

## Creating inviting and enduring settings

by Zygmunt Pines

Recently, Governor Ed Rendell and Chief Justice Ralph Cappy formally announced plans for construction of the Pennsylvania Judicial Center in Harrisburg.

The judicial center will for the first time provide a “home” in the Capitol Complex for the Commonwealth’s Unified Judicial System. Chief Justice Cappy’s remarks at the announcement, which are printed within these pages of *AOPCConnected*, provide the cogent reasons as to why a judicial center makes sense for Pennsylvania.

With the judicial center’s development in mind — a notable milestone in the over 300 year history of our state judiciary — and a variety of other activities under-

way that address court facilities or related operations in one manner or another, we thought it appropriate to devote most of this issue of *AOPCConnected* to just those endeavors.

### Special Court Facilities Issue

So, for starters, you’ll find current information about the judicial center here, noting, of course, that some of the logistics are still being worked out. We are also featuring articles from AOPC staff on initiatives in the areas of court security, business continuity, disaster planning, district justice office facilities’ and equipment guidelines — all designed to ensure that we are able to fulfill our organization’s legal responsibility — the prompt and proper disposition of the business of the courts.

Mix all that and more with our standard features that try to keep you up to date with who’s who, who’s new, and who’s distinguished themselves throughout the judiciary, and you have *AOPCConnected*, Autumn 2004. We hope you will enjoy it!

## Judiciary takes center stage in Capitol Complex



Arial view of an artist’s rendering of the proposed Pennsylvania Judicial Center.

The Pennsylvania Judicial Center will occupy one of the last available sites within Harrisburg’s historic Capitol Complex, reinforcing the judiciary’s presence and status as a separate but equal branch of state government.

The planned building will serve as the administrative center for Pennsylvania’s Unified Judicial System and contain office space for more than 500 employees. There also will be three Commonwealth Court courtrooms and a large conference and training center. The

facility will centralize the operation of Pennsylvania’s Judiciary, consolidating existing space in scattered Commonwealth-owned and commercially-leased facilities.

Occupants of the judicial center will include the Supreme Court Middle District Prothonotary, Executive Administrator of the Supreme Court, Superior Court Middle District Prothonotary, Commonwealth Court, AOPC and various boards and

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## New to the Judicial Branch

### Counties

**Hon. Kathy A. Morrow** - Perry-Juniata Common Pleas Court judge

**Hon. Leonard N. Zito** - Northampton County Common Pleas Court judge

**Nazario Jimenez Jr.** - Philadelphia Municipal Court judge

**Paula M. Aigner** - Blair County — DJ

**Nancy M. Kadunce** - Clarion County — DJ

**James P. Miller** - McKean County — DJ

**Elizabeth A. McHugh** - Montgomery – DJ

**Catherine Cicero** - Cambria County - assistant to the court administrator

### AOPC

**Brianna Poole** - student intern

**George Robinson** - student intern

**Gregory Vanek** - DJS - programmer analyst

**Christine Patton** - Judicial Automation - IT User Support Manager

**Ronald P. Kunz II** - IT intern

**Laurie A. Sacerdote** - Judicial Programs - administrative assistant

**Judy Atiyeh** - Judicial Services - administrative assistant

**Michael Marshall** - Common Pleas Project - programmer analyst

**Lisa Colby** - Policy Research - research analyst

**Jennifer Eul, Esq.** - DJS - staff attorney

**Lisa Shaulis** - Judicial Automation - communications systems coordinator

### Appointments

**Superior Court Senior Judge Phyllis Beck** - to Philadelphia Ethics Board

**Philadelphia Judge Mary D. Colins** - to Pennsylvania Gaming Control Board

**William P. Bresnahan II, Esq.** – to Appellate Court Rules Committee

**Sunah Park, Esq.** - reappointed to Appellate Court Rules Committee

**Lehigh County Judge Thomas A. Wallitsch** – to Appellate Court Rules Committee

**C. Lee Anderson, Esq.** – to Civil Procedural Rules Committee

**Marcel L. Groen, Esq.** – to Appellate Court Rules Committee

**Allegheny County DJ Carla M. Swearingen** - reappointed to Minor Court Rules Committee

**Allegheny County Judge Lawrence J. O'Toole** – to Court of Judicial Discipline

**Carolyn Wray Rudnitsky** – to Judicial Conduct Board

**Former Northampton County Judge Franklin S. Van Antwerpen** - to U.S. Court of Appeals for the Third Circuit

**Lancaster County Judge Lawrence F. Stengel** - to U.S. District Court, Eastern District

**Paul S. Diamond, Esq.** - former member of Pennsylvania Lawyers Fund for Client Security and Civil Procedural Rules Committee - to U.S. District Court, Eastern District

