

Making Information Easier to Find Is Goal

Pioneering Pennsylvania Judiciary Web Site Gets New Look

by Stu Ditzen



The Pennsylvania court system has a new Web site designed with the goal of helping people easily find information they want and need from and about the courts.

The site was launched on Sept. 22 after a total makeover of the court system's pioneering original Web site that went online 13 years ago.

The new site is organized to present a wide variety of court data and information to Internet users in a direct and clear manner. Pages are designed with a uniform appearance. Ease of navigation and a minimum of clutter is the goal. Segments such as "For the Public," "For the Media" and "For the Legal Profession" are customized to meet the needs and interests of people in those categories.

With the new site, the Web address of Pennsylvania's Unified Judicial System also has changed to be more user-friendly: www.pacourts.us.

A major feature of the new site is a refined search capability that enables users to do more precise site

(Web Site continued on page 12)

Courts Move to Ease Pressure on Mortgage Foreclosures

A number of Pennsylvania Counties, led by Philadelphia, are considering or have taken step to help homeowners hold onto their homes.

The goal is partly to aid victims of predatory lending schemes who obtained mortgages at high subprime interest rates and now face sheriff's sales, and partly to preserve judicial resources in courthouses seeing floods of foreclosure filings.

To stem such a flood in Philadelphia, then Common Pleas Court President Judge **C. Darnell Jones II** ordered that all owner-occupied properties facing foreclosure were to be listed for "conciliation

conferences" before sheriff's sales could occur in April.

Others operating or planning foreclosure programs include courts in Allegheny, Blair and Lackawanna counties.

The conciliation conference was the centerpiece of an unusual "Residential Mortgage Foreclosure Diversion Pilot Program" established by Jones and Administrative Judge **D. Webster Keogh** to deal with the foreclosure crisis as it hit Philadelphia. Foreclosure rates were running so high that Philadelphia Sheriff John Green had declared a moratorium on sheriff's sales.

(Foreclosures continued on page 9)

Inside

- 4 Superior Court Mediation Program Expands
- 4 Design Work for New Philadelphia Family Court
- 6 Child Dependency Training
- 7 Lunch & Learn
- 8 Teachers Learn about Justice System
- 10 Rule 509
- 12 Juror Pool Expanded

New to the Judicial Branch

Counties

Maureen T. Beime - Bradford - Common Pleas Court judge
Joyce O. Eubanks - Philadelphia - Common Pleas Court judge
Timothy McCullough - Washington - deputy district court administrator
Joseph J. Musto - Luzerne - Common Pleas Court judge
Angeles Roca - Philadelphia - Common Pleas Court judge
Joseph K. Williams III - Allegheny - Common Pleas Court judge
Leonard N. Zito - Northampton - Common Pleas Court judge

AOPC

Jamie Bell - Judicial Automation - help desk operator-CP
James Benson - Judicial Automation - server technician
Angela Francisco - Judicial Automation - help desk operator-ASAP
Dustin Jones - Judicial Automation - database analyst
Heather Knapp - Finance - payroll technician
Jaime Komacki - Administrative Services - purchasing technician
Jennifer LaBelle - Legal - attorney
Cathleen Pearman - Judicial Automation - IT specialist
Shavonne Santana - Administrative Services - conference coordinator
Cindy Song - Judicial Automation - database administrator

Appointments

Counties

James E. McMahon - Mercer County - appointed senior magisterial district judge
C. Joseph Rehkamp - Perry/Juniata Counties - appointed senior judge
Lawrence T. Silvis - Mercer County - appointed senior magisterial district judge

Other Job Changes

AOPC

Pamela Walker - Judicial Automation - attorney - appointed counsel of Minor Court Rules Committee

Deaths

Counties

Harry J. Bradley - Delaware - senior Common Pleas Court judge
David W. Brandon - Allegheny - deputy court administrator
Charles M. Morrissey - Allegheny - former (senior) district justice

Resignations

Counties

C. Damell Jones II - Philadelphia - president judge - appointed to U.S. District Court
Mitchell S. Goldberg - Bucks - Common Pleas Court judge - appointed to U.S. District Court
James E. McMahon - Mercer - magisterial district judge

(Transitions continued on page 14)

| | | | |
|------------------|---|------------------|---|
| 1/1 | New Year's Day Holiday | 2/24-2/26 | Superior Court Session (Phila. Hbg., Pgh.) |
| 1/19 | Martin Luther King, Jr. Holiday | 3/2-3/6 | Supreme Court Session (Pgh.) |
| 1/26-1/30 | Commonwealth Court Session (Pgh.) | 3/17-3/19 | Superior Court Session (Hbg., Pgh., Mercer) |
| 2/5 | Supreme Court Administrative Session (Phila.) | 3/25 | Supreme Court Administrative Session (Hbg.) |
| 2/6-2/8 | Superior Court Session (Phila.) | 3/30-4/3 | Commonwealth Court Session (Hbg.) |
| 2/13-2/16 | Superior Court Session (Hbg., Pgh.) | 3/31-4/1 | Superior Court Session (Phila.) |
| 2/16 | Presidents' Day Holiday | 4/10 | Good Friday Holiday |
| 2/27-2/29 | Superior Court Session (Phila.) | 4/14-4/17 | Supreme Court Session (Phila.) |
| 2/19-2/22 | State Trial Judges Mid-Annual Conference (Pgh.) | 4/21-4/23 | Superior Court Session (Pgh.) |
| 2/23-2/27 | Commonwealth Court Session (Phila.) | | |

A Cup of Kindness

by Zig Pines

*Should auld acquaintance be forgot
and never brought to mind?
Should auld acquaintaince be forgot
and days of auld lang syne?
For auld lang syne, my dear,
for auld lang syne,
we'll take a cup of kindness yet,
for auld lang syne.*

There is a scene in “When Harry Met Sally” when the song “Auld Lang Syne” is being played at a New Year’s party. Harry says that he really never understood what the song meant. “I mean, ‘Should old acquaintance be forgot?’ Does that mean that we should forget old acquaintances, or does it mean if we happened to forget them, we should remember them, which is not possible because we already forgot?”

