

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

I am pleased to present this Report of the Administrative Office of Pennsylvania Courts (AOPC) for 2004. This general reference document reflects the hard work and dedicated service of the boards and committees of the Supreme Court of Pennsylvania and the AOPC.

This report outlines many of the programs and services that provide the framework of the Commonwealth's state court system. It also serves to highlight noteworthy accomplishments in the administration of justice that took place during what was both a very busy and productive year.

Among the year's many highlights was the unveiling of drawings for the design and construction of Pennsylvania's first-ever judicial center by Gov. Edward G. Rendell and Chief Justice of Pennsylvania Ralph J. Cappy. Occupants of the center will include the Supreme Court Middle District prothonotary, executive administrator of the Supreme Court, Superior Court Middle District prothonotary, the Commonwealth Court, the AOPC and various Supreme Court boards and committees. The Judicial Conduct Board and the Court of Judicial Discipline will also have offices in the center.

"The new Judicial Center design balances symbolism with functionality," Chief Justice Cappy said at the unveiling. "The building will appropriately reflect the status of Pennsylvania's judiciary as a coequal branch of government with the legislative and executive branches."

The new facility will be located at Commonwealth and North streets between the Finance and Health and Welfare buildings in Harrisburg. Construction is scheduled for completion in the first quarter of 2008.

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"The new judicial center will ensure that for the first time, the courts of Pennsylvania have one home that is befitting of the vital and important role they play," the governor said at the September 16, 2004, gathering. "By locating the facility in the Capitol Complex, the courts will have a prominent and proper place to conduct their business side-by-side with the legislative and executive branches."

Other noteworthy events from 2004 included the culmination of an 18-month effort -- with significant support from the General Assembly, the governor and the Commonwealth's counties -- in creating the framework for security enhancements in the state court system for the public, litigants, staff and jurists. The efforts evolved from the previous work of the state Supreme Court's Judicial Council Committee on Safety and Preparedness, chaired by Justice Sandra Schultz Newman. County commissioners, sheriffs, judges, magisterial district judges, court administrators and others collaboratively reviewed court-related safety issues.

Though many counties already had implemented significant security measures in trial court facilities prior to the completion of the assessment process in February 2004, added enhancements were implemented to significantly improve overall court security as a result of the assessment.

Philadelphia's First Judicial District earned a number of plaudits during the year. For one, the National Center for State Courts released a study that concluded the First Judicial District's civil division of the Court of Common Pleas was "one of the finest and most successful urban trial courts in the country." The National Center, which is the leading worldwide authority in court management and administration, was retained by the court to study the civil operation.

Other honors for the First Judicial District during the year included Philadelphia Municipal Court President Judge Louis J. Presenza's unanimous election as chair of the National Association of Drug Court Professionals during the organization's Tenth Annual Drug Court Training Conference in Milwaukee. Judge Presenza became the fourth chairman -- and first Pennsylvanian -- to hold this prestigious office in the association, whose mission is to reduce substance abuse, crime and recidivism and enhance public safety by providing advocacy, education and training to drug court professionals throughout the United States and abroad.

In Western Pennsylvania, merging the existing magisterial district judge system into what was formerly Pittsburgh Magistrates Court took place during 2004, ensuring greater efficiencies for the judiciary and greater accountability to city residents. The

consolidation also significantly enhanced the administrative unification of the state court system. The merger came after a two-year study of the feasibility of combining the courts. Allegheny County magisterial district judges now hear all matters that previously came exclusively before Pittsburgh Magistrates and Housing Courts. And while the former Magistrates Court was transitioned into the magisterial district judge system, district judges were assigned to Municipal Court and Housing Court with the same duties as those of the minor judiciary statewide.

Significant additions were made to AOPC staff during the year that have helped enhance court administration. The AOPC is the administrative agent for the Supreme Court of Pennsylvania, which has constitutional responsibility not only as the Commonwealth's court of last resort, but also as the administrative leader of more than 1,000 jurists, 900 state court staff and thousands of county court staff and row officers and their employees.

James J. Koval, a veteran communications and legislative aide to former state Attorney General Leroy Zimmerman and former state Treasurer Barbara Hafer, was named Communications Manager and Assistant for Intergovernmental Relations at the AOPC. Koval filled a new position to help lead and broaden existing AOPC external and internal communications and legislative efforts.

Also, Osvaldo R. Avilés was named to the newly created position of Interpreter Programs Administrator within the AOPC. His task is to enhance translator services in Pennsylvania's courts for a growing non-English-speaking population. Avilés is responsible for developing and overseeing a statewide court interpreter/translator certification program and assisting the Commonwealth's 60 judicial districts in providing foreign language interpreter services for citizens who are not proficient in English.

In keeping with its mandate to ensure impartiality within the courts, the judiciary launched an intergovernmental commission during the year to further explore and implement solutions in the areas of gender, ethnic and racial fairness. With representatives from all three branches of government, a unique and innovative approach, the commission's work will rely on the work and report of the Supreme Court Committee on Racial and Gender Fairness as a basis for its work.

Chief Justice Cappy was appointed to the United States Judicial Conference Committee on Federal-State Jurisdiction by then-U.S. Supreme Court Chief Justice William H. Rehnquist. Chief Justice Cappy was one of five new members appointed in 2004 to the 14-member committee, which reviews proposed changes in federal jurisdiction and acts as a liaison between the state courts and the U.S.

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Judicial Conference. Committee members include state Supreme Court chief justices and federal district judges.

The Supreme Court during 2004 updated a series of professional conduct rules to better protect and serve clients receiving legal services in the Commonwealth and the lawyers who represent them. An order issued by the court amended the Pennsylvania Rules of Professional Conduct for the Commonwealth's nearly 55,000 lawyers. The action was the culmination of nearly eight years of work at both the national and state levels, involving the American and Pennsylvania Bar Associations and the Disciplinary Board of the state Supreme Court.

New criminal trial rules adopted during the year now require the certification of attorneys representing first-degree murder defendants so as to enhance fairness, uniformity and public confidence in the handling of capital cases. The new requirements, contained in a newly created Criminal Procedural Rule 801, outline specific criteria for experience, education and training for defense lawyers in capital cases.

Under the direction of the Chief Justice and the Supreme Court, the AOPC will continue to serve the courts for the benefit of all Pennsylvanians by advancing efficiency and excellence in the administration of justice. The combined efforts of the courts and the other branches of government seen in this report continue to provide a guide to help shape the vision of the state court system.

Sincerely,



**ZYGMONT A. PINES**

Court Administrator of Pennsylvania