**Chester County Judge Juan R. Sánchez** - to U.S. District Court, Eastern District

**Lawrence County Judge Dominick Motto** – to President Judge

**Lawrence County Judge Ralph D. Pratt** – to senior judge

**Philadelphia County Judge Thomas D. Watkins** – to senior judge

**Monroe County DJ Charles P. Eyer** – to senior DJ

**Patricia C. Ellis** – to Jefferson County district court administrator

(Transitions continued on page 11)

**11/01-** Commonwealth Court  
**11/05/04** Administrative Session (Phila.)

**11/02/04** Election Day

**11/07/04** PACM (State College)

**11/11/04** Veteran's Day Holiday

**11/16-** Superior Court  
**11/18/04** Session (Phila., Pitt. Hbg.)

**11/25/04** Day After Thanksgiving  
Day Holiday

**11/28-** Joint Family Law  
**12/01/04** (State College)

**11/30-** Supreme Court Session  
**12/3/04** (Hbg.)

**11/30-** Superior Court Session  
**12/2/04** (Phila.)

**12/02-** Appellate Court Rules  
**12/03/04** (Phila.)

**12/06-** Commonwealth Court  
**12/10/04** Session (Hbg.)

**12/07-** Superior Court Session  
**12/09/04** (Phila., Hbg., Pitt.)

**12/24/04** Christmas Holiday  
(Observed)

# Center Stage continued from page 1



Artist's rendering of the proposed Pennsylvania Judicial Center shown from the southwest.

committees. The facility also will house the Judicial Conduct Board and the Court of Judicial Discipline.

Construction of the nine-story, 331,000 square-foot judicial center is projected to start in early 2006, once the existing Health and Welfare parking garage is demolished. Occupancy of the facility is projected to be in the first quarter of 2008. Cost of the project, including furniture fixtures and equipment, totals more than \$145 million. Vitetta of Philadelphia is the project architect and engineer.

The project also includes construction of one 1,600-space or two 800-space garages in areas adjacent to the Capitol Complex that will provide parking for judiciary employees and those displaced from the Health and Welfare garage. Parking garage locations under consideration are on the corner of Commonwealth Avenue and Forster Street as well as on 7th Street, directly behind the judicial center.

## Why build a Pennsylvania Judicial Center?

*(Chief Justice of Pennsylvania Ralph J. Cappy and Gov. Ed Rendell unveiled plans for the state's first-ever judicial center, a nine-story building at Commonwealth and North streets in the Capitol complex, during recent a news conference on the site. Here are the chief justice's remarks:)*

"Governor, you have been more than kind in your comments about my vision and that of my Court, but I must tell you that it takes vision — your vision — to recognize what we are striving to achieve in the construction of the Pennsylvania Judicial Center.

As the images displayed here suggest, this judicial center is designed for multiple uses. At once, it will house the Commonwealth Court, serve as the center of many judicial continuing education and conference activities, and provide space for judicial branch administrative staff now and in the future. In so doing, it will save more than \$2 million annually in commercial lease costs and set the stage for additional savings through better integration over time of certain judicial support functions.

So, on behalf of my court and all of our judicial colleagues, I must express deep appreciation for your recognition of these disparate needs, "packaged" as they will be in this single, fine structure.

In truth, your very tangible support of this project fulfills the aspirations of many for a judicial center prominently set in the magnificence of our existing state capitol complex, right in the heart of Harrisburg.

I extend our thanks, of course, to our friends in the General Assembly, some who are present here today, and to former Governors Tom Ridge and Mark Schweiker, who started rolling the proverbial ball with which you and your team have so ably run.

From the judiciary's perspective, the Pennsylvania

Judicial Center will admirably serve both symbolic and functional values.

Symbolically, as we stand among so many structures housing the legislative and executive functions of state government, this building will visibly define the concept of three co-equal branches of government — that bedrock principle of checks and balances first considered within our own state's borders 217 years ago and that uniquely defines American democracy as it secures our rights as free citizens.

But democracy does not serve today simply by symbol. Rather, we must serve effectively in deed and to do so, we remember the dictum of the great American architect, Louis Sullivan, who said, "form follows function." The Pennsylvania Judicial Center will, for the first time, allow us to follow Mr. Sullivan's advice, with all of its resulting symbolic and functional benefits, in a thoughtfully designed, efficient workplace.

In the spirit of our Commonwealth's industrial heritage, I salute the design professionals and tradesmen and women who will make it happen — and I thank you and your colleagues for the opportunity to do so."

[Chief Justice Cappy, who began his service on the Supreme Court of Pennsylvania in January 1990, is serving his second 10-year term on the court.]



Ralph J. Cappy, Chief Justice of Pennsylvania

# Developing guidelines for DJ facilities

by Amy Kehner

Pennsylvania's more than 550 district justices and their staff have been deluged with considerable attention over the past year.