Harry makes a good point. It is a song not easily understood.

The new year has been celebrated since ancient times. The Babylonians celebrated the “new year” probably in March with the fresh promise of Spring when Nature is re-born. The Romans eventually

placed the new year in the month of January, represented by the mythological two-faced Janus, who looks back at the old year and forward to the new.

The new year song is, in many ways, a poignant expression of change and man’s relation to time. Translated, “Auld Lang Syne” means “old long since” or “long long ago.” The poem (allegedly created by Robert Burns in 1788) is sung worldwide to a traditional Scottish melody. We sing these lyrics when we cross the mystical time line into another year. It is a moment that invokes so many emotions—happiness, regret, loss, anticipation, uncertainty, gratitude and hope.

As we welcome the new year, especially in a time of great uncertainty and hardship, let us raise a “cup of kindness” and recall a famous Austrian poet’s (Rainer Maria Rilke) toast to a new year of endless possibilities:

And now let us welcome the new year—full of things that have never been.

[Note: Part II of Zig’s column “Our Changing World” will appear in the next issue of *AOPConnected*.]

Around the Judiciary

On November 7, 2008, Chief Justice **Ronald D. Castille** (front row, center) spoke to visiting Chinese jurists in the Supreme Court courtroom in Philadelphia on “How Elected Judges Maintain Their Independence.” The event was part of the “Judicial Education Program,” hosted by Temple University’s Beasley School of Law in cooperation with the Supreme People’s Court of China. In this program, Chinese jurists visit the United States to learn about the American court system. The Chinese legal system is currently in the process of reform.



'Solid Results' Propel Superior Court Mediation Program's Westward Expansion

by Stu Ditzen

The Superior Court of Pennsylvania's mediation program, which began in Philadelphia and the Eastern District in 2006, has expanded to Pittsburgh and the Western District.

Superior Court President Judge **Kate Ford Elliott** announced in September the hiring of **Ann L. Begler**, a Pittsburgh lawyer with extensive mediation experience, to run the Western District program, which will concentrate on mediation of civil, family-related and orphans' court appeals.

President Judge Ford Elliott said Begler will choose cases for mediation from appeals pending on the Superior Court docket. Participation in the program will be mandatory. If a case is not resolved in mediation, it will be returned to the docket to be reviewed and resolved by the court in the normal appeals process.

Begler, a former litigator who shifted her practice solely to mediation, said mediation can often be preferable to litigation, particularly in family disputes, business conflicts and medical malpractice cases, because it can help to reduce hostility and enable people to participate in solving their own problems.

"Mediation can actually resolve the true conflict that underlies the legal dispute resulting in an ending that truly lets people move forward," she said.

Begler will work part-time for the Superior Court while maintaining a private practice that includes both mediation and consultation services at her firm, the Begler Group.

The Superior Court's mediation program began on a pilot basis in the Eastern District in 2006 and has

now been made permanent. President Judge Ford Elliott said the program, operated by P. Douglas Sisk, a private attorney and mediator in Philadelphia, has shown solid results with one in three cases chosen for mediation ending in settlement.

President Judge Ford Elliott said her goal eventually is to include mediation in the Superior Court's Middle District and thus to extend the court's mediation program statewide.

"Mediation is a non-confrontational process for the resolution of disputes," she said. "It helps litigants to resolve their problems and saves them time and money. At the same time, this program enables the Superior Court to use its resources to better manage its extremely busy caseload."

Design Work to Begin on New Philadelphia Family Court Home

by Stu Ditzen

It was a small step, but the signing of a design contract in September officially launched the beginning of work on a long-awaited new home for the Philadelphia Family Court.

A planned high-rise building in Center City Philadelphia will replace two outdated facilities that for years have housed the domestic and juvenile branches of family court.

"The antiquated facilities of family court in two completely separate locations are long overdue for replacement," said Chief Justice of Pennsylvania **Ronald D. Castille**, who serves as the Supreme Court's liaison to the Philadelphia courts. "It has been our goal for many years to unify the court at a single location to better serve the citizens of Philadelphia."

The Pennsylvania legislature approved \$200 million for construction of the Family Court building in this year's capital budget, but those funds have not as yet been released by the governor.

The design contract will be paid from a special Philadelphia court fund called the "Family Court Facility Fund," which receives revenue from a 20 percent surcharge on civil court filings in Philadelphia.

The prospective site of the family court building is an open lot on the northwest corner of 15th and Arch Streets.

The design contract was signed by **David C. Lawrence**, administrator of the Philadelphia courts, and Donald W. Pulver, president of Oliver Tyrone Pulver Corp., the site developer.

The contract authorizes the payment of up to \$250,000 for initial design work. The work is intended in part to determine whether all components of Family Court can be combined at 15th and Arch under current zoning, which limits the height of a building that can be constructed on the site. No date has been set for start of construction.

Seven Guiding Principals Define Accepted Conduct of Judges

by Joseph A. Massa Jr., Esq.

“Nearly all men can stand adversity, but if you want to test a man’s character, give him power.”

— Abraham Lincoln

The ethical standards for judges, enforced by the Judicial Conduct Board, are established by the Pennsylvania Code of Judicial Conduct and the Rules Governing the Standards of Conduct of Magisterial District Judges.

