the best interest of children and families."

In 2021, Philadelphia County held 578 Crisis/Rapid Response Family Meetings serving 890 children, decreased its overall number of children in out-of-home care by 20 percent, increased kinship care and reduced the use of both foster and congregate care placements.

To access the FEI 2021 Data Report [click here](#).

## Bench Dedicated to Honor Allegheny Judge Zottola

A bench dedication ceremony was held in late June to honor the memory of Judge **John Zottola**, former judge of Allegheny County Veterans Court. The bench dedication occurred at the Allegheny County Courthouse and was attended by family, friends, and his "court family." Judge Zottola helped to change the lives of hundreds of veterans along with being a well-respected colleague by his staff.

Speakers at the event included **Jill E. Rangos** (administrative judge Criminal Division) Hon. **Bruce R. Beemer**, Deb Barnisin Lange (assistant district attorney) and Mary Frances Pilarski (coordinator of health care for homeless veterans at the VA Pittsburgh). A speaker from the ceremony mentioned that Judge Zottola worked tirelessly to do more for justice-involved persons who entered his courtroom, especially those suffering mental illness.

To honor Judge Zottola and his work, the Veterans Court partners, and the Veterans Court Team, were honored to announce the inception of the Hon. John A. Zottola "Service to Veterans Court Award," to be given annually in his honor at Veterans Court graduation, in memory of his contributions to treatment courts and service to veterans.



*Common Pleas and federal judges, including President Judge Kim Berkeley Clark, stand with the bench made to honor Judge John Zottola.*





Judge Kasunic II sits down with a Marion Elementary kindergarten class to read them a book.

## Introducing Kids to Law Judge Kasunic II Visits Elementary Schools

In May, Magisterial District Judge **Richard Kasunic II** visited Marion Elementary School in Belle Vernon, Pa., where he read to the younger students and talked about a civil case regarding a lost puppy with the older students.

“We wanted to teach the kids that there are two sides to every story,” he said.

MDJ Kasunic II said he enjoys going into elementary schools to explain the law and make learning about the law enjoyable for them by trying to relate it to their lives.

## Video helps co-parents put children first

The Pennsylvania Bar Association’s Family Law Section recently produced a new video aimed at helping parents work together to overcome everyday child custody challenges.

The video, *Tips and Tools for Better Co-Parenting*, offers advice by judges and mental health professions along with real-world examples and scenarios.

The main message of the video is to encourage parents to communicate and interact in ways that minimize conflict and put the children first. For parents going through a custody battle or even many years later, the anger may still be prevalent. The video focuses on redirecting this anger to focus on the children rather than on the relationship with the co-parent.

You can watch a [short preview of the video now](#) – or visit [pabar.org/site/FLS](http://pabar.org/site/FLS) to view the entire video.





## Band of Brothers Tour

In June, Mercer County President Judge **Daniel P. Wallace** went on a “Band of Brothers Tour” – starting in London and traveling to places around Europe, including Normandy, Bastogne and Munich etc.

Focused on the impact and aftermath of World War II around Europe, these military historical tours include all five landing beaches, with a special focus on the American landing sectors.

“Aside from Normandy, my favorite part of the tour was Bagstone, where Easy Company of the 101st Airborne Division was surrounded by Germans during the Battle of the Bulge.

Easy Company = Band of Brothers. We could see the foxholes where they dug in,” Judge Wallace said.

Prior to his judicial career, Wallace spent four years as an officer in the United States Army. Serving from 1988-1992 in the M1A1 Tank Battalion in Germany, he was then deployed for combat during Operation Desert Storm. Initially sparking his interest in military history, Wallace attended the U.S. Military Academy at West Point in New York where he completed his undergraduate before obtaining his Juris Doctor at Dickinson School of Law.

He later returned to Mercer County where he would first serve as an assistant public defender, and then as an associate working alongside his father, Archie Wallace, before being named partner in 2001. Wallace then served as a part-time public defender and a partner at Wallace & Dibble, LLP until he was elected as a judge on Nov. 5, 2013 – also his 25th wedding anniversary with his wife, Susan.

