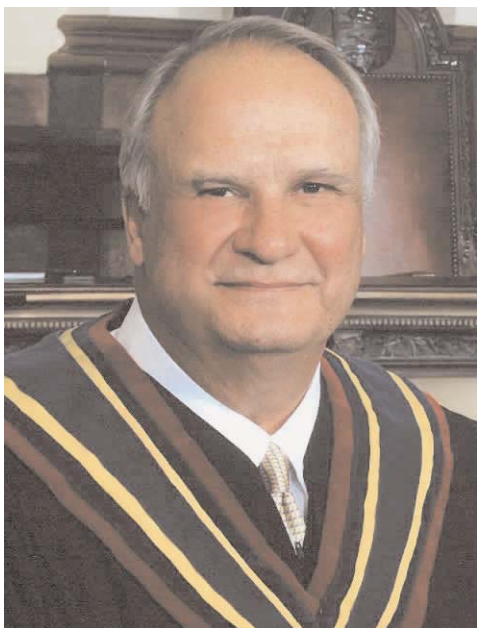


*'Outstanding Chief Justice,' Says National Group (page 12)*

## Chief Justice Cappy Resigns after Three Decades of Service

by L. Stuart Ditzen



On the morning of Sept. 10, 2007, Chief Justice of Pennsylvania **Ralph J. Cappy** sent a letter to Governor Edward G. Rendell with an opening statement that would surprise and sadden countless judges and lawyers around the Commonwealth:

"On the day of my retirement," the chief's letter to the governor continued, "I will have served as a Judge in Pennsylvania for 29½ years... This opportunity for public service has been the single greatest privilege of my life and I am deeply grateful to the people of Pennsylvania..."

"During my years here, I have served with fifteen Justices and I can personally attest that Senior Justice Castille, who will succeed me as Chief Justice, is the equal of any. He is more than ready to be the leader of this Court and I am certain he will excel as Chief Justice."

In a statement to the media, the chief elaborated on his reasons for retiring, stressing two points:

First, he said, his decision was personal. He said he had made no decision or commitment involving future employment.

"After years of an extremely busy work schedule," he said, "I believe it is time to go. I had a hip replaced in July. During the period of recovery, I had time for reflection. I realized that, after nearly three decades on the bench, the time had come for me to pass on the torch. I am 64 years old. My health is still good. But I want to spend more time with my family and to pursue personal interests."

The second point was that his decision was not prompted by the long-running controversy over salary increases.

"Dear Governor Rendell:

"I write to inform you of my decision to retire and resign my Commission as Justice of the Supreme Court of Pennsylvania, effective midnight, December 31, 2007."

The chief had made a decision during the summer, after hip replacement surgery, to step down after five years as chief justice, 17 years as a justice on the high court and nearly three decades as a member of the Pennsylvania judiciary.

Justice **Ronald D. Castille** will succeed him as chief justice in January. Justice Castille, who was elected to the Supreme Court in 1993, is the next highest-ranking member of the Court in seniority.

Chief Justice Cappy will leave the bench two years before the end of his second ten-year term on the Supreme Court. The governor will nominate a candidate to fill the remainder of his term, subject to Senate confirmation.

(Chief Justice Cappy continued on page 12)

### Inside

- 3 Technological Achievement
- 4 Joint Technology Conference
- 6 Drug Courts Planning
- 7 Remembering Paul McAndrew
- 8 State Roundtable for Children
- 9 New Children's Court
- 10 New Guidelines for Emergencies
- 11 Jury Diversity Bill
- 12 Chief Justice Cappy Earns Kudos

## New to the Judicial Branch

### Counties

**Daniel J. Anders** - Philadelphia County Common Pleas Court judge  
**Kristina Anzini** - Monroe County MDJ  
**Maria L. Dantos** - Lehigh County Common Pleas Court judge  
**Alice Beck Dubow** - Philadelphia Common Pleas Court judge  
**Patrick F. Dugan** - Philadelphia Municipal Court judge  
**George F. Gregory** - Warren-Forest Counties MDJ  
**John J. Hovan** - Wyoming-Sullivan Counties MDJ  
**Jennifer L. Nicholson** - Lawrence County MDJ  
**Michael E. McCarthy** - Allegheny County Common Pleas Court judge  
**Jay R. Rose** - Pike County MDJ  
**Patricia A. Romig-Passaro** - Northampton County MDJ  
**Beth Scagline-Mills** - Allegheny County MDJ  
**Walter A. Strohl** - Delaware County MDJ

### AOPC

**Cheryl Baker** - Judicial Automation - systems trainer  
**P. Karen Blackburn** - Judicial Programs - Problem-Solving Courts Coordinator  
**Joseph DiGuglielmo** - Asst. Ct. Admin. - legal intern  
**Eric Klinger** - Judicial Automation - IT specialist  
**Alan Knisely** - Judicial Automation - systems trainer  
**Ami Levin** - Judicial Automation - data hub project manager  
**Scott Lilly** - Asst. Ct. Admin. - legal intern  
**Rebecca Ross-Snedeker** - Judicial Automation - IT specialist  
**Michael Rudler** - Judicial Automation - systems trainer  
**Rukmani Sanderson** - Judicial Automation - systems trainer

**Stacy Snyder** - Judicial Automation - systems trainer  
**James Strayer** - Judicial Automation - communication/network technician  
**Ryan Tobin** - Judicial Automation - systems trainer

## Other Job Changes

### County

**Fred P. Anthony** - Erie County Common Pleas Court sr. judge - apptd. Superior Court sr. judge  
**Cathleen Cawood Bubash** - Allegheny County MDJ - apptd. to Common Pleas Court  
**Joan L. Snyder** - Lehigh - appted. sr. MDJ  
**J. Peter Winther** - Chester - apptd. sr. MDJ

### Deaths

**Denver K. Ake** - former Blair County district justice  
**Walter Casasanta** - former Allegheny County district justice  
**Alfred B. Coleman** - former Cambria County MDJ  
**John C. Dowling** - former Dauphin County Common Pleas Court judge  
**Myma P. Field** - Philadelphia County sr. Common Pleas Court judge  
**Leonard Harvey** - former Lehigh County (sr.) district justice  
**Patricia Robinson** - former Wyoming-Sullivan Counties MDJ

## Retirements

### Counties

**Geraldine Shire** - Washington County deputy court administrator

### AOPC

**Glenn Deaven** - Judicial Automation - IT specialist  
**David Frankforter** - Human Resources - Director of Human Resources