The first code of judicial ethics in the U.S. was adopted as an advisory code by the American Bar Association (ABA) in 1924. In 1972 the ABA adopted a new Model Code, which became the basis for most state ethics codes, including Pennsylvania’s. The Pennsylvania Code was adopted November 21, 1973, effective January 1, 1974.

Board Matters

The Pennsylvania Code of Judicial Conduct consists of seven canons.

Canon 1 helps explain the responsibility of members of the judiciary. It describes the relationship between high ethical standards, public confidence in the courts and judicial independence. It provides that judges should participate in establishing, maintaining and enforcing, and should themselves observe, high standards of conduct so that the integrity and independence of the judiciary may be preserved.

The principles of the remaining canons are stated generally and serve to organize the specific rules of conduct required of judges.

For example, **Canon 2** provides that a judge SHALL avoid impropriety and the appearance of impropriety; respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary. It applies to all of a judge’s conduct, both professional and personal.

Canon 3 addresses the separate adjudicative, administrative and disqualification responsibilities of judges, focusing on actual and perceived impartiality, behavior on the bench, temperament, demeanor, efficiency and disqualification issues.

Canon 4 addresses permissible quasi-judicial activities (such as speaking, teaching or other actions concerning improvement of the law, the legal system or the administration of justice).

Canon 5 emphasizes the round-the-clock responsibilities of judges by addressing the judge’s extra-judicial, avocational, governmental, civic, charitable, financial and fiduciary activities.

Canon 6 deals with permissible compensation received for quasi-judicial and extra-judicial activities.

Canon 7 addresses political activity.

The vast majority of complaints filed with the board allege conduct which violates Canons 2 and 3.

If you are about to engage in some conduct, but feel there may be an ethical problem, consider adopting a California judge’s suggestion to apply the “headline test” when deciding whether or not certain conduct is appropriate: would you

(Board Matters continued on page 14)

AOPConnected is published periodically.

Managing Editor
Art Heinz

Contributors
L. Stuart Ditzen
Gina L. Earle
Art Heinz
Rhonda Hocker
Steve Schell

Graphic Design
Gina L. Earle

Editor
Jim Koval

Executive Editors
Tom Darr
Andrea B. Tuominen

For more information about Pennsylvania’s courts, please visit www.pacourts.us or call Rhonda Hocker at (717) 795-2026.

Supreme Court of Pennsylvania

Ronald D. Castille
Chief Justice

Thomas G. Saylor
Justice

J. Michael Eakin
Justice

Max Baer
Justice

Debra Todd
Justice

Seamus P. McCaffery
Justice

Jane Cutler Greenspan
Justice

Zygmunt A. Pines
Court Administrator
of Pennsylvania

Nationally Known Youth Expert Featured at Child Dependency Training Sessions

by Steve Schell

In September the Supreme Court held three child dependency training sessions featuring Kevin Campbell, a nationally known youth permanency expert and creator of Family Finding, a program aimed at finding lost or forgotten individuals willing to provide lifelong support for abused and neglected children.

“With enhanced judicial oversight and strength-based, family-led practices, our overriding goals are safely to keep children in their homes; return others to their homes and when staying or returning home is not possible, quickly to find the best alternative permanent home for every child,” Supreme Court Justice **Max Baer** said. A former administrative judge of family court in Allegheny County, Justice Baer is guiding efforts to help children and families in the court system on behalf of the Supreme Court.

More than 300 judges and state, county and private sector children and youth professionals from 15 counties volunteered to be part of the initiative’s first phase. The counties are enhancing child services and practices, including the implementation of Family Finding and three-month reviews for every child in the foster care system. Typically court review hearings are held every six months.



Kevin Campbell is a nationally known youth permanency expert.

recommended by the National Council for Juvenile and Family Court, the National Center for State Courts and the American Bar Association Center on Children and the Law. The detailed computerized tracking of dependency cases promises to provide vital statistics for the court’s efforts to help children and families.

Other counties will be joining this initiative in 2009, with an expectation that all counties in Pennsylvania will move to this type of permanency practice.

The Supreme Court’s efforts are administered by **Sandy Moore**, administrator of the Administrative Office of Pennsylvania Courts’ Office of Children & Families in the Court (OCFC), in close partnership with the state Department of Public Welfare’s Office of Children, Youth & Families. Additional support and guidance for the initiative is provided by the Pennsylvania Family Group Decision-Making Leadership Team, the Statewide Adoption Permanency Network, the Community Action Association of Pennsylvania and the University of Pittsburgh’s School of Social Work and Child Welfare Training Program.

For more information contact Sandy Moore at 717-795-2685.

In related developments, Justice Baer moderated the Making Lasting Changes through Family Connections Conference on November 13 and 14 in State College. Nearly 200 dependency judges and child welfare professionals attended the conference, which included presentations by Kevin Campbell and Betsy Crane, lead researcher for Family Development, and a panel of judges speaking to changes in their dependency court processes.



More than 300 judges and children and youth professionals attended the three training sessions.

In addition, the counties are entering all dependency cases into the state’s computerized Common Pleas Case Management System Dependency Module, designed to track more than 30 performance measures

(OCFC continued on page 10)

We Learn Something New Every Day

by David W. Kutz

In the modern workplace, employees face a constant barrage of information flowing from electronic sources like e-mails; “webinars” and online newsletters and “live” sources like meetings, training sessions and co-workers. Just when we thought everyone had reached information overload, a recent Human Resources (HR) survey indicated AOPC staff actually were looking to learn more.

