



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 to you this Report of the Administrative Office of Pennsylvania Courts for the calendar year 1997. I hope we have achieved, in this brief overview of the work of the Administrative Office and the boards and committees of the Supreme Court, our goal of providing you with a clear, concise general reference document.

This has been a truly noteworthy year for the Supreme Court of Pennsylvania and for its Administrative Office. A listing of some of the major highlights will help illustrate the progressive changes which have taken place as the Judiciary strives to meet the continuing challenges confronting the courts. These 1997 accomplishments include:

- publication of the Interim Report of the Master on the Transition to State Funding of the Unified Judicial System
- release of the highly favorable report, "A Review of Pennsylvania's District Justice Computer System," by the Legislative Budget and Finance Committee
- continued efforts to expand automation for administrative and judicial purposes
- creation of the Supreme Court's Special Commission to Limit Judicial Campaign Expenditures
- revision of Rule 703 requiring Pennsylvania's trial court judges to track and file semi-annual reports on the disposition of cases pending before them

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- completion of a number of reports by various task forces of the Pennsylvania Futures Commission on Justice in the 21st Century and honoring of council members by the Supreme Court
- posting of Supreme Court decisions on the Judiciary's Web site
- publication for review and comment of the proposed evidence code by the Supreme Court's special ad hoc committee.

Another event of special note was former Superior Court Judge Thomas G. Saylor's election to a ten-year term on the Supreme Court in the November election. His election fills the vacancy on the Court created when then Chief Justice Robert N. C. Nix retired in 1996.

Noteworthy developments occurred on the legislative front as well. In February Governor Ridge signed legislation increasing the number of judges of the Common Pleas Courts in certain judicial districts, in the Philadelphia Municipal Court and in the Philadelphia Traffic Court. In June the Governor approved legislation removing both the annual and lifetime caps on deposits into the Judicial Computer System Augmentation Account, a significant achievement to provide potentially greater financial resources for the non-tax-funded Judicial Computer System.

The AOPC's efforts to automate the courts continue to serve as a guide for other interested individuals. In July, 17 representatives of the legal and criminal system in Singapore visited the Mechanicsburg facility for an on-site demonstration and explanation of the District Justice System. The visitors included the District Judge of Subordinate Courts.

I also am pleased to report for the record that I had the honor of being selected by my peers as president of the Conference of State Court Administrators July 1 during the annual meeting in Cleveland, Ohio. COSCA consists of the highest judicial administrators in the 50 states, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, and the Northern Mariana Islands.

Now let me expand upon the previously listed highlights.

State Funding of Unified Judicial System

Senior Justice Frank J. Montemuro, Jr., a former state Supreme Court justice, issued his report on July 30 following a series of regional meetings involving county and court personnel and after receiving input from members of the Executive and Legislative branches of government. Justice Montemuro had been appointed special master by the Supreme Court following the

Court's 1996 order in response to *Pennsylvania State Association of County Commissioners, et al. v. Commonwealth of Pennsylvania*, a successor case to the 1987 *County of Allegheny v. Commonwealth of Pennsylvania*.

Justice Montemuro recommended a four-phase approach to a state-funded Unified Judicial System in order to permit existing systems to assimilate new additions with more facility and because of disparities in the current system. The four phases recommended by Justice Montemuro are:

Phase I Institution of an administrative substructure

Phase II Absorption of more components into the UJS

Phase III Inclusion of related services

Phase IV Inclusion of elected officials.

In preparing his report, the master stressed that any changes wrought by the plan ought to, in a concrete way, enhance the ability of the Judiciary to fulfill its designated role in the democratic government of the Commonwealth and that the changes should avoid, to the greatest extent possible, economic or other hardship to the dedicated personnel of the many courts throughout the state. The master also said creation of a judicial programs department within the AOPC was "essential" in meeting the staffing requirement goals.

Legislative Budget and Finance Committee Report

Following an exhaustive study which took nearly ten months to complete, the Legislative Budget and Finance Committee issued its findings in a highly complimentary report, "A Review of Pennsylvania's District Justice Computer System," on October 15. The report included an analysis conducted by the Gartner Group's *Real Decisions* unit, a computer consulting firm retained by the legislative committee to compare the costs to operate key aspects of the District Justice System to the costs incurred by peer organizations in the same areas. Summed up in a nutshell, the report stated, "***Real Decisions* found that the overall costs for the DJS are approximately one-half that of the peer group average costs.**"

Real Decisions also reported, "The significantly lower than peer group cost-per-call coupled with relatively high percentage of first level call resolution are characteristics indicative of a well run, well managed Help Desk environment."