(Transitions continued on page 14)

<b>10/23-10/25</b>	Superior Court Session (Pgh., Wilkes-Barre)	<b>11/27-11/29</b>	Superior Court Session (Pgh.)
<b>10/29-11/2</b>	Commonwealth Court Session (Phila.)	<b>12/4-12/6</b>	Superior Court Session (Phila., Hbg.)
<b>10/30-11/1</b>	Superior Court Session (Phila.)	<b>12/10-12/14</b>	Commonwealth Court Session (Hbg.)
<b>11/6</b>	Election Day Holiday	<b>12/25</b>	Christmas Day Holiday
<b>11/4-11/7</b>	PACM Conference (State College)	<b>1/10</b>	Supreme Court Admin. Session (Pgh.)
<b>11/12</b>	Veterans Day Holiday	<b>2/7</b>	Supreme Court Admin. Session (Phila.)
<b>11/22-11/23</b>	Thanksgiving and Day after Thanksgiving Holiday	<b>2/11-2/15</b>	Commonwealth Court Session (Pgh.)
<b>11/27-11/30</b>	Supreme Court Session (Hbg.)	<b>3/3-3/7</b>	Supreme Court Session (Pgh.)
		<b>3/10-3/14</b>	Commonwealth Court Session (Phila.)

# AOPC Receives Global Recognition for Technological Achievement

by Steve Schell

Each year the Computerworld Honors Program brings together the principals of the world's foremost information technology companies to recognize and document the achievements of the men, women, organizations and institutions around the world whose visionary applications of information technology promote positive social, economic and educational change.

This year the AOPC's Common Pleas Criminal Case Management System (CPCMS) was chosen as a Computerworld Honors laureate and honored at the 19th Annual Laureates Medal Ceremony & Gala Awards Evening at the Andrew W. Mellon Auditorium in Washington, DC.

Attending the event and accepting the Laureate Medal on behalf of the court and the AOPC were **Amy Ceraso**, director of Judicial Automation; **Ralph Hunsicker**, senior projects director; and **Robert Fricke**, Sybase database administrator. Sybase is one of the AOPC's private partners on the Common Pleas system and responsible for nominating the AOPC for the Computerworld Honors award.

Bob Carrigan, president of IDG Communications and chairman of the Computerworld Honors Program Chairmen's Committee, said, "Each laureate selected for this honor understands the importance of using one's resources and technical prowess to benefit one's fellow man."

The awards process begins with the members of the chairmen's committee, a group of 100 chairmen/chief executive officers from leading global information technology companies submitting nominations for organizations they feel have demonstrated extraordinary use of information technology.

Nominations are made in 10 distinct categories of industry-related endeavor, including Business & Related Services; Education & Academia; Environment; Energy & Agriculture; Finance; Healthcare; Insurance & Real Estate; Government & Non-Profit Organizations; Manufacturing; Media, Arts & Entertainment; Healthcare and Transportation.

Ron Milton, chairman of the Board of Trustees for the Computerworld Information Technology Awards Foundation and executive vice president of Computerworld said, "The program seeks to recognize organizations, from a variety of sectors, for their ongoing efforts to utilize technology in order to benefit society. We are proud to provide a platform to publicly acknowledge these contributions."

Nominations are evaluated by an independent board of chief information officer-level judges who select laureates, finalists and award winners to be honored at a Laureate Medal Ceremony.

Nominees are then asked to contribute a case study for submission to the Computerworld Honors Program Global Archives. Each case study includes a detailed description of the project, its benefits to society, the role played by information technology in furthering the project, and the ways in which this use of information technology is original or innovative.

The laureates may also submit accompanying digital photographs, video or other supporting materials. Once their documentation has been reviewed and accepted, the nominees become program laureates, and their case studies become part of the program's global archives.

This year 234 laureates were named from a total of 367 nominations.

"Although we were not named as a finalist, it was truly an honor to be recognized for developing one of the best government information technology systems—a system that improves statewide court management and public safety," Ceraso said.

The technology achievements honored by this program are preserved and protected in national archives, and in more than 350 universities, museums and research institutions throughout the world.

Additional information about the program and a global archive of past laureate case studies and oral histories can be found at the Computerworld Honors Web site: [www.cwhonors.org](http://www.cwhonors.org).

[Steve Schell is an AOPC communications specialist in media public access and security issues.]



Senior projects Director Ralph Hunsicker (right) with Bob Carrigan, president of IDG Communications and chairman of the Chairmen's Committee, The Computer World Honors Program

# PA Supreme Court and U.S. Third Circuit Court Sponsor First Joint Technology Conference

by Steve Schell

The first joint state and federal court technology conference, held on May 22 and 23 at the Penn State Conference Center Hotel in State College, attracted approximately 150 county, state and federal officials for a spirited exchange of ideas.

Topics included the practical application of technology within the courts, the exchange of court information and the development of practices that will improve court management.

Sharing information between the state and federal court levels was the brainchild of Chief Justice of Pennsylvania **Ralph J. Cappy** and the late Hon. Edward R. Becker, a former chief judge of the Third Circuit of Appeals. Joint cooperation began years ago and currently includes the development of a data exchange that will electronically transmit information regarding capital cases from the state court system to the Third Circuit Court of Appeals, reducing the need for redundant data entry.

Opening remarks were provided by Judge Thomas I. Vanaskie of the U.S. District Court, Middle District of Pennsylvania. Additional speakers and panelists from various institutions, including the AOPC, shared their knowledge and expertise in data exchange, disaster recovery/continuity of operations, managing risks, remote/mobile computing, public access and voice/video technology.

The presenters recognized growing pressure on government to adapt the latest technologies, develop data exchanges between entities and protect the ever-growing electronic databases from both natural disaster and unauthorized intrusion.

James Dyche, architecture manager of JNET—the state’s criminal justice network—said we began in 1997 with a small group of agencies and the Live Scan electronic fingerprints. Today we have 50 secure data exchanges involving 16 different agencies and some 30,000 users.

**Tim Blank**, AOPC senior database administrator for Judicial Automation, discussed the AOPC’s data exchanges with a wide variety of agencies, including district attorneys; the Pennsylvania Commission on Crime and Delinquency; and the state Departments of Health, Corrections, Transportation and Revenue.