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# Back to School: Traffic citations in school zones

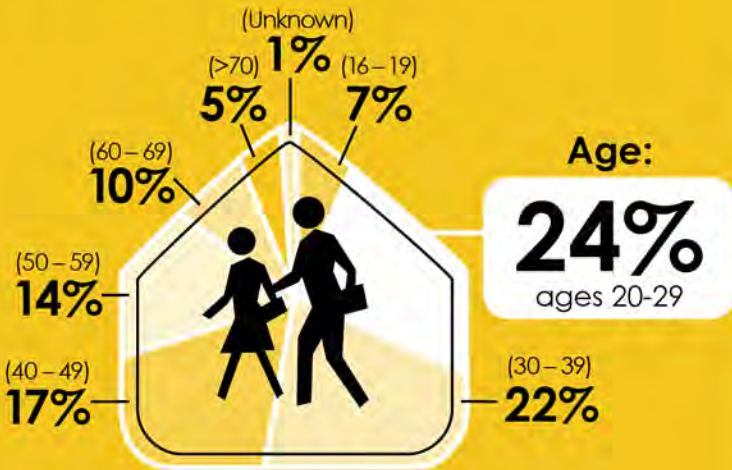
## Overtaking or passing a school bus (Title 75 section 3345)

Drivers of a vehicle shall stop at least 10 feet before reaching the school bus when the red signal lights are flashing and the side stop signal arms are activated.

## Speeding in a school zone (Title 75 section 3365)

When passing through a school zone, no person shall drive a vehicle at a greater speed than 15 miles per hour.

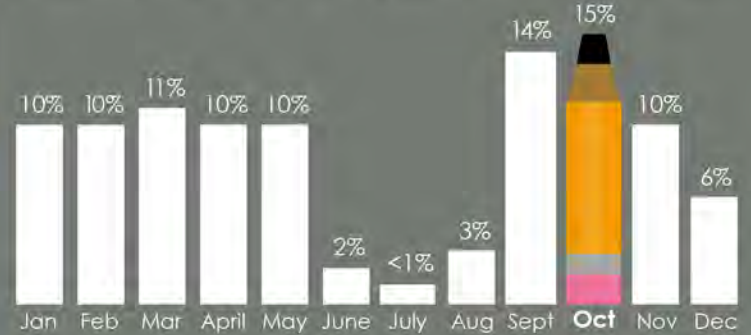
## Demographics of those cited for either violation:



## PA driver citations (2017-2021):



## School zone and bus citations by month:



## Counties with the highest driver citations:

### Speeding in a school zone



### Meeting/Overtaking a School Bus:





# K9 Chase Saves the Day

Last September, the Lehigh County Adult Probation and Parole Department started its first Detection K9 program when **Kurt Ruane**, Lehigh County Adult Probation/Parole, Gang Intelligence Unit, and K9 Chase, a 15-month-old German Shorthaired Pointer, began an 8-week detection certification course.

In November of 2021, the two completed the course and became certified by the National Police Canine Association in the detection of illegal narcotics, firearms and several opiate-based prescription narcotics.

Since then, Kurt and K9 Chase have conducted several successful deployments in which firearms and/or narcotics were located.

Since early June of this year, K9 Chase has located six firearms – but one deployment was of special note.

## Recent mission accomplished

Recently, an approved search-of-residence was conducted upon receiving information alleging firearms were in the residence of a parolee.

Being trained in the detection of firearms, K9 Chase was deployed and conducted a search of the



residence, clearing each floor. Upon entry into the third-floor bedroom, he began to show signs leading the handler to know a target odor was present in the room.



K9 Chase searched the room thoroughly and provided a focused response along a seam located in the wall – and upon further inspection, it was discovered that a false wall had been built into the room.

The wall was removed and located inside were several large duffel bags and plastic containers. As these items were being removed, the team discovered a secret compartment located along the roof line of the residence.

A small door was removed from the compartment and located within it were a couple of firearms, including a SKS 7.62 mm rifle and a Sig Sauer 5.56 mm rifle which had been reported stolen out of Virginia.

A forensic analysis later led to fingerprint confirmation and K9 Chase got a yummy treat on his way home from work that day!

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Justice

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Justice

Sallie Updyke Mundy

Justice

P. Kevin Brobson

Justice



# Developing Empathy and Compassion to Avoid Division in the Workplace

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The increased diversity and division in our culture these days makes empathy and compassion in the workplace an even more critical skill for employees and employers to develop. Without empathy and compassion, the workplace would be an emotional battlefield where no one would feel safe to share their ideas or concerns, ask for what they need to improve their work, or have a healthy work-life balance for fear of being fired. Empathy and compassion are the cornerstones to creating a work environment that promotes healthy interaction, positive morale, and a sense of feeling valued in the workplace. In fact, according to research conducted by McKee, David, Chaskalson, and Chussil in 2017, increased empathy impacts our work effectiveness, thereby improving our skills as workers and managers.