Among the activities: the completion of the decennial Magisterial District Reestablishment Process, the introduction of procedural audits in the district courts, planned security upgrades for district justice offices resulting from work of Supreme Court Justice Sandra Schultz Newman's Judicial Council Committee on Judicial Safety and Preparedness, and finally, the anticipated rollout of the District Justice Facility Guidelines.

The origin of the facility guidelines project dates to 2001 when the Special Courts Administration Subcommittee of the Intergovernmental Task Force to Study the District Justice System provided 19 recommendations for improving the operations of the district justice courts.

One of the recommendations proposed the adoption of minimum standards for district court facilities and equipment. Subsequently, the Judicial Programs Department of the AOPC was directed to draft facility guidelines for the district justice courts. The primary goal of the guidelines is to provide a physical standard to assist and complement the minor judiciary in providing exemplary services and administration.

The guidelines address décor, equipment and space requirements in a district justice facility. Facility components discussed include: building location, exterior lighting, parking and landscaping, public waiting areas, restroom facilities, transaction counters, courtroom, conference areas, chambers, staff areas, service areas and secured areas. Underlying accessibility requirements and security issues also are included. The security recommendation made within these guidelines parallel the findings from the Judicial Counsel's Committee on Judicial Safety and Preparedness.

District justice courts are the first, and often only, contact most citizens of the Commonwealth will have with our judicial system, so it is imperative that we make the most of this opportunity to make a good impression. The image of the court, as shaped by the physical aesthetics of the court and the level of professionalism offered by the district justice and staff, undoubtedly sets

the mood and tone for the activities and events that occur in the court and will ultimately influence the user's impression of Pennsylvania's court system.

To facilitate a comprehensive understanding of the minimum requirements for a minor court facility, initial research efforts focused on federal and state level industry standards, cost effectiveness and best practices for a variety of court-related buildings. Site visits were then conducted at randomly selected district justice courts in each class of county to supplement and enhance our understanding of the strengths, weaknesses and needs throughout the Commonwealth.

The findings were disconcerting, although not surprising. There are tremendous inconsistencies in the district justice facilities both statewide and within a judicial district. These include, for instance, amenities afforded to the public, the district justice and staff.

Some of these variations can be attributed to the availability and allocation of limited resources. Financially, the needs of both court and county departments are competing for their piece of shrinking budgets. Structurally, district justice courts may be located in leased space that does not complement court activities. High population density areas or areas of high crime or poverty will also influence the appropriateness of the facility. Other reasons may be more esoteric and difficult to quantify, such as a concern that a change in location or a more standardized court can hurt availability and proximity to constituents.

It is clear that the diversity of the Commonwealth poses a unique challenge to drafting and implementing the guidelines. The feasibility and adoptability of these guidelines will vary by judicial district, but should be viewed as a tool to assist county authorities and local courts in ensuring that the minimum office standards as prescribed by Rule 101, Rules and Standards With Respect to Offices of District Justices, are met.

It is anticipated that these guidelines will be integrated into the review of proposed alterations, remodeling, renovation and expansion of existing district court facilities or new construction.

*[Amy Kehner, Judicial Programs Administrator, can be reached at (717) 795-2000 or amy.kehner@pacourts.us]*

*(To read the report of the Intergovernmental Task Force to Study the District Justice System:*

<http://www.courts.state.pa.us/Index/Supreme/DJSTaskForce/indexdjstfreport.asp>)

# Honors and Dispatches



**Judge Emmanuel Cassimatis (center)**

York County Senior Judge Emmanuel Cassimatis was presented a 2004 Child Advocate of the Year Award during the Pennsylvania Bar Association

annual meeting in Hershey.

Presented by PBA's Children's Rights Committee, the award recognizes accomplishments of lawyers and judges who are advocates for children within the Commonwealth.



County Common Pleas Court Judge **John Milton Younge** was elected President of the Pennsylvania Conference of State Trial Judges during the organization's annual meeting in Hershey.

Judge Younge succeeds Chester County Judge **Paula Francisco Ott** as president of the 420-member group of elected and senior judges from Pennsylvania's Common Pleas courts. Judge Younge is the first African-American to serve as president of the group.



**Judge John M. Younge and wife Joy**

Other officers elected at the conference were: Erie County Judge **Stephanie A. Domitrovich**, president-elect; Lackawanna County Judge **Chester T. Harhut**, first vice-president; Cambria County Judge **Norman A. Krumenacker III**, second vice-president; Westmoreland County Judge **Rita Donovan Hathaway**, treasurer and Allegheny County Judge **Robert J. Colville**, secretary.

AOPC's Director of Judicial Services **Bunny Baum** received a President's Award in recognition of her dedication

to conference and trial judge needs during the last 19 years.

"If you've ever been to conferences run by other organizations, you will know that they pale in comparison to how ours are run," said Judge Ott, immediate past president of the conference. "No problem is too difficult to solve, no matter the time and effort involved. No president can do this job without Bunny."