The Common Pleas Case Management System’s publication of Court Case Event messages, Blank said, provides data exchange partners with critical data in

subject areas including defendant, bail, assessments, affiant, disposition/sentence, judge, charge, court calendar, and warrant. More than six million such messages are provided to the court’s data exchange partners each year.



Darren Breslin discussed the AOPC’s continuity of operations plan.

Blank said the AOPC continues to expand its data exchanges and functions with other agencies. He stressed that the Global Justice Initiative spearheaded by the U.S. Department of Justice is well-positioned to provide tools and techniques that will continue to assist the information technology practitioners attending the conference.

Federal, state and local agencies continue to build standard methods to transfer data with the goal to increase electronic data flow and decrease inefficient paper flow.

Peter Haas, Director of Technology for the Louisiana Supreme Court, provided a moving, first-hand testimony of the devastation of government operations in the aftermath of hurricane Katrina, providing numerous tips on how to protect and recover court data. Disaster recovery and failover sites are critical, he said.

**Darren Breslin**, AOPC special projects advisor, provided details of the AOPC’s continuity of operations plan. The AOPC also recently published a nationally recognized Public Health Law Bench Book that prepares state judges and court staff for the unprecedented challenges they would face should a major public health threat such as a pandemic.

(Technology Conference continued on page 6)



## In the News

The **Lehigh Times News** chronicled **Carbon County's** efforts to address juvenile dependency issues through a series of steps that included participation in a statewide roundtable sponsored by the AOPC's Office of Children and Families.

The **Scranton Times-Tribune** outlined plans for a new drug court before the end of the year in **Wyoming County** to deal with community substance abuse problems and curb recidivism.

The **Milton Standard Journal** profiled **Northampton County** Magisterial District Judge **Jeffrey Mensch**, who conducts walking tours in Mifflinburg that include tales of general history, ghosts and town scandals.

The **Oil City Derrick** featured former **Clarion County** President Judge **Charles R. Alexander** and his son, Jim, who have formed a new law practice. The paper noted how the younger Alexander joined the firm after completing a law clerk stint under **Venango County** Judge **Oliver Lobaugh**.

The **Allentown Morning Call** noted how **Lehigh County** Magisterial District Judge **Patricia Romig-Passaro** assumed the office held for 30 years by her mother, Senior Magisterial District Judge **Elizabeth Romig**. Judge Romig-Passaro won a three-way contest for the seat, which covers three wards in the City of Bethlehem.

The **Sunbury Daily Item** reported on the receipt of a grant by **Northumberland County** from the AOPC for security enhancements at the county courthouse.

The **Chambersburg Public Opinion** covered efforts to beef up security at the **Franklin County** Courthouse with new security cameras, scanners and staff training.

The **Altoona Mirror** ran a story about how **Blair County's** DUI treatment court honored its first graduates during a special ceremony by Judge **Daniel J. Milliron**, who oversees the specialty court.

The **Beaver County Times** reported on plans for an emergency services training session called "Operation Steel Hammer" at the **Beaver County** Courthouse to see how courts and other government agencies would recover from a disaster and continue operations if the courthouse is closed for an extended period.

The **Philadelphia Daily News** ran a story and photos of **Philadelphia Treatment Court's** special ceremony marking the successful program's tenth anniversary. Founded in 1997 by Municipal Court President Judge **Louis J. Presenza**, it was the first drug court in Pennsylvania.

AOPC Connected is published periodically.

**Managing Editor**  
Art Heinz

**Contributors**  
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.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

Thomas G. Saylor  
Justice

J. Michael Eakin  
Justice

Max Baer  
Justice

Cynthia A. Baldwin  
Justice

James J. Fitzgerald III  
Justice

Zygmunt A. Pines  
Court Administrator  
of Pennsylvania

# Drug Courts in Planning

by P. Karen Blackburn

The AOPC over the summer held its inaugural training for judicial districts involved in planning drug courts. The training was conducted by the National Drug Court Institute (NDCI), the educational arm of the National Association of Drug Court Professionals. It was held in Harrisburg and attended by court teams from Armstrong, Centre, Clarion, Dauphin, Snyder-Union and Wyoming-Sullivan counties as well as drug court coordinators from around the Commonwealth.

"The trainers from the NDCI were first rate," said the Hon. **Harold F. Woelfel Jr.**, president judge of Snyder and Union counties. "They kept my attention for the duration of the training. It was great to have our local drug court team all hearing the same information and the same message so that we share a common starting point as we get the establishment of a drug court under way."

**Carolyn Thompson, Esq.**, Dauphin County district court administrator, agreed.

"Several of our team members said it was one of the best trainings they had ever attended," Thompson said. "The curriculum was well developed. The presenters were engaging; they gave us the tools we need to move forward with our planning. It was rewarding to watch our county team come together, to unite as a group, to discuss issues involved with implementing a drug court. We are looking forward to the follow-up session in December."

The training, which was part one of a two-part training curriculum for courts in the planning phase, was coordinated by the AOPC's Judicial Programs Department with funding from the Pennsylvania Commission on Crime and Delinquency.

"The Treatment Research Institute at the University of Pennsylvania determined that the best available

research evidence suggests drug courts can reduce drug use and criminal recidivism on an order of magnitude of



Wyoming-Sullivan Counties attendees at the AOPC's inaugural training session for drug court planning, (from left): Kelly Armstrong; Catherine Garbus, Esq.; Christopher Ciprich, George Skumanick, Jr., Esq.; Magisterial District Judge Linda Baumunk; Magisterial District Judge Russell Shurtleff; and Deborah Albert-Heise, Esq.

two to three times greater than almost any other initiative that has been attempted with this intransigent population," said **Joseph Mittleman**, the AOPC's Judicial Programs director. "We are very pleased to have the opportunity to support jurisdictions putting together plans for drug courts by offering this invaluable training."

[Karen Blackburn is the AOPC's problem-solving courts coordinator.]

---

## Technology Conference, continued from page 4

**Andrea B. Tuominen**, assistant court administrator, discussed public access and privacy issues, and the Supreme Court's new public access policy governing the access to all electronic court records.

**Donald L. Heagy**, Westmoreland County's deputy court administrator for special courts, discussed the use of advanced technology to improve court management. Heagy said Westmoreland County magisterial district

judges are using advanced video and voice technology in court procedures, such as video conferencing and instant messaging for arraignments.

For more information on some of this year's presentations visit [www.courts.state.pa.us/TechnologyConference](http://www.courts.state.pa.us/TechnologyConference).