In July Human Resources Analyst **Hiliary Bower** created and disseminated an online survey to AOPC staff to determine interest in a proposed series of lunchtime training sessions. The response was overwhelming—219 employees responded (almost 70% of staff), many within the first 30 minutes of the survey’s release, resulting in a new Lunch & Learn program.

Based on the response, training topics were prioritized so the most popular topics—medical benefits,

retirement, classification and pay and performance evaluations—would be presented first. Each presentation is designed to run about one hour, and employees are encouraged to eat lunch during the sessions.

Future sessions will cover the judiciary’s classification/ pay plan and the performance evaluation process.

Fifty-four employees attended the first presentation on the Judiciary benefits programs. Human Resources staff **Nancy Kranz**, **Beth Schneider** and **Leah Somers** provided an overview of our medical, dental, vision and prescription plans and other benefits, including life, disability and long-term care insurance. The session was designed to enhance employee understanding of our excellent benefit programs and to answer specific questions.

Eighty-six AOPC employees attended other sessions about their retirement plans. Presenters from the State Employees’ Retirement System (SERS) did

an excellent job of explaining a complex system in easily understood language.

Future sessions will cover the judiciary’s classification/pay plan and the performance evaluation process. Employees will receive e-mail invitations to these presentations for the training dates.

Additional planning is underway to offer programs on topics including financial planning, health/wellness, emergency preparedness and dealing with workplace challenges. While the survey provided a comprehensive list of potential topics, employees are encouraged to contact Human Resources with suggestions for future Lunch & Learn programs.

In addition to the Lunch & Learn programs, HR is also developing a leadership and management skills training plan for AOPC managers. Details of this program will not be finalized until early 2009, but it will involve a series of training sessions designed to enhance management capabilities throughout the AOPC. Individuals included in this training will receive additional information in the near future.

We are pleased to learn many AOPC employees are interested in finding out more about the work-related programs and policies that affect them, and we are happy to provide information that may enhance everyone’s workplace experience. We encourage employees to attend these presentations, ask questions and contact Human Resources if questions arise outside the training sessions.

[David Kutz is the AOPC’s Director of Human Resources.]



Jane Kuklish, a regional manager for the State Employees Retirement System, conducted a Lunch & Learn session in Mechanicsburg on the state’s retirement and pension program.

Teachers Learn about Judicial System

by Steve Schell

The Supreme Court hosted the first-ever “Teacher Institute on the Judiciary” in its Harrisburg chambers to promote civics education and foster a better understanding of the courts.

Thirty-eight mid-state teachers attended this intensive and interactive day of learning and discussion about the state and federal courts and constitutions.



(From left) U. S. District Court Judge John E. Jones III, Chief Justice of Pennsylvania Ronald D. Castille and Third Circuit Court of Appeals Judge/First Lady of Pennsylvania Marjorie O. Rendell opened the program.

Opening remarks were provided by Chief Justice of Pennsylvania **Ronald D. Castille**; Judge Marjorie O. Rendell, Third Circuit Court of Appeals and First Lady of Pennsylvania, and Judge John E. Jones III, U.S. District Court.

“For us on the Supreme Court, it’s gratifying to see that teachers gathered here to learn more about the state courts and about our federal and state constitutions,” Chief Justice Castille said. “We in the judiciary believe there is a great need—a vital need—for students and even for adults in our society to better understand the courts and their role, and to recognize the fundamental purpose of an independent judiciary in our democratic society.

“Civics education is a maintenance program for freedom,” he added.

The institute was also sponsored by the Pennsylvania Coalition for Representative Democracy (PennCORD), a partnership of the Governor’s Office of the First Lady, the National Constitution Center, the state Department of Education and the Pennsylvania Bar Association (PBA) and is supported by the Supreme Court’s Judicial Independence Commission.

Judge Rendell said, “We want every school to be able to prepare its students to understand and participate in their communities, society and government. We want active civic learning, knowledge, public action, leading to democratic deliberation.”

The Judicial Independence Commission, with its co-chairs, Chief Justice Emeritus **John Flaherty** and former Justice **James Fitzgerald III**, is committed to the goal of improved civics education and working with the PBA and PennCORD toward that end.

Judge Jones told the participants that, “our system of justice, our judiciary is a jewel in the world and something we need to pay some abundance of attention to in terms of instructing students.”

One of the highlights of the day included a mock Supreme Court argument with four teachers in the role of justices sitting with Justice **J. Michael Eakin**, Superior Court Judge **Jack Panella** and Dauphin County President Judge **Richard A. Lewis**. The group examined a Supreme Court of Pennsylvania decision, *Theodore v. Delaware Valley*, guided by experienced attorneys Andy Susko and Renardo Hicks.

The institute also featured a roundtable discussion titled “Judges on Judging” with Justice Eakin, Judges Panella and Lewis and Magisterial District Judge **David H. Judy** among the participants. The discussion was moderated by Justice Fitzgerald.

Stephen M. Feiler, Ph.D, Director of Judicial Education at the Administrative Office of Pennsylvania Courts, served as Master of Ceremonies while David K.



Small group discussion, here led by Superior Court Judge Jack Panella (second from right), helped the teachers prepare for the mock Supreme Court argument of *Theodore v. Delaware Valley*.

(Teachers Institute continued on next page)

Teachers Institute, continued from page 8

Trevaskis, Esq. of the Pennsylvania Bar Association, led an introductory group exercise comparing the United States and Pennsylvania constitutions.

Dr. Francis Graham Lee, a political science professor at St. Joseph's University, discussed the federal and state constitutional bases for judicial review through examination of historic cases. His comments included an exposition of the differences between original intent, interpretivism and non-interpretivism.