Philadelphia Municipal Court President Judge **Louis J. Prezenza** was elected Chair of the National Association of Drug Court Professionals during the organization's 10th Annual Drug Court Training Conference in Milwaukee.

Judge Prezenza became the fourth chair — and first Pennsylvanian — to hold this prestigious office within the organization, whose mission is to reduce substance abuse, crime and recidivism and enhance public safety by providing advocacy, education and training to drug court professionals.

Judge Prezenza helped establish Pennsylvania's first drug court in 1997. The Philadelphia Treatment Court was designated as a mentor court in July 2000 and it continues to train national and international professionals, in planning, implementing and operating drug treatment courts within their home jurisdictions.



Philadelphia Common Pleas Court Judge **Carolyn Engel Temin** has resigned her seat on the



**Judge Carolyn Engel Temin**

bench to become the first female jurist to hear cases involving organized crime and public corruption for the Court of Bosnia and Herzegovina in Sarajevo.

President of the National Association of Women Judges, Judge Temin will serve with another American jurist, Judge

AOPC *Connected* is published four times a year.

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For more information about Pennsylvania's courts, please visit: [www.courts.state.pa.us](http://www.courts.state.pa.us) or call Rhonda Hocker at (717) 795-2026.

## Supreme Court of Pennsylvania

Ralph J. Cappy  
Chief Justice

Ronald D. Castille  
Justice

Russell M. Nigro  
Justice

Sandra Schultz Newman  
Justice

Thomas G. Saylor  
Justice

J. Michael Eakin  
Justice

Max Baer  
Justice

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Court Administrator  
of Pennsylvania

(Honors continued on page 9)

# Assessment of courthouse safety and security identifies areas of strengths and weaknesses

by Barbara Perkovic

More than a dozen teams of volunteers late last year fanned out across Pennsylvania's 67 counties to assess courthouse security measures and practices in Common Pleas Court facilities.

Organized by the Pennsylvania Judicial Council's Committee on Safety and Preparedness, the teams were comprised of judges and court personnel, law enforcement officials, county commissioners, and community leaders with an interest in safety and security issues.

The teams evaluated the safety of the perimeters of courthouse facilities, building entryways, elevators and public areas, offices handling money, courthouse procedures, courtrooms, judicial chambers and jury facilities.

A fundamental component of the assessments was to identify the limitations of existing facilities, and to evaluate ways to enhance overall security. Another important element of the exercise was to use the information gathered to develop a classification system for levels of courthouse safety.

For example, Level I security standards might include appropriate signage, a perimeter safety plan, duress alarms and ID badges. Level II standards would incorporate all Level I requirements and also consist of baggage screening, magnetometers and controlled point of entry. Level III measures would include all Level I and II standards and separate public, private and prisoner circulation, controlled access and monitored parking facilities, 24-hour facility patrol and closed circuit TV monitoring.

The security assessments resulted in a comprehensive overview of the state of courthouse security practices, including analyses of perimeter security in several ways; the security of interior circulation for jurists, staff, defendants and the public and security of cash-handling areas.

It is difficult to compare Pennsylvania security practices with those of other states because such information has not been available on state and local levels everywhere. But law enforcement officials believe incidents of violence in the courts are increasing in number and by severity and state and local courts have begun to pay attention.

This concern has also caused the courts to redefine their relationship to the community, resulting in a powerful pattern of new collaborations. The 14 assessment teams reflect this redefined relationship between the courts and the community.

With the support and encouragement of the Committee on Safety and Preparedness, the teams crossed boundaries and formed connections with law enforcement and county officials that will inspire and drive the development of higher safety standards and practices in all of Pennsylvania's 60 judicial districts.

[Barbara Perkovic, an AOPC administrative coordinator, is responsible for facilitating court and community projects and partnerships. Questions or concerns from the local courts may be directed to AOPC Judiciary Security Administrator Frank Lalley or Security Analyst Mary Beth Marschik by calling (717) 795-2000.]

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## Funds continued from back page

work with the local committees and vendors to supply the shatterproof glass and/or physical separation between the staff and the public.

It is the goal of AOPC and the local security committees to have any or all four physical improvements in district justice offices during 2005. To meet this objective, the AOPC wants local committees to submit their applications by November 19. AOPC hopes to approve the applications by January 3, 2005. *(Questions or concerns from the local courts can be directed to Frank Lalley and his staff at the AOPC Judicial Security Department or by calling (717) 795-2000.)*

[Rick Pierce, AOPC judicial programs administrator, is a former Cumberland County district court administrator.]

## Alternate sites ensure continuity; boosts confidence

# Don't get caught with your courthouse down

by Barbara Perkovic

A collaborative effort among state and local officials is underway to designate alternate sites for holding court proceedings in the event an emergency renders current courthouses inaccessible.