[Steve Schell is an AOPC communications coordinator, specializing in security and judicial automation issues.]

# Why Do We Do Good Deeds?

by Zig Pines

I recently came across a fascinating armchair philosophy book entitled *What Would Socrates Say?* In an engaging question-and-answer format, the authors present classic philosophical questions and answers drawn from their Web site, AskPhilosophers.org. In one segment, they challenge the paradoxical and cynical claim that we perform good deeds because we are selfish, that is, because it simply makes us feel good. As I read those few pages, I recalled a line from the aspirational plea of St. Francis of Assisi—"for it is in giving that we receive." An invocation of selfishness? I truly doubt it.

Some years ago we had a president who spoke in terms of a "thousand points of light." He was referring to volunteerism and altruism in American life. At the time he was mocked for articulating a rather mystical or confusing message. Unfairly so, I think.

During the fall season, especially as we approach the holidays, we are surrounded by reminders and, most importantly, opportunities to help others. It seems that almost everywhere we turn, there is an outstretched hand or pleading face—on television, in the newsprint, in the mail, on street corners. We are besieged with requests for pledges and donations.

In response, we give blood, clothing, canned goods, time and money. We participate in charity walks. We contribute to our places of worship, public broadcasting, political candidates, schools. We buy Girl Scout cookies, take our cars to the local school car wash, help the little kid at the lemonade stand, support the police athletic

leagues, contribute to charitable causes to cure illness. And we provide comfort and consolation to those in distress or grief.

I know staff members who serve as foster parents for rescued animals, work in homeless shelters, participate in reading programs, give time to the arts community, help at the Ronald McDonald House, assist the elderly and infirm. There are judges who try to help those with drug and alcohol addictions, assist fractured families through *pro bono* programs and others who are actively involved in community activities through speaking and doing. And there are so many who perform the most extraordinary acts of altruism in the protection of our lives, our country and its values.

The philosopher Immanuel Kant believed that good actions must be motivated by a sense of duty in order to have genuine moral worth. Many good deeds, I suspect, are performed out of a sense of duty. The source and sustenance of that duty may be one's ethics, theology or heart. The good feeling that we experience is just a by-product.

There is a beautiful concept in Judaism called *tikkun olam*, which literally means "fixing the world" through acts of loving kindness. All good deeds, whether they take the form of one's time or money, can be viewed as mankind's effort to fix a shattered world. For all the good deeds that you perform—whether at work, home or in your communities—you make the world a better place.

## Remembering Paul McAndrew

by Charles Johns

Oyez, Oyez, Oyez. These words will never quite sound the same in the three Supreme Court courtrooms at the commencement of a court argument session. The court's longtime crier, Paul McAndrew, known to appellate lawyers throughout the Commonwealth, passed away unexpectedly on Friday, August 24, 2007.

Following a day in the office, Paul was intending to drive to his mountain retreat at Eagle Rock in the Poconos, a journey he had made every Friday since he purchased the house in November 2005. His colleagues at work know how proud he was of his mountain home, as he would provide pictures of rustic scenes taken from his living room windows.

"Paul brought a calm, dignified and dedicated humanity to a difficult and, at times, hectic job," said Chief Justice **Ralph J. Cappy**. "He treated everyone with utmost respect, as he would have expected you to

treat him. His dedication to the court and to the judiciary was uncompromising, and we will sorely miss our dear friend."

Paul was 56 years old, a graduate of the University of Scranton, and was first appointed assistant crier by Chief Justice **Michael J. Eagen** in April 1979. Upon the passing of his predecessor, William Fells, Paul became crier in June 1982. His friends universally agree, Paul never uttered an ill word toward anyone. He was always a gentleman, kind, friendly and professional.

He is survived by his sisters, Joan and Patrice McAndrew, also of Eagle Rock, and his brother John of Scranton. He was interred in the family burial site at St. Mary's Cemetery in Avoca, Pa. Paul is greatly missed.

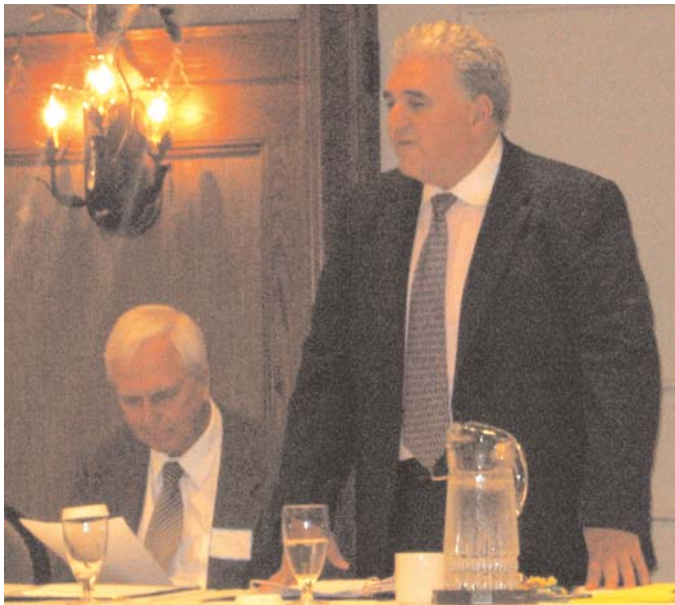
[Charles Johns is the Supreme Court's prothonotary.]

## Justice Baer Spearheads Efforts

# Supreme Court Tackles Dependency in Juvenile Justice System

by Andrea Jelin and Steve Schell

Having served as a long-time administrative judge of family court in Allegheny County, Supreme Court Justice **Max Baer** is familiar with the hardships faced by the thousands of dependent children who end up in Pennsylvania's courts every year. He is using this experience to guide the Supreme Court's efforts to improve the plight of dependent children. On June 26 Justice Baer led Pennsylvania's first-ever State Roundtable for Children, which he believes "will have a profound effect on how abused and neglected children fare in the Pennsylvania judicial system."



Justice Max Baer spearheaded efforts to bring about Pennsylvania's first-ever State Roundtable for Children.

Pennsylvania's "Roundtables for Children Initiative" began more than a year ago when the Supreme Court and the AOPC's Office of Children and Families in the Courts (OCFC) established children's roundtables in each judicial district to share, on a statewide basis, best practices and ideas on how to improve the welfare of dependent children. These roundtables include supervisory and dependency judges, children and youth authority personnel, county solicitors, child and parent advocates and academic experts.