Dr. Bruce A. Murphy, Kirby Professor of Civil Rights at Lafayette College, provided an examination of how the United States Supreme Court has changed its role over the course of history, showing how this affects the division of powers between the federal and state governments. Discussion of the incorporation of the Bill of Rights nationally was supplemented with an examination of the Declaration of Rights in the Pennsylvania Constitution and the national resurgence of state constitutions being used by state courts as a basis of protecting individual rights.

Participating teachers gave the institute high marks and many of them indicated that the information



Judge Panella (third from left), Supreme Court Justice J. Michael Eakin (center), Dauphin County President Judge Richard A. Lewis (third from right) and four teachers hear arguments during the mock examination.

provided would be invaluable in developing teaching materials for use in their classes.

The Court is planning additional sessions for Philadelphia and Pittsburgh in early 2009.

Foreclosures, continued from page 1

In the court-ordered conciliation conferences, homeowners and lenders are called together to try to work out a renegotiation or some other solution to the homeowners' mortgage arrearages. Members of the Philadelphia Bar Association represent homeowners on a *pro bono* basis at the conferences. Volunteer lawyers also act as judges *pro tem*.

"The main goal of the conciliation conference is to insure early intervention in determining eligibility under various federal, state and local programs established to facilitate loan work-out and other solutions to permit residential homeowners to retain their properties," Jones said in announcing the program. "The pilot program will assist the court and litigants to better resolve these cases and, most importantly, may result in many homeowners keeping their homes."

According to the latest figures, Philadelphia court officials reported that 1,019 foreclosure cases had been scheduled for conciliation conferences; 227 homes had been saved from sheriff's sale through the program and another 200 sheriff's sales had been postponed with the prospect that about one-third of those foreclosure cases were likely to be resolved.

Residential foreclosure rates are soaring around the country. Many low- and moderate-income homeowners who obtained mortgages at high subprime rates

have been unable to meet their payments and are going, or have already gone, into default.

Viewed in the broadest terms, the effort in Philadelphia and other counties to help homeowners stay in their homes also can help to stabilize the housing market and, by extension, help to bolster economic recovery.

When he introduced Philadelphia's foreclosure diversion program, Judge Jones spoke of the potential "devastating effect" of mass foreclosures—the loss to homeowners, lenders and investors, the loss of tax revenue to the city. All of that, he said, was reason for court intervention and an attempt to find a "systematic solution" to deal with the problem.

[U.S. Sens. Arlen Specter and Robert P. Casey Jr. are encouraging Pennsylvania counties to consider starting a mortgage foreclosure program, if they haven't already started one. Both senators have held hearings around the Commonwealth on the development of case management systems that require court conferences between borrowers and lenders prior to foreclosures resulting in sheriff's sales. —Editor.]

—Stu Ditzen

Rule 509—Public Access to UJS Financial Records

by **Andrea B. Tuominen**

Courts and offices of the Unified Judicial System (UJS) are preparing for January 1—the effective date of amendments to Rule of Judicial Administration 509. Adopted by the Supreme Court last June, the changes to Rule 509 essentially formalize practices that the judiciary considers “business as usual,” that is, making the judiciary’s financial records open and accessible to the public upon request.

To expand accessibility of the judiciary’s financial information, Rule 509 requires Internet posting of UJS contract and purchase order information starting January 1. Information on purchase orders and contracts (including amendments) valued at \$5,000.00 and more must be made available to the public within 10 days of being fully executed by the vendor and a UJS court or office (to include the AOPC, Supreme Court boards and committees and other judicial district court administrative units).

County funding of the local court systems and, more specifically, the level of court involvement in county procurement processes will determine whether the Web site contains postings from each local court system. It is evident that in some counties execution of contracts and purchase orders are fully administered by county personnel, not the courts. Act 3 of 2008, Pennsylvania’s Right-to-Know Law, established the creation of a similar Web site by the Treasury Department, although the act excludes counties and other local government agencies from the requirements of posting on Treasury’s Web site.

The UJS Web site will capture the following information on contracts and purchase orders: relevant dates, document numbers, subject matter descriptions, monetary amounts and the names of the “contracting” UJS court or office and vendor. When launched by the AOPC, the site will contain information dating back to July 1, 2008.

Members of the public will be able to search, review and print summary information regarding a pur-

chase order or contract. The search results page will return information in grids, similar to the UJS Web portal docket sheets, with the ability to view or print individual or multiple records. The public will also be able to send an e-mail request to the appropriate contact at the AOPC or local court requesting a copy of or more details on the item of interest.

Whether via the UJS Web site, e-mail, mail, fax or in person, public requesters may make written requests to inspect and/or copy a “financial record,” a term specifically defined by Rule 509. A request form has been designed by the AOPC for such purpose.

Responses to public requests will be issued by a UJS records manager (either the AOPC or designee of the president judge) within 10 business days. Under Rule 509 UJS records managers are not required to compile or organize financial records in a manner that is different from how they are currently maintained, formatted or organized to fulfill public requests.

Reasonable fees incurred in responding to public access requests may be charged under Rule 509. The AOPC’s fee schedule, request form and related information can be found on the UJS Web site—just click on the “Public Access” button at the bottom of the main page.

The rule also encourages judicial districts to post such information on local court Web sites.

[As part of the AOPC’s commitment to training and communication on public access, Ralph Hunsicker, Judicial Automation senior projects director, and Andrea Tuominen presented a program on the subject at the November PACM conference.]

[For more information on public access, visit the UJS public access page at www.pacourts.us/T/AOPC/PublicAccessPolicy.htm.]

[Andrea Tuominen is the AOPC’s assistant court administrator.]