Designating alternate sites for conducting the court's business underscores how Pennsylvania's Judiciary is intent on being responsive to the changing times in which we live and to the needs and well-being of the Commonwealth's citizens.

Making sure our state and local justice systems remain functional in the face of an emergency requires a high performance level and some change in behaviors on the part of local and state officials, with judges assuming a leadership role.

Supreme Court Justice Sandra Schultz Newman asked all president judges to cooperate in designating alternate sites for holding court. The action came in November 2003 in response to a directive from the U.S. Department of Homeland Security that each judicial district collaborate with county commissioners and emergency management and law enforcement officials in identifying alternate sites to hold court on a short-term emergency basis.

The link between the courts and local officials makes good sense because most courtrooms are located in county-owned buildings. The county is, in many instances, the court's landlord, and it is not uncommon for a number of government entities to share the same facility.

The Judicial Council's Committee on Judicial Safety and Preparedness, headed by Justice Newman, has been steadily monitoring the progress of the alternate sites selection process. More than 50 counties have complied to date, resulting in many successful new court/community partnerships.

For instance, Bucks, Carbon, Crawford, Luzerne, McKean, Northampton, Washington and Westmoreland counties have joined with community colleges to create alternate sites. Columbia/Montour, Juniata/Perry and Potter/Wyoming counties simply agreed to trade spaces. Allegheny, Monroe and Philadelphia counties secured alternate sites at police headquarters.

Public services and municipal buildings, community health, action and agricultural centers, and regional business centers also are identified as alternate sites, helping counties ensure that courts have the capacity to convene in case regular facilities must be shut down for a few weeks.

The link between the courts and local officials makes good sense because most courtrooms are located in county-owned buildings.

Since the planning began, no one could have predicted a bioterrorism scare would cause the evacuation of the courthouse in Kittaning, forcing the decontamination of service staff. Fortunately, the threat turned out to be nontoxic.

Similarly, Berks, Bucks, Cambria, Chester, Erie, Montgomery and Lehigh counties all have been subject to either bomb scares or bioterrorism threats in recent months, disrupting court operations.

*(Counties that have not yet identified alternate sites are urged to do so as soon as possible to Barbara J. Perkovic at (215) 560-6300 X6244 or e-mail: bperkovic@pacourts.us)*

## York County Judicial Center dedicated

The York County Judicial Center recently was formally dedicated during an hour-long ceremony.

Pennsylvania Supreme Court Justice J. Michael Eakin was the keynote speaker. York County President Judge John H. Chronister, former President Judge John C. Uhler and York County Commissioner Lori Mitrick also made presentations.

Self-guided tours followed the ceremony. Officials celebrated the completion of the building July 7 with a ribbon-cutting ceremony and the first offices opened to the public July 12. The move from the courthouse into the judicial center took several weeks. The last set of offices opened in the new building Aug. 2.

# Disaster recovery planning guards against business disruption

by Kevin Frantz

What would you do if you went to lunch and came back to find your office, computer, files and other things you need to do your job no longer accessible due to fire or some other disaster?

Representatives from SunGard Availability Services recently asked AOPC managers and support staff to imagine this scenario during a round of interviews in Mechanicsburg and Philadelphia. The goal is to develop a disaster recovery and business continuity plan for

**Preparing a comprehensive disaster recovery plan for any organization is challenging.** AOPC administrative operations to complement existing plans in place for the AOPC's information technology functions.

SunGard is an industry leader with more than 20 years of experience in helping companies plan for, and recover from, business interruptions of all kinds. SunGard has written more than 10,000 business continuity plans, supported more than 100,000 recovery tests and supported more than 1,500 actual recoveries.

At a kickoff meeting in December 2003 SunGard outlined the project scope in developing the recovery plan. Discussions also took place regarding decision making during a disaster, and possible meeting and recovery locations.

Developing a recovery and continuity plan occurs in three stages:

- The first stage, completed in the first quarter of this year, required AOPC to establish an Incident Management Team (IMT). In a disaster, the IMT initiates recovery activities, monitors and facilitates critical operations, assists in the transition to an alternate recovery location and coordinates the transition from the recovery location to the new location. The IMT also provides the Supreme Court, AOPC employees and media with information during a disaster.

Department meetings with SunGard also took place in the first stage to discuss operating procedures, identify required resources and assess possible "work arounds" to allow a department to keep working if desired data and resources are not available. Department managers completed eight-page work-

sheets that identify needed software, employee contact information, external contacts/vendors, forms and supplies, department records, telecommunication and office equipment requirements and the timeframes these resources must be recovered following a disaster.

- The second stage of planning is the review of the draft recovery plan by department managers. Each manager will be asked to review and comment on his/her department's proposed recovery procedures and requirements. A meeting will follow with SunGard for managers to make any adjustments to the plan and discuss added issues.