Preface from the Court Administrator, continued

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Expanded Automation for Administrative and Judicial Purposes

Recognizing the ever expanding role of computerization, the Judiciary continues to explore and implement automation in a number of different areas as resources permit. This includes:

- the Appellate Court Docketing Project, in which a common case management system for the Supreme, Superior and Commonwealth Courts is being developed
- participation in the Executive Branch's JNET initiative to create an automated criminal information system which will benefit the courts and other members of the criminal justice system by sharing common elements of information
- the ASAP project to replace the Judiciary's aging accounting/payroll/human resources computer system with one which can serve existing and projected administrative computerization needs.

Special Commission to Limit Judicial Campaign Expenditures

In the face of the skyrocketing cost of running for judge in Pennsylvania, the Supreme Court on September 3 announced creation of a Special Commission to Limit Judicial Campaign Expenditures. James F. Mundy, Esq. of Philadelphia, immediate past president of the Pennsylvania Bar Association, was named to head the commission composed of present, past and future presidents of the PBA.

Although the commission was charged with studying all facets of the state's judicial campaigns, its major focus was on determining how to limit expenditures and making recommendations to the Supreme Court. In gathering information to prepare the recommendations, the commission held a series of public hearings throughout the state to seek input from legislators, jurists, other members of the bar and from non-lawyers.

Revision of Rule 703

Adoption of the revision to Rule of Judicial Administration Subchapter 703 (Prompt Disposition of Pending Matters) was seen as a significant management tool to assist in identifying decisional delay, with an eye toward eliminating that delay by providing additional judicial support and technical assistance or, when

necessary, as a final resort, disciplinary enforcement through the Judicial Conduct Board.

Among main provisions of the revised rule is the requirement that every judge compile and file semi-annual reports stating whether any matter submitted to the judge for decision still remains undecided 90 or more days as of the last day of the reporting period and the requirement that the Court Administrator of Pennsylvania: 1) immediately notify the state's Judicial Conduct Board if a judge fails to file a timely report as required by the rule, or 2) where appropriate, forward to the Judicial Conduct Board any report which includes one or more matters which have remained undecided one year or more.

Pennsylvania Futures Commission on Justice in the 21st Century

This has been an exceptionally busy year for the Futures Commission, whose members were recognized for their efforts during ceremonies held prior to the opening of the Supreme Court's formal sessions in Pittsburgh and Philadelphia:

- a number of task groups had their final drafts approved for submission to the committee responsible for integrating the individual reports into one document
- the juvenile justice task group completed a series of hearings on the most pressing challenges facing the juvenile justice system
- planning began in cooperation with the American Arbitration Association and the Pennsylvania Bar Association to create a community conflict management pilot program
- "focus" groups were held in cooperation with the University of Pittsburgh, University of Pennsylvania and Villanova Law Schools on the possible impact of science, such as cloning, on the justice system
- a four-month study on the changing future of Pennsylvania's criminal justice system, compared with general trends of the United States, was completed.

Members of the Futures Commission also engaged in a series of meetings with editorial staffs of newspapers throughout Pennsylvania to discuss issues facing the Commonwealth's justice and judicial systems. The commission is exploring the possibility of having its final report printed as a newspaper supplement after it is completed and presented to the Court.

Preface from the Court Administrator, continued

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Posting of Supreme Court Decisions on the Judiciary's Web Site

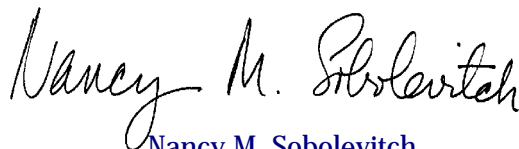
In a step designed to improve internal and external communication, the Supreme Court on January 1 began posting its decisions and opinions on the Judiciary's home page (<http://www.courts.state.pa.us>) on the Internet. Electronic posting of the Court's opinions and decisions after appropriate notification of litigants enables members of the legal community and educational institutions, the media, and other interested individuals to download rulings when they are entered on the Judiciary's home page. The electronic posting makes the full text of the rulings available quicker to a greater number of people and also enables the Supreme Court's prothonotary to eliminate much of the costly expense of mailing written decisions and opinions to a variety of non-judicial recipients.

Publication for Review and Comment of the Proposed Evidence Code by the Supreme Court's Special Ad Hoc Committee

A final report from the Pennsylvania Evidence Code Ad Hoc Committee, including a summary of comments received by the committee, was sent to the Supreme Court in early December. In forwarding the report to the Court, Pennsylvania moved one step closer to joining the states that have their own evidence codes. The ad hoc committee published the proposed code in March and received comments through June 1. The evidence code - when finally adopted - is intended to give judges and lawyers more direction about evidence than they have now and to increase uniformity. Procedures governing evidence in Pennsylvania's courts are now largely based on common law and case law.

In closing, the many accomplishments presented in this annual report have helped prepare us to meet the many challenges that lie ahead as we move into the 21st Century. One of the biggest tasks is the planned transition to a statewide funding system. The achievements made during the last year should help ease that transition.

Sincerely,



Nancy M. Sobolevitch
Court Administrator of Pennsylvania