The general consensus among researchers is that empathy is the ability to sense another person's emotions, while also being able to imagine what someone else might be thinking or feeling. Empathy is the foundation of compassion, which is defined as the concern for the suffering or misfortune of others and a desire to alleviate that suffering. In other words, empathy is identifying and sympathizing with what the other person may be experiencing and feeling, while compassion is the act of helping that hurting person either physically and/or emotionally.

Many corporations have been utilizing employee trainings with a focus on developing the five components of emotional intelligence: self-awareness, self-regulation, motivation, empathy, and social skills. Emotional intelligence is defined by the Oxford Dictionary as: "The capacity to be aware of, control, and express one's emotions, and to handle interpersonal relationships judiciously and empathetically." Although empathy is not an attribute that all people are born with, it is a skill that can be learned by using self-awareness and mindfulness to notice how our beliefs, attitudes, and behaviors affect those around us. Empathy is also gained through the process of reading non-verbal cues, such as facial expressions, tone of voice, and body language.

According to PositivePsychology.com, there are eight strategies to developing empathy:

1. Cultivate curiosity about the people you interact with who may come from different religious, ethnic, or political backgrounds.
2. Step outside your comfort zone and learn something new, which can foster feelings of humility and lead to empathy.
3. Ask for feedback from others regarding your active listening and relationship skills, and identify areas that you can improve.
4. Examine how your biases impact your capacity to empathize when you make judgments about others who are different than you.
5. Spend time with others who you usually don't connect with and practice active listening to help you "walk in their shoes."
6. Practice having difficult but respectful conversations with those who have different points of view by listening without interruption and being open to new ideas.
7. Work on a shared cause with people different than you. Research has shown this can help to heal differences and remove biases.
8. Expand your reading and expose yourself to different points of view through a variety of articles, books, and newspapers.

As we become more mindful of the way we treat others, we can take responsibility for doing our part to create a more accepting and validating environment in the workplace. Developing the skill of empathy, which is a necessary step to compassion, is crucial to promoting the evolution of a supportive and thriving workplace atmosphere.

# TRENDS IN STATE COURTS 2022

## BEST PRACTICES, INNOVATIVE APPROACHES TO COURT ADMINISTRATION

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Collaboration, cooperation and communication are just some of the themes featured in Trends in State Courts 2022. Regardless of the project, process or policy, these actions are critical for success in today's evolving court environment.

“Outside events have a way of driving change—and change has a way of driving innovation,” notes NCSC President Mary McQueen in the publication's introduction. “Change is the one constant in our society, and the courts must embrace the opportunities that change can generate.”

Trends in State Courts 2022 is a compilation of 13 articles that covers everything from eliminating racism and bias in the courts to case management, data standards and artificial intelligence. Authors also explore different approaches to public outreach in “Meet People Where They Are!” and “Promoting Public Awareness of Court Resources by Advertising.”

Blending voices and perspectives from the courts, court partners, academia and NCSC subject-matter experts, this year's edition promises to leave readers with practical applications, timely insights and inspiring thought leadership. Additional articles featured in the publication include:

- Creating a Post-Pandemic Eviction Court
- Action Steps to Eliminating Racism and Bias in the Courts
- The Maryland Justice Passport: Making Effective Referrals from Court Help Centers
- Truancy CARE Court: The Unique Role of the Collaborative Court Judge
- Meeting the Needs of Emerging Adults in the Justice System

- Effective Monitoring of Guardianship and Conservatorship Cases
- Reimagining Civil Case Management
- Moving Court Cases Forward: Simulating the Impact of Policy Changes on Caseloads
- National Open Court Data Standards
- Exploring the Utility of a DCM Method to Improve Pre-Indictment Dispositions
- Essential Elements and Ethical Principles for Trustworthy Artificial Intelligence Adoption in Courts

A project led by NCSC's Knowledge and Information Services division, Trends in State Courts is an annual, peer-reviewed publication that highlights innovative practices in critical areas that are of interest to courts, and often serves as a guide for developing new initiatives and programs and informing and supporting policy decisions. Trends in State Courts is the only publication of its kind and enjoys a wide circulation among the state court community.

Learn more about the submission process for the 2023 publication and the Oct. 17, 2022, abstract deadline.