- A third stage is a walk-through exercise in which each department "tests" its recovery information in the recovery plan. SunGard representatives walk each department through a disaster scenario to see if their current plans will work in the event of a disaster. The "test" includes reviewing notification procedures and recovery timelines and strategies. This provides another opportunity for departments to edit the plan before SunGard submits its final copy.

Once each department and the IMT approve the draft recovery plan, SunGard will submit the completed plan to AOPC. From that point on, with continued support from SunGard, AOPC will update the plan to reflect personnel, technology and operational changes. Each department will be asked to update its portion of the plan on an annual or semiannual basis.

Preparing a comprehensive disaster recovery plan for any organization is challenging. The varied functions of AOPC coupled with the complexities of having multiple computer systems housed in a single data center adds to the challenge of preparing a plan. SunGard representatives are appreciative of the information each department provided, especially the detailed procedures provided by the various departments within Judicial Automation.

*(For more information about AOPC's disaster recovery and business continuity planning, e-mail Kevin Frantz at: [Kevin.frantz@pacourts.us](mailto:Kevin.frantz@pacourts.us))*

[Kevin Frantz, an administrative analyst with the Administrative Services Department since 1998, is responsible for researching and implementing various administrative issues.]

# Honors and Dispatches continued from page 5

**Robert Ulrich** of the Missouri Court of Appeals. Judge Temin will serve on the preliminary, trial and appellate levels with the assistance of a translator. She'll sit alone at preliminary hearings, and will be a part of a panel of three at the trial and appellate levels. There are no jury trials in Bosnia.

"All this is in keeping with Judge Temin's professional goals and her career," First Judicial District President Judge **Frederica A. Massiah-Jackson** said. "It's a terrific opportunity."



Commonwealth Court's Mediation Program marked a milestone this June when it saw litigants successfully resolve the 500th case through negotiation.

The four-year-old program — which enhances litigants' ability to resolve their cases without resorting to a court decision — is a voluntary initiative that curtails time and costs. Litigants and their counsel can avoid the time and expense associated with an appeal. And successful mediations have resolved disputes more quickly and eliminated the cost and uncertainty of the appellate process.

Mediations occur in Harrisburg, Philadelphia, Pittsburgh, Erie, Pottsville and elsewhere if necessary to accommodate litigants and counsel. Senior Judges **Charles P. Mirarchi, Jr.**, **Jess S. Juliante** and **Joseph F. McCloskey** take on mediation assignments in addition to their full caseload of appellate and original jurisdiction matters.

One area of marked success is in workers' compensation claims, which comprise a large part of the court's caseload. Overall, the mediation program has achieved a 45.5% resolution rate, on average, since its inception.

Also, Commonwealth Court's latest inventory of pending cases is the smallest in its 34-year history.

The average time from the assignment of a case to the filing of a decision is 73 days — a timeframe that compares favorably to the American Bar Association's standard of 90 days, said **G. Ron Darlington, Esq.**, court executive administrator.



A brochure called "Downtown Pittsburgh in 60 minutes" recently was published by the Fifth Judicial District to guide Allegheny County jurors to shopping, dining and sightseeing.

Most of the destinations outlined in the guide can be reached within the hour or more jurors get for lunch. Jurors also are eligible for discounts at businesses listed

in the guide by using a bar-coded identity badge provided each day a person serves.

"Jury duty can be inconvenient," Allegheny County Court Administrator **Raymond Billotte** said. "We're trying to make it as painless as possible,"



Civil court rules, court-generated statistics and related information regarding medical malpractice litigation are now located on the state Judiciary Web site: [www.courts.state.pa.us](http://www.courts.state.pa.us)

Not intended to be a comprehensive site for all medical issues, the limited specialty Web page is geared toward judicial branch actions and statistics involving medical liability litigation. The page will be updated periodically with new statistics, as well as rules changes and other pertinent information.

The site also has links to other Pennsylvania government sites, and recent legislation on medical malpractice issues. Visitors can access the page through a direct link at the top of the Judiciary's Web site.



Washington County Common Pleas Court Judge Debbie O'Dell Seneca recently was elected president judge of the Pennsylvania Court of Judicial Discipline, which tries cases involving alleged misconduct among jurists.



**Judge Debbie O'Dell Seneca with Justice Michael Eakin (right) and Philadelphia Judge D. Webster Keogh (left)**



**CCPIO at PNC Park in Pittsburgh**

Pennsylvania's Supreme Court appointed Judge O'Dell to a four-year term on the court three years ago. She recently became Washington County President Judge. As president judge, she will oversee administrative and budgetary functions.



The 13th annual Conference of Court Public Information Officers recently was held in Pittsburgh with participants coming from around the world to share their knowledge and expertise in ethics, media

# Honors and Dispatches continued from page 9

relations and methods for dealing with daily challenges faced by court communicators.