Ten leadership roundtables were formed by dividing Pennsylvania's 60 judicial districts into groups of like size

and population. Two representatives from each children's roundtable make up the leadership roundtable membership.

The state roundtable is comprised of two members from each leadership roundtable as well as judges, court officials and some of the most knowledgeable child welfare professionals from the public, private and non-profit sectors. The members include the Hons. **Kim Berkeley Clark** and **Kevin Dougherty**, administrative judges of the Family Division of the Common Pleas Courts of Allegheny and Philadelphia counties, respectively (the two counties have about 60 percent of the state's dependency cases); **Zygmunt Pines**, Court Administrator of Pennsylvania; state Senator Stewart Greenleaf, Senate Judiciary Committee chairman; Richard Gold, Esq., deputy secretary of Public Welfare's Office of Children, Youth and Families Department; Jim Anderson, executive director of the Juvenile Court Judges' Commission; Kenneth J. Horoho, Esq., immediate past president of the Pennsylvania Bar Association; Frank Cervone, executive director of the Support Center for Child Advocates; and Mimi Laver, J.D., from the American Bar Association.

Members of the state roundtable reached a consensus at the ground-breaking meeting to adopt a philosophical framework that seeks to respect and empower families, to help them identify their strengths and make their own decisions with regard to their futures and the futures of their children. Speaking at the roundtable, Justice Baer said judges need to take the lead in presenting this new way of thinking.

The adopted practice will be "strength-based" and "family-centered," and families will be engaged in programs and practices that will guide them in developing their own collaborative solutions. Best practice principles and effective outcome-based programs will be identified and implemented. Justice Baer said the state will develop models, educate judges and facilitate the seeds of hope.

"We are going to do this right," Justice Baer said. "Failure is not an option. We must elaborate, communicate and cooperate. The goal is to have a whole that is substantially better than its parts. We can set the sails, but you have to provide the wind."

(Roundtable continued on page 9)

## Allegheny County

# Responding to Needs of Children and Families Guides Newly Created Children's Court

by Art Heinz

A children's court has been created within the Family Division of the Allegheny County Court of Common Pleas to help meet the increasingly complex and growing legal needs of vulnerable children and families.

The mission of the children's court is to provide a forum for fair, prompt and coordinated resolution of legal matters affecting children and families and to promote the best interests of children—including each child's right to a safe, secure and loving home while strengthening and preserving families whenever possible.

To raise public awareness of children's court, a number of people involved in the initiative recently unveiled a new court seal and information packet. The packet includes a new newsletter entitled "The Forum on Children, Families and the Courts" that was sent statewide to judges, service providers and others.

A cover letter from the Hon. **Joseph M. James**, Allegheny County president judge, and the Hon. **Kim Berkeley Clark**, Allegheny County Family Division administrative judge, grace the 10-page full-color newsletter. The publication also highlights a number of recent court activities, upcoming events, a new electronic filing system and profiles of staff members, including **Cynthia K. Stoltz**, Esq., children's court administrator.

Promoting the stability of the Commonwealth's families is consistent with top administrative priorities identified by the Supreme Court. Each year the cases of thousands of dependent children—abused and neglected who are placed in foster homes or temporary residential

settings where they wait for a permanent home—come through the courts. Thousands of additional requests for



From left: Cynthia Stoltz, children's court administrator, Allegheny County President Judge Joseph M. James; Kim Berkeley Clark, administrative judge of the family division of Allegheny County Common Pleas Court; and Supreme Court Justice Max Baer

court assistance regarding child custody issues require careful handling in an efficient and expedient manner.

For more information about the court, visit:  
[www.alleghencourts.us/family](http://www.alleghencourts.us/family).

[Art Heinz is an AOPC communications coordinator and the managing editor of AOPCConnected.]

## Roundtable, continued from page 8

The state roundtable also addressed the importance of expediting the court appeal process for dependent children. According to state Department of Public Welfare statistics, Pennsylvania has 20,000 dependent children—abused and neglected. In the past Pennsylvania courts generally placed these children in foster homes or temporary residential settings where they could wait, in some cases, for years before being placed in a permanent home. That is too many dependent children in the system and far too long for a child to wait to find stability and normalcy, the roundtable members agreed.

Justice Baer will assume leadership in effectuating

the development of an expeditious appeal process procedure.

In addition, Justice Baer said the Supreme Court will prepare a judicial bench book to highlight the effect of judicial decision-making and how it impacts a child, depending on his/her particular stage of development.

Throughout the upcoming year, the leadership roundtables will continue to meet, and another state roundtable will convene a year from now.

[Andrea Jelin is the AOPC's former administrator of the Office of Children and Families in the Courts.]

# AOPC Creates Guidelines for Courts to Use During Emergencies

by Darren M. Breslin

The AOPC is continuing its efforts to ensure that Pennsylvania courts are prepared in the event of an emergency. When the publication and distribution of the Public Health Law Bench Book was nearing completion, the AOPC began working on a continuity of operations ("COOP") template for Pennsylvania judicial districts.

Essentially, a COOP plan is a document designed to help an organization (in this case courts) continue or resume operations during or after an emergency. For example, while a COOP plan most likely would not be activated if a courthouse were closed because of a two-day snow storm, it probably would be used if a courthouse were partially or totally destroyed by fire or a flood. A plan might not contain helpful information if a courthouse were confronted with a "white powder" incident, but if the courthouse were closed for six months to eliminate biohazardous materials, the plan would be invaluable in setting up court operations at an alternate facility.

Under the direction and leadership of Court Administrator **Zig Pines** and President Judge **John M. Cleland** of McKean County, a team consisting of district court administrators; rules committee counsel; Patricia Sweeney of the University of Pittsburgh; and the AOPC's **Rick Pierce, Dave Kutz, Bill Hollenbach, Mark Rothermel** and me met several times to customize for the Pennsylvania judiciary a COOP template being developed by the National Center for State Courts.

The team has worked diligently since last fall to review every aspect of the template to make sure it will be applicable to Pennsylvania's judicial system. In addition, the team has strived to make the template logical

and easy to use. Where possible, it has provided information that is applicable statewide in order to save president judges and district court administrators a significant amount of time and effort.