OCFC, continued from page 6

In addition, Moore said the OCFC’s seminar entitled, “Promoting Family Connections through Court/Agency/Community Partnership,” has been selected for presentation at the 17th National Conference on Child Abuse and Neglect, to be held in Atlanta, Georgia, March 30-April 4, 2009.

The OCFC also is planning a Statewide Child Dependency conference in September 2009, and efforts are moving forward for the development of a Child Dependency Bench Book, slated to be published in August 2009.

AOPC Employee Service Milestones

A number of AOPC employees have reached service milestones between October and December 2008. They are:

30 Years

Zig Pines - State Court Administrator

25 Years

Rose Mary Figazzotto - Research & Statistics

15 Years

Bill Mahan - Judicial Automation

Samantha Kling - Judicial Automation

Elizabeth Parsons - Judicial Automation

Mary-Jo Vaskorlis - Judicial Automation

10 Years

Linda Botti - Judicial Automation

Chris Patton - Judicial Automation

Kristen Swauger - Judicial Automation

Judy Tosten - Judicial Automation

Jennifer Williams - Judicial Automation

Kimberly Ross-Seals - Judicial Automation

Around the Judiciary

The long-awaited opening of the new Chester County Justice Center marked the first time in about 30 years that all court-related departments were operating under one roof. The seven-story structure at 201 West Market Street in West Chester houses courtrooms, judges' chambers, court administration, filing and law enforcement functions. Many departments—domestic relations, juvenile probation, court reporters and the county's law library—were operating out of rented



(L to r above) Commissioners Kathi Cozzone and Carol Aichele and President Judge Paula Francisco Ott officially open the new justice center. Below: the new Chester County Justice Center.



space elsewhere in the county government seat rather than under one roof. Other government administrative offices, including those of the treasurer, controller and commissioners, will remain in the former courthouse, and the historic courtrooms will be reserved for ceremonies. The 422,000-square-foot building took about three years to build and came in under budget at around \$100 million.

Web Site, continued from page 1

searches than in the past. Within the category of appellate court opinions, users also have a highly useful research device: they are able to do “content searches” using specific search terms. That capability was not previously available on the old site.

The Web site’s home page provides users with direct access to court opinions for the Supreme, Superior and Commonwealth courts as well as direct access to Web docket sheets for appellate courts, criminal trial courts and magisterial district courts. These are among the most widely sought items of information on the site.

The site also is designed to enable users to easily navigate backward without having to return to the home page, simply by clicking on a tab for another

desired page. These tabs remain in view on the left and at the top of the page at all times.

Planning for the redesigned site took more than two years.

A second phase of the Web redesign, in which additional features are being planned, is currently in progress. One of those features will be a “For the Judiciary” page for use by judges and court personnel.

Anyone with questions or comments about the Web site can e-mail aopcweb@pacourts.us.

[Note: AOPConnected, including back issues, is also available on the new Web site at www.pacourts.us/T/AOPC/Newsletters.htm.—Editor]

[Stu Ditzen is the AOPC’s assistant for communications.]

Statewide List Compiled by AOPC Made Available to Expand Juror Pool

by Stu Ditzen

All Pennsylvania counties were given the names of potential jurors for the first time ever from a central statewide jury list compiled by the AOPC.

The statewide list, containing more than 11.5 million names, is designed to considerably expand existing county jury pools by identifying more citizens who are eligible to serve as jurors.

“There has never been a statewide list of this kind in Pennsylvania,” Chief Justice of Pennsylvania **Ronald D. Castille** said. “In the past, each county has developed its own jury list using voter information, PennDOT records and other data. We anticipate that our new data will improve on existing lists everywhere. If you vote, pay taxes, drive a car or receive welfare or food stamps, your name is on our list.”

The statewide jury list was created after passage of a 2007 Pennsylvania statute that enabled the AOPC to receive citizen information from the files of the Pennsylvania departments of Revenue, Transportation, Welfare and State.

“We created the statewide jury list with the aim of helping county courts identify more potential jurors to include in their jury pools,” Chief Justice Castille said.

“We hope this program will enhance the administration of justice and bolster one of the most basic rights held by all our citizens, that of trial by jury.”

More than 24 million names of state taxpayers, drivers, voters and others were sent to the AOPC from those departments. The lists were “scrubbed” by the AOPC’s Judicial Automation Department to eliminate as much duplication as possible, and reduced to an 11.5 million-name master list. The master list, in turn, was broken down on a geographic basis, county by county. Each county may use the data or may use its own data to identify and summon prospective jurors. New lists will be provided by the AOPC each year.

“As with all multiple source lists, some duplication of information is inevitable, but we feel certain that the statewide jury list will provide the counties with larger and more diverse jury pools,” Court Administrator of Pennsylvania Zygmont A. Pines said. “Had it not been for the sophisticated capability of our Judicial Automation Department, the statewide jury list would not have been possible.”

Honors & Dispatches

Chief Justice of Pennsylvania **Ronald D. Castille** and Philadelphia Common Pleas Court Judge **Annette M. Rizzo** recently were honored by the Justinian Society of Philadelphia during a luncheon at the Union League in Philadelphia. The chief justice served as the keynote speaker for the luncheon while Judge Rizzo was presented with the Judge **Lisa A. Richette** Outstanding Woman in the Law Award.

Supreme Court Justice **Debra Todd** presented the welcoming remarks at the National Conference of Appellate Court Clerks' annual meeting in Pittsburgh. Also in attendance were Justices **J. Michael Eakin** and **Seamus P. McCaffrey** and Court Administrator of Pennsylvania **Zygmunt A. Pines**. The AOPC's Director of Judicial Automation, **Amy Ceraso**, was a coordinator at the gathering, which included sessions on ethics and technology, performance measures and ergonomics in the workplace. **Irene Bizzoso**, deputy prothonotary of the Supreme Court's middle district, hosted the event. **Karen Bramblett**, Superior Court prothonotary and **Charles O'Connor Jr.** and **Eleanor Valecko**, Superior Court deputy prothonotaries, along with **John Vaskov**, Supreme Court deputy prothonotary, all co-hosted. **Michael Krimmel**, chief clerk of the Commonwealth Court, was among the conference attendees.