Pennsylvania Supreme Court Justice **Max Baer**, U.S. Third Circuit Court of Appeals Judge **D. Michael Fisher** and Deputy Court Administrator **Tom Darr** were among the many speakers at the educational gathering. AOPC Communications Coordinator **Art Heinz** and **Rhonda Hocker**, AOPC administrative assistant to the deputy court administrator, also were participants.

A closing dinner was held at PNC Park where participants got a behind-the-scenes look at the home of the Pittsburgh Pirates. The conference provides a focal point for enhancing the skills and knowledge of those performing the duties of public information officer at the federal, state appeals and trial court levels.



Judge  
Cynthia A. Baldwin

Allegheny County Judge **Cynthia A. Baldwin** was named one of Carlow College's Women of Spirit for 2004. The award, in its 10th year, honors leadership and community service. Judge Baldwin is one of 11 women honored.

Former Westmoreland County Judge **Donetta Ambrose**, now Chief Judge, U.S. District Court for the Western District of Pennsylvania, was presented with the Anne X. Alpern Award by the PBA's Commission on Women in the Profession. The award is given to a lawyer or judge who demonstrates excellence in the legal profession and makes a significant professional impact on women in the law. Chief Judge Ambrose was the first woman elect-

ed to the Westmoreland County Court. In 1992 she became the first woman to hold the position of chief judge for the U.S. District Court for the Western District of Pennsylvania. Former Superior Court Judge **Robert A. Graci** was honored with a Special Achievement Award by the PBA for serving as co-chair of the newly-created Post Trial and Appellate Practice Committee.

PBA President **Michael H. Reed** appointed the following to a special statewide commission whose mission will be to enhance the effectiveness of Pennsylvania's justice system and increase public confidence in it: Commonwealth Court Judge **Kate Ford Elliott**; Allegheny County Judge **Cynthia A. Brown**; Philadelphia County Judge **John M. Younge**; Centre County Judge **Thomas King Kistler**; Chester County Judge **Paula Francisco Ott**; **Arthur H. Stroyd, Esq.**, a member of the Civil Procedural Rules Committee and **Thomas M. Golden, Esq.**, a member of the Continuing Legal Education Board.

Butler County Judge **Marilyn J. Horan** received the President's Award at the annual meeting of the Pennsylvania Conference of State Trial Judges. Judge Horan was honored for her work in educating jurists about the role of the Judicial Conduct Board, on which she is currently vice chair – as well as for several initiatives in the Butler County court system that she implemented.

Delaware County DJ **Kenneth N. Miller** received the Themis Award at the Special Court Judges Association's annual conference. The Themis Award is given for service to the association. Lancaster County DJ **Isaac H. Stoltzfus** and Luzerne County DJ **Fred A. Pierantoni, III** were honored with the John T. Jeffers Memorial Award at the conference. This award also is given for service to the association.

## Medical malpractice takes center stage

Medical malpractice litigation was the focus of continuing education seminars presented to the state's trial judges in October. The two-day regional sessions – held in the Pittsburgh, Harrisburg and Philadelphia areas – were designed to provide jurists the opportunity to discuss contemporary changes in law and procedural rule that affect adjudication of medical malpractice cases.

The past two years also have seen a spate of procedural rule changes promulgated by the Supreme Court to increase fairness and efficiency in the adjudication of medical liability cases. Rule changes that affected where a case can be filed and how excessive damages

were challenged were added recently to those that included governance of expert testimony and settlement conferences.

Lehigh County Judge **Thomas A. Wallitsch** acted as moderator in each of the three sessions. Judges **R. Stanton Wettick**, **Eugene B. Strassburger III** and **Ronald W. Folino**, all of Allegheny County; **Mark I. Bernstein**, **Sandra Mazer-Moss**, **Nitza I. Quinones Alejandro**, **Jacqueline F. Allen** and **William J. Manfredi**, all of Philadelphia; **Terrence R. Nealon**, of Lackawanna County and **Charles B. Burr II**, of Delaware County, also moderated or served as presenters.