## Anticipated Template Rollout Timeline

November 4-7, 2007 - PACM Conference - distribution of COOP templates to all district court administrators in Pennsylvania

Late November/Early December 2007 - regional training on how to complete COOP templates (dates and locations TBA)

Early 2008 - Completion of COOP templates by each judicial district

The COOP plan addresses, among other things, the court's essential functions, considerations in choosing an alternate facility, information on communications, required computer hardware and software and the necessary forms courts need to operate.

After a preliminary draft of the COOP template was completed, six judicial districts agreed to serve as pilots for the document. The president judges, district court administrators and staff of those districts worked during the summer of 2007 to complete the templates for their judicial districts. Many of these plans were submitted to the development team by the end of September, and the team has worked to identify and correct any problems found.

The team expects to deliver the template to all president judges and district court administrators in early November. Regional training sessions on how to complete the template have been scheduled by the AOPC Department of Judicial Programs for November and December. It is anticipated that all judicial districts will be able to complete their COOP plans by early 2008.

Hopefully, disaster will never strike in any of Pennsylvania's counties, but the reality is that fires, floods, natural and man-made catastrophes do occur. As we have learned

## Public Health Law Bench Book Update

The Pennsylvania Public Health Law Bench Book was completed in 2006 and distributed to every Common Pleas Court judge in February 2007. It was created to provide guidance to the courts in the event of a major public health crisis. The next step in the project will be the addition of material for the public health-related legal issues section. This section will include information on animal health law and due process in public health actions and an examination of special laws and court rules applicable to certain populations, such as minors and dependent children, incapacitated persons, and inmates. The updated materials will be released in 2008.

(Guidelines continued on page 12)

# Making Juries More Diverse

by Jim Koval

When the governor signed the bill in July creating the statewide jury information system, it marked the culmination of a more than three-year effort by the Unified Judicial System to promote through legislation greater jury diversification in Pennsylvania.

The genesis of this endeavor was a recommendation in the 2003 Final Report of the Supreme Court Committee on Racial and Gender Bias in the Justice System addressing racial and ethnic bias in jury selection. The impetus behind the introduction of the legislation was provided by Allegheny County President Judge **Joseph James**, who had been trying for a number of years to improve jury diversity in the Fifth Judicial District.

Allegheny County State Senator Jay Costa sponsored the bill in two subsequent legislative sessions, the provisions of which resulted from negotiations by staff from the AOPC's legal and intergovernmental relations offices with various executive agencies regarding the provision of source lists for the statewide system.

Under the law, Act 37 of 2007, the Departments of Public Welfare, Revenue, State and Transportation, are required to submit lists to the AOPC of individuals who receive benefits, file personal income tax returns, register to vote or receive a drivers license. AOPC Judicial Computer System staff are then required to mix the lists, remove all information relating to the source of the lists, assemble names and address by county and remove duplicates. Once compiled, the lists will be provided to county jury commissions upon request.

The jury pool lists generated under the new law are designed to supplement those lists currently used by the counties, which include voter registration, telephone directories and various city and municipal listings, among others.

[Jim Koval is the AOPC's communications manager and assistant for intergovernmental affairs.]

## Around the Judiciary

Members of the Clifford Scott Green chapter of the National Bar Association Judicial Council hosted a "Growing Judges Program" at the Commonwealth Court *en banc* courtroom in Philadelphia. More than 70 racially diverse law students attended the program, which included Judges **Ida K. Chen**, **C. Darnell Jones**, **George W. Overton** and **M. Teresa Sarmina** of Common Pleas Court; **Ronald B. Merriweather** of Philadelphia Municipal Court; and **Doris A. Smith-Ribner** of Commonwealth Court and Tracey Henry, a hearing officer for the Department of Public Welfare. The panel discussed career choices, professional experiences and the paths they took before becoming judges. Also a panelist was U.S. District Court Judge Clifford Scott Green, now deceased, who recounted his work as a practicing attorney with a well-known African-American law firm in Philadelphia and his ascension to the federal bench.



From left: Judges Overton, Green, Smith-Ribner, Merriweather and Jones and Ms. Henry

## Chief Justice Cappy, continued from page 1

"The controversy played no part in this decision," the chief said. "I fully expected any practical effort to address the compensation issue to be controversial. Even so, I believe the effort was in the public interest and that improved compensation for our judges will pay dividends long into the future by continuing to give Pennsylvanians a strong and independent judiciary."

Chief Justice Cappy, a native of Pittsburgh, is a graduate of the University of Pittsburgh and the University of Pittsburgh Law School. He was the chief public defender of Allegheny County and a judge of the Common Pleas Court before joining the Supreme Court in 1990.

During his five years as chief justice, initiatives and programs were

launched to improve court operations and better serve people who use the courts. These include efforts to address the needs of families, women and minorities in the courts; interpreter services for non-English-speaking litigants; drug courts; improved courthouse security and landmark achievements in automation.

"I am proud of Pennsylvania's Unified Judicial System and all that we have accomplished within the courts," the chief said. "I will always remain committed to the principles of judicial independence and judicial excellence. As importantly, I will always treasure the honor of having worked with so many fine colleagues in the judiciary and in our administrative office who devote themselves to these principles."



Justice Ronald D. Castille will succeed Cappy as chief justice.

[Stu Ditzen is the AOPC's assistant for Communications.]

---

## Chief Justice Cappy Earns National Kudos for Judicial Innovation

by Art Heinz

Chief Justice of Pennsylvania **Ralph J. Cappy** is the 2007 recipient of the Outstanding Chief Justice Award presented by the National Center for State Courts.

The honor, also known as the Harry L. Carrico Award for Judicial Innovation, was established to honor a sitting state court chief justice who has inspired, sponsored, promoted or led an innovation of national significance in the field of judicial administration. It is named after retired Virginia Chief Justice Harry L. Carrico, who was instrumental in the founding of the National Center in 1971.

"I consider this to be an award given to all of the justices, and I happen to be the one who gets it," Chief Justice Cappy said. "Needless to say, I am a bit humbled

and very appreciative of this unsolicited recognition of the success our court has enjoyed over the past number of years."

The award is presented on special occasions, rather than annually, at the discretion of the Board of Directors of the National Center. Chief Justice Cappy is the third jurist to receive the award since it was created in 2004 in appreciation for Chief Justice Carrico's life-long commitment to the National Center and its mission to improve the administration of justice.

Pennsylvania's Unified Judicial System has been at the forefront of state court systems in implementing administrative and procedural improvements, operational innovations and advanced automation programs.