Supreme Court Justice **Seamus P. McCaffery** was appointed by Gov. Ed Rendell to serve on the Pennsylvania Commission on Crime and Delinquency. The commission is the state's leading criminal justice planning agency, collaborating with state and local officials and others to reduce crime and delinquency in the Commonwealth.

Berks County Senior Judge **Albert Stallone** spoke about his experiences on the bench at Albright College's Constitution Day lecture in Reading. The lecture was called "A View from the Bench: U.S. Constitution and Service to Berks County."

Ralph J. Cappy, Chief Justice of Pennsylvania Retired has been named to a panel studying the use of electronic shock devices, or Tasers, in Allegheny County. The 10-member group of police chiefs, attorneys and jurists is tasked with making recommendations for protocols on their use to County District Attorney Stephen A. Zappala Jr.

U.S. District Court Judge **Lagrome Davis**, a former Philadelphia Common Pleas Court judge, was honored by the Philadelphia District Attorney's Association. Judge Davis was the group's 2008 Raymond J. Harley honoree at the event, which was held at the Pyramid Club in Philadelphia.

The Hon. **Kim Berkeley Clark**, administrative judge of the Family Division of the Allegheny Court of Common Pleas, was elected to the Board of Trustees of the National Council of Juvenile and Family Court Judges during the organization's 71st Annual Conference in Norfolk, Va.

The Pennsylvania Justice Network's (**JNET**), statewide consolidated warrant search, was honored by the National Association of State Chief Information Officers. JNET won the association's data, information and knowledge management category award. Pennsylvania's tool was one of only 10 state information technology initiatives recognized by the association for outstanding achievement in information technology.

Philadelphia Common Pleas Senior Judge **Albert W. Sheppard Jr.** was honored by the Philadelphia Bar Association at its quarterly meeting. He was presented with the 2008 Justice William J. Brennan Jr. Distinguished Jurist Award in recognition for adhering to the highest ideals of judicial service. Judge Sheppard presided in the family, criminal and civil divisions and presently heads the First Judicial District's commerce court.

The criminal division of Allegheny Common Pleas Court held its third annual "National Day of Remembrance" to honor the memory of those who have lost their lives to violence, and victims and children affected by violence. Criminal Division Administrative Judge **Donna Jo McDaniel** was among the featured speakers, which also included **Helen M. Lynch**, criminal court administrator. Those who lost a loved one were encouraged to write the person's name on one of the many red balloons that were ceremoniously launched in the county courthouse courtyard.

Allegheny County Juvenile Court celebrated its 75th anniversary this year during Juvenile Justice Week in

(Honors & Dispatches continued on page 16)

Transitions, continued from page 2

Resignations, continued

AOPC

Dana Faulkner-West - Judicial Automation - help desk operator

Stephanie Libhart - Judicial Automation - IT manager

Anthony Russo - Judicial Automation - student intern

Joy Verner - Human Resources - HR analyst

Dan Williamson - Judicial Automation - IT system security officer

Appointments

Supreme Court Committees

Honorable Robert C. Daniels - reappointed to Civil Procedural Rules Committee

Nancy H. Fullam, Esq. - designated vice chair of Civil Procedural Rules Committee

William T. Hangley, Esq. - reappointed to Interest on Lawyers Trust Account Board

Common Pleas Court Judge Kevin A. Hess - reappointed to Civil Procedural Rules Committee

Honorable D. Peter Johnson - designated chair of Criminal Procedural Rules Committee

Common Pleas Court Judge Stewart L. Kurtz - designated chair of Civil Procedural Rules Committee

Carol S. Mills McCarthy, Esq. - appointed to Domestic Relations Procedural Rules Committee

Bridget E. Montgomery, Esq. - reappointed to Committee on Rules of Evidence

Common Pleas Court Judge Lester G. Nauhaus - designated vice chair of Criminal Procedural Rules Committee

Caroline Roberto, Esq. - appointed to Criminal Procedural Rules Committee

Common Pleas Court Judge Thomas P. Rogers - appointed to Criminal Procedural Rules Committee

James R. Ronca, Esq. - reappointed to Civil Procedural Rules Committee

James C. Schwartzman, Esq. - appointed to Interest on Lawyers Trust Account Board

Senior Common Pleas Court Judge R. Stanton Wettick Jr. - designated member emeritus of Civil Procedural Rules Committee

Common Pleas Court Judge Margherita Patti Worthington - appointed to Interest on Lawyers Trust Account Board

Other Boards/Committees

President Judge Joseph M. James - appointed to Court of Judicial Discipline

Magisterial District Judge John T. Robinson - appointed to Court of Judicial Discipline

Board Matters, continued from page 5

mind seeing a headline in tomorrow's newspaper reporting that you engaged in that conduct? (David Rothman, California Judicial Conduct Handbook, §1.66, p. 32 (1990).)

These questions will help you to consider how the conduct might appear to an objective observer:

- Do you benefit personally from the conduct?
- Is the conduct motivated by personal feelings toward a party or an attorney?
- Is the conduct undignified or does it otherwise reflect poorly on the judiciary?
- Does the conduct involve contact with a party or an attorney outside the court?
- Does the conduct make it appear you are doing something improper, even if you are not?
- Are you personally involved in a legal proceeding related to any of the parties, the attorneys or the subject matter of a case brought before you?
- Is the conduct to be engaged in public or private?