# Transitions continued from page 2

## **Pennsylvania Association of Court Management - 2004-05 Officers/Executive Committee:**

**Thomas C. Aaron** - Erie - president  
**Mary Lou Vanderpool** - Bradford - president elect  
**Peter A. Morin** - Mercer - vice president  
**Nancy L. Galvach** - Allegheny - secretary  
**Susan T. Schellenberg** - Lehigh - treasurer  
**Kevin H. Way, Esq.** - Lycoming - immediate past president  
**Joseph A. Cairone** - Philadelphia - Eastern Regional Director  
**Dale G. Derr** - Berks - Eastern Regional Director  
**Mark M. Dalton** - Lancaster - Central Regional Director  
**Taryn N. Dixon** - Cumberland - Central Regional Director  
**Albert R. DeFilippi** - Beaver - Western Regional Director  
**Holly A. Martin** - Crawford - Western Regional Director

## **Special Court Judges Association 2004-05 Officers:**

**Special Court Judges Martin R. Kane** - Luzerne - president  
**James K. Reilly** - Schuylkill - first vice president  
**Richard G. King** - Allegheny - second vice president  
**Delores G. Bristol** - Potter - secretary  
**Larry G. Pentz** - Franklin - treasurer  
**Richard M. Cappelli** - Delaware - past president

## **Deaths**

**Hon. James E. Rowley** - former Superior Court president judge and Beaver County senior judge  
**Hon. James R. Cavanaugh** - Superior Court senior judge  
**Hon. David L. Gilmore** - Washington County President Judge  
**Hon. Frank X. O'Brien** - Philadelphia County senior judge  
**Hon. Hugh C. Boyle** - former Allegheny County judge  
**Hon. Norman A. Shaulis** - former Somerset County judge/senior judge  
**Hon. Robert S. Grigsby** - Continuing Legal Education Board; former Allegheny County judge  
**James E. Beasley** - Committee for Proposed Standard Jury Instructions (Civil Instructions Subcommittee chair) and Court of Judicial Discipline  
**Hon. John P. Hester** - former Superior Court judge/senior judge

**Hon. Gailey C. Keller** - senior judge  
Columbia/Montour counties  
**Henry A. Mavrigh** - former Washington County DJ  
**Richard E. Evans** - former Montgomery County DJ  
**James E. Stahl** - former Lehigh County DJ  
**Morris C. Starr** - former Philadelphia Municipal Court judge  
**William A. Buckingham** - former Tioga County DJ  
**Jay A. Young** - Armstrong County DJ  
**William J. Ivill III** - former Allegheny County DJ  
**Leonard B. Collins** - former Chester County DJ - 6-21-04  
**Robert W. Little** - former Washington County DJ  
**Stephen G. Wanner** - former Berks County DJ  
**Terry R. Marolt** - Minor Judiciary Education Board; former Westmoreland County DJ  
**Howard "Snitz" Lindberg** - former Allegheny County DJ

## **Retirements Counties**

**Hon. John E. Backenstoe** - Lehigh County senior judge  
**Carol Henry** - Cambria County assistant court administrator

## **Resignations Counties**

**Hon. Ralph D. Pratt** - Lawrence County president judge  
**Hon. Lawrence F. Stengel** - Lancaster County judge  
**Hon. Juan R. Sánchez** - Chester County judge  
**Hon. Allen S. Penkower** - Allegheny County judge  
**Hon. Carolyn E. Temin** - Philadelphia County judge  
**Hon. Charles P. Eyer** - Monroe County DJ

## **Clarification**

In the summer 2004 issue of *AOPCConnected*, the article, "Managing your e-mail, and saving time," suggested forwarding work e-mail to a free or commercial web-based e-mail account while traveling. The AOPC IT department does not recommend this because Web-based e-mail services such as Yahoo, Hotmail, or AOL can be hacked and offer no guarantee of privacy. Forwarding confidential or sensitive e-mail to a service that cannot guarantee privacy is risky and should be avoided. Use free or commercial e-mail for non-confidential messages only.

# Governor/Legislature fund DJ security initiative

by Rick Pierce

The number and disparity of the more than 550 district justice offices in Pennsylvania present a difficult challenge to protect the people who work and visit these offices.

To help meet that challenge, \$4.4 million in state funds to purchase and install security enhancements in district justice courts were appropriated in state Fiscal Year 2004-2005. Four specific minimum safety improvements — as identified by the Judicial Council Committee on Safety and Preparedness — include:

- closed circuit cameras
- duress alarms
- shatterproof glass for transaction counters, (and, if necessary, the construction of such a counter)
- a means of securing in-custody defendants

Each judicial district is forming a local court security committee consisting, generally, of each president judge and county executive, sheriff, court administrator

and a district justice. In October, the Court Administrator of Pennsylvania detailed the grant application process in a letter to a representative from each committee.

To provide the highest level of safety while establishing uniform security standards throughout the Commonwealth, the four enhancements were chosen for having the highest risk reduction while imposing the lowest cost burden on our taxpayers. To best ensure the safety and security of those who do business with the district justice courts, the four enhancements present a first step in establishing uniform statewide high quality safety measures.

The local security committees will submit a detailed plan of each district justice office. The plan will identify the number and location of each security enhancement. The AOPC, through its Judicial Security Department, will examine and approve each plan. AOPC will secure contracts for vendors supplying the closed circuit cameras and duress alarms. AOPC also will investigate the practicality of a statewide contract for secured benches, and

(Funds continued on page 6)

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