---

## Guidelines, continued from page 10

from watching the experiences of other states, when disasters occur it is extremely important to have an operating court system ready and able to protect and preserve the rule of law and civil order. It is hoped that by developing and practicing COOP plans, the Pennsylvania judiciary will be ready and able to continue or resume court

operations as quickly as possible should a disaster affecting court operations occur.

[Darren Breslin is the AOPC's special projects advisor.]

# Honors & Dispatches

Supreme Court Justice **Cynthia A. Baldwin** was awarded an Honorary Doctor of Humanities from Carlow University where she also delivered a commencement address.



Justice Baldwin also was the commencement speaker for the Harrisburg campus of the Widener School of Law and was presented a doctor of laws, *honoris causa*.

Justice Baldwin also received the Robert I. Shadle Legal Excellence and Professionalism Award from the Herbert B. Cohen Chapter of the American Inns of Court in York where she was the featured speaker. And the Women's Caucus at Penn State Dickinson School of Law awarded Justice Baldwin the Judge Sylvia H. Rambo Award in recognition of her exemplary contributions to the legal profession and society.

Justice Baldwin received the 2007 ATHENA Award for the Pittsburgh region. The ATHENA Award is presented annually in recognition of professional excellence, leadership and service to the community.

Justice Baldwin received the 2007 ATHENA Award for the Pittsburgh region. The ATHENA Award is presented annually in recognition of professional excellence, leadership and service to the community.

\*\*\*

Commonwealth Court Judge **Doris A. Smith-Ribner** gave the University of Pittsburgh School of Law commencement address at the Soldiers and Sailors Military Museum and Memorial in Pittsburgh. Judge Smith's presentation focused on judicial independence, diversity within the profession and professional responsibility.



\*\*\*

Chief Justice **Ralph J. Cappy** has been reelected as the chair of the University of Pittsburgh board of trustees. This is Chief Justice Cappy's fifth term as chair. He has served on the board since 1992.

\*\*\*

Adams County Judge **Michael A. George** was honored by the Pennsylvania Conference of Trial Judges for his efforts to address delinquent restitution and court-cost payments. Judge George's implementation of new pro-

cedures to help recoup outstanding payments earned him this year's "Golden Crowbar Award," an annual honor bestowed on an individual or court for making significant contributions to the effective management of cases within the judicial system.

\*\*\*

Franklin County Judge **Carol L. Van Horn** was among this year's Statewide Adoption and Permanency Network Award winners, given by the state Department of Public Welfare. Judge Van Horn won a County Collaborative Award for the work of the county's Court of Common Pleas and Children and Youth Services. The network promotes the finding of permanent homes for special needs foster children.

\*\*\*

Butler County Judge **S. Michael Yeager** completed the second half of a graduate class entitled "History and Theory of Jurisprudence" at the University of Nevada, Reno where he is enrolled in a Masters of Judicial Studies Program. Judge Yeager's attendance was supported by a scholarship awarded by the State Justice Institute, a non-profit organization established by federal law to facilitate coordination between state and federal courts and foster efficient solutions to commonly faced problems.

\*\*\*

Berks County Senior Judge **Albert A. Stallone** has written a two-volume story about the history of Italian-Americans in Berks County. Judge Stallone combed over the family biographies and histories of hundreds of Italian-Americans in the county along with photos and other personal recollections in compiling his "History and Biographical Annals of Italian-Americans of Berks County, Pennsylvania." It was a labor of love for the judge, whose work took almost two decades to complete. For more information on the book or how to order a copy, contact Judge Stallone at: 610-478-6446.

\*\*\*

The Hon. **John M. Cleland**, McKean County president judge, and **Darren Breslin**, Esq., the AOPC's special projects advisor, presented a session entitled "Emergency Preparedness: Public Health Crises and Continuation of Operations Planning" at this year's annual conference of the National Association of State Judicial Educators in Portland, Ore. The program focused on why public health emergency preparedness is essential and what

(Honors & Dispatches continued on page 15)

# Transitions, continued from page 2

## Resignations

### Counties

**Charles Alexander** - Clarion County sr. Common Pleas Court judge

**Samuel A. Battaglia** - Lawrence County sr. MDJ

**Kenneth G. Biehn** - Bucks County Common Pleas Court judge

**Roy C. Bridges** - Dauphin County MDJ

**Daniel S. Davis** - Huntingdon County MDJ

**Harold A. Deardorff** - Adams County sr. MDJ

**Sally A. Edkins** - Allegheny County MDJ

**Edward E. Hartman** - Lehigh County sr. MDJ

**James C. Hogan** - Northampton County sr. Common Pleas Court judge

**Arthur S. Kafrisen** - Philadelphia County sr. Common Pleas Court judge

**Joseph N. Leo** - Northampton County sr. MDJ

**Samuel J. Magaro** - Dauphin County sr. MDJ

**Erika McVicker** - Bedford County sr. MDJ

**Edward G. Mekel** - Philadelphia Municipal Court sr. judge

**William H. Roush** - Somerset County sr. MDJ

**Nicholas Sellers** - Delaware County sr. MDJ

**Joan L. Snyder** - Lehigh County MDJ

**William A. Slezosky** - Schuylkill County MDJ

**Robert W. Stack** - Lycoming County sr. MDJ

**Edward R. Williams** - Dauphin County sr. MDJ

### AOPC

**Joshua Brandt** - Judicial Automation - IT specialist

**John Flinchbaugh** - Judicial Automation - IT specialist

**Heide Haafke** - Judicial Automation - management analyst

**Adam Knudsen** - Judicial Automation - IT Specialist

**Brian Litzinger** - Judicial Automation - communication/network technician

**Rene Martinez** - Judicial Automation - systems trainer

**Shannon Mausteller** - Judicial Automation - systems trainer

**Cynthia Screen** - Asst. Court Administrator - administrative assistant

**Dan Skotek** - Judicial Automation - management analyst

### Appointments

#### Supreme Court Committees

**Jerrold P. Anders, Esq.** - apptd. to Civil Procedural Rules Cmte.

**Charles L. Becker, Esq.** - apptd. to reapptd. to Appellate Court Procedural Rules Cmte.

**Patti Bednarik, Esq.** - reapptd. to Board of Law Examiners

**William P. Bresnahan II, Esq.** - reapptd. to Appellate Court Procedural Rules Cmte.

**Burrell A. Brown, Esq.** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**William P. Carlucci, Esq.** - reapptd. to Pennsylvania Interest on Lawyers Trust Acct. Bd., apptd. vice chair

**Judge Ida K. Chen** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**Samuel Tyrone Cooper III, Esq.** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**Pedro A. Cortés** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**Jacqueline D'Angelo, Esq.** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**Frederick N. Frank, Esq.** - apptd. to Appellate Court Procedural Rules Cmte.