- Do you, as an individual, have a right to engage in the conduct?
- Does the conduct offend anyone or make you appear to be prejudiced or biased?
- Is the conduct law-abiding?

We are grateful for the response to our first column and invite you to contact us with comments or suggestions about topics for future columns.

We encourage you to visit our Web site at www.jcbpa.org.

The Judicial Conduct Board does not provide legal research or legal advice to the judiciary or the public. Information in this column should not be construed or interpreted as such. Judges are encouraged to contact the Ethics Advisory Committees of your respective conference or association for advisory opinions.

[Joseph Massa is chief counsel of the Judicial Conduct Board of Pennsylvania.]



Both the **Sayre Morning Times** and the **Towanda Daily Review** covered the historic swearing in of the Hon. **Maureen Beirne** as the first female judge of the Bradford County Common Pleas Court.

The **Wilkes-Barre Times Leader** profiled the Hon. **Joseph Musto** on his return to the Luzerne County Common Pleas Court. Judge Musto had left the bench in 1994 to practice law.

The **Bucks County Courier Times** noted the unanimous confirmation of the Hon. **Wallace "Skip" Bateman** to a seat on the **Bucks County Common Pleas Court**, filling a seat left vacant by retired Judge **Kenneth Biehn**.

The **Chambersburg Public Opinion** outlined **Franklin County** President Judge **John R. Walker's** plans to retire in January 2009.

The **Pittsburgh Post-Gazette** reported how all counties in the state are being given names of potential jurors from a central statewide jury list compiled by the **AOPC**. The list was created after a new Pennsylvania law enabled the court system to tap into information from the state departments of Revenue, Transportation, Welfare and State.

WTAJ-TV 10 in Altoona said video conferencing in **Blair County** is growing in popularity as a way to keep criminal-related court activities moving on schedule.

The **Carlisle Sentinel** profiled the unveiling of the Pennsylvania judiciary's revamped Web site.

The **Norristown Times-Herald** reported how the **Montgomery County Common Pleas Court** judges' approval of a new program is aimed at reducing prison overcrowding.

The **Philadelphia Inquirer** ran a feature story about a four-day program to induce non-violent offenders in the City of **Philadelphia** to submit to the law in the sanctuary of a religious institution. The paper noted how 151 people with outstanding criminal warrants turned themselves in on the first day of "Fugitive Safe Surrender."

The **Wilkes-Barre Times Leader** opined favorably on the **Luzerne County drug treatment court**, saying it "appears to work for everybody: the addicts who get admitted to the program as well as the taxpayers who foot the bill." The paper concluded the court "deserves consideration for further funding and growth."

The **Allentown Morning Call** profiled **Lehigh County** Magisterial District Judge **Donna Butler**, who has performed more than 1,200 wedding ceremonies in her 11 years in office—more than any of the other 13 MDJs in the county.

The **Lock Haven Express** ran a feature story about **teen court** at the **Clinton County** Courthouse. Teen court is an alternative disposition program that uses positive peer influence to alter the behavior of young adults who have committed non-violent criminal offenses.

The **Bloomsburg Press-Enterprise** published a story about the Hon. **Donna J. Coombe's** decision to retire after a 27-year career as a Columbia County magisterial district judge.

The **Lansdale Reporter** reported that Montgomery County agencies and organizations devoted to helping those who are or have been victims of domestic violence held a ceremony dedicated to the late Montgomery County Judge Toby Lynn Dickman.

Honors & Dispatches, continued from page 13

Pennsylvania the first week in October. The week-long celebration recognizing the efforts of juvenile court included a reopening of the Allegheny County Jail Museum, premiere of a video chronicling the history of Allegheny County juvenile court and recognition of senior judges **Patrick R. Tamilya** of Superior Court and **Stanton R. Wettick** of Common Pleas Court.

The Hon. **Jack D. Lippart**, a Delaware County magisterial district judge, was named vice president of the Domestic Abuse Project of Delaware County Inc., a Media, PA-based human services agency.

Philadelphia Common Pleas Judge **Ida K. Chen** was a guest speaker at a Widener University session on its new court interpreter program. Judge Chen, who chairs the interpreter services committee of the Pennsylvania Interbranch Commission for Gender, Racial and Ethnic Fairness, was instrumental in the development of the program that focuses on Spanish-English interpretation. Classes are being held over an eight-month period.

Susan I. Schulman, a judge for Philadelphia Common Pleas Court, has been elected to the board of the Greensgrow Philadelphia Project, a nonprofit organization dedicated to promoting urban agriculture and social entrepreneurship by reusing land once considered worthless.

Centre County Senior Judge **Charles C. Brown Jr.** has been named chairman of the board of the YMCA of Centre County. The organization was recently created by the merging of the Bellefonte Family YMCA and State College Area Family YMCA.

The Louis D. Brandeis Law Society and the Brandeis Law Society Foundation honored Philadelphia Common Pleas Court Judge **Sandra Mazur Moss** with a portrait and a scholarship in the judge's name. The dedication recognized Judge Moss for her lifelong devotion to the bench and the bar. Speakers at the event included, among others, Supreme Court Justice **Jane Cutler Greenspan**, Superior Court Judge **Richard B. Klein** and fellow Philadelphia judges **Anne E. Lazarus** and **Eugene Edward J. Maier**.

5001 Louise Drive
Mechanicsburg, PA 17055

The logo for the Allegheny County Office of the Public Defender (AOPC) features the letters 'AOPC' in a bold, blue, sans-serif font. The letter 'O' is stylized with a white triangle pointing downwards inside it.