**Professor Abraham J. Gafni** - reapptd. to Appellate Court Procedural Rules Cmte.

**Judge Jane Cutler Greenspan** - apptd. chair Appellate Court Procedural Rules Cmte.

**Marcel L. Groen, Esq.** - reapptd. to Appellate Court Procedural Rules Cmte.

**Renée Cohn Jubelirer** - Appellate Court Procedural Rules Cmte.

**Lazar H. Kleit** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**Ted V. Kondrich** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**Judge Maureen E. Lally-Green** - apptd. vice chair Appellate Court Procedural Rules Cmte.

**Roberta D. Liebenberg, Esq.** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**Lynn Marks, Esq.** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**Barbara W. Mather, Esq.** - apptd. to Board of Law Examiners

**Gladys Miller-Russell** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**Burton D. Morris, Esq.** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**Sen. Jane Clare Orié** - apptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**Michael H. Reed, Esq.** - reapptd. to Pennsylvania Interest on Lawyers Trust Acct. Board

**Judge Doris A. Smith-Ribner** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**Nora Winkelman, Esq.** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

**Jennifer Ann Wise, Esq.** - reapptd. to Interbranch Commission for Gender, Racial and Ethnic Fairness

## Honors & Dispatches, continued from page 13

state courts can do to ready themselves for the challenge. The session also provided an overview on how best to plan for the continuation of operations both during and after a public health crisis.

\*\*\*

Delaware County Court Administrator **Gerald C. Montella** was recognized by the Delaware County Bar Association at its 2007 Bench-Bar Conference. Montella received the "E. Wallace Chadwick Award," which is given annually to an attorney in recognition of service to the legal profession to promote intra-professional development, communication and education.

\*\*\*

Deputy Court Administrator **Tom Darr** and **Art Heinz**, AOPC communications and legislative affairs coordinator, represented Pennsylvania at the 16th annual meeting of the Conference of Court Public Information Officers in Columbus, OH. Hosted by the Supreme Court of Ohio, the three-day session provided a focal point for sharpening skills and sharing knowledge amongst court public information officers from around the world.

\*\*\*

**A. Taylor Williams**, assistant chief for litigation in the AOPC's Legal Department, spoke on employment issues at the Mid-Atlantic Association for Court Management conference in the Poconos. She also spoke about employment issues to the Superior Court and conducted a Theater Skills in the Courtroom seminar for the Pennsylvania Bar Institute.

\*\*\*

**Geri St. Joseph**, staff attorney in the AOPC's Legal Department, is teaching an honors course entitled "Law in Society" in the Department of Legal Studies at Temple University's Fox School of Business in Philadelphia. The course is designed to introduce students to sources and the development of law and the legal process by examining various classifications of law and the rights and responsibilities imposed on society in an individual, business and international setting.

\*\*\*

**John Witmer**, a technologist for Lancaster County Court, attended the Advanced Court Technologist Audio/Video Certification Course at the College of William and Mary in Williamsburg, VA. Sponsored by the Center for Legal and Court Technology and the Courtroom 21 Project,

the training covered a variety of topics that included principles of audio and video, elements of control systems and courtroom audio and video system design.

\*\*\*

Several AOPC staff contributed to the educational offerings made this year at the annual Pennsylvania Conference of State Trial Judges in Hershey. Court Administrator **Zygmunt A. Pines** was a presenter on a panel entitled "The Cost of Justice," which dealt with the escalating costs of operating the judiciary.

Another session, "Criminal Case Management 101," focused on the usefulness of the Common Pleas Case Management System (CPCMS) and the application of automation for effective and efficient criminal case management. Presenters included **Denise Aylward**, CPCMS Information Technology manager; **A. Andre Markey**, CPCMS systems analyst; and **Paul Kuntz**, Esq., Westmoreland County district court administrator. **Richard Pierce**, AOPC Judicial Programs administrator, moderated the discussion.

**Darren Breslin**, Esq., AOPC special projects advisor, joined Zig Pines on a panel entitled "Introduction to Public Health Law and COOP Planning." The session combined a preview of continuity of operations planning (COOP) with a look at Pennsylvania's public health law to prepare judges for large-scale community emergencies.

\*\*\*

Chester County Common Pleas Court Judge **Katherine B. L. Platt** was honored by the Pennsylvania Bar Association for her dedication to *pro bono* work. Judge Platt received a special achievement Pro Bono Judges Award, recognizing her legal assistance to the poor, her commitment to helping the poor and her leadership in the legal profession.

\*\*\*

**Daniel J. Milliron**, a Blair County Common Pleas Court judge, has been named 2007 Person of the Year by the Blair Bedford Central Labor Council. The award is given each year to someone who works for a living and is well-respected for contributions to employees, coworkers and the community.

\*\*\*

**Philadelphia Family Court** and Philadelphia-area family law attorneys have started the **Nicholas A. Cipriani** Family Law American Inn of Court. The inn, open to all

(Honors & Dispatches continued on page 16)

# AOPC Employee Service Milestones

A number of AOPC employees have reached service milestones between June and September 2007. They are as follows:

## 20 Years

**Howard Holmes** - Legal

**Russell Vaughan** - Judicial Automation

**Taylor Williams** - Legal

## 15 Years

**David Lane** - Office of Deputy Ct. Administrator

## 10 Years

**Joseph Bender** - Judicial Automation

**Darren Breslin** - Office of Ct. Administrator

**William Smith** - Judicial Automation

**Michael Sponsler** - Human Resources

**Dean Stiteler** - Finance

**Daryl Walker** - Legal



Howard Holmes and Russell Vaughan are both celebrating 20 years with the AOPC.

---

## Honors & Dispatches, continued from page 15

attorneys who practice family law, was formed to promote professionalism, ethics, camaraderie and education among the bench and bar. It is named after Judge Cipriani, a highly respected Philadelphia family court judge. Judge Cipriani was first elected to the Common Pleas Court in 1969. He retired at age 70 in 1989, then continued to serve as a senior judge until retiring at the end of 2002.

---