

COURT OF COMMON PLEAS OF ALLEGHENY COUNTY

Pittsburgh, Pennsylvania



2004
ANNUAL REPORT



Cover Photo

About the cover. . .The restoration of Courtroom Number Three in the Allegheny County Courthouse was completed in 1988 to coincide with the celebration of the 200th Anniversary of the Allegheny County Court of Common Pleas. The reconstruction work, which included removal of two false ceilings, construction of the chandelier, refinishing of original furnishings, installation of new wooden railings and custom-made carpeting, and adding wall sconces, was completed to the original specifications of Courthouse architect Henry Hobson Richardson everywhere possible. The Bicentennial Committee raised funds to cover the project costs of more than \$400,000.

—Photograph taken by Gina Urbanski

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President Judge and District Court Administrator

President Judge

To the Citizens of Allegheny County:

We are pleased to present our 2004 Annual Report of operations for the Family, Civil, Criminal, and Orphans' Court Divisions of the Court of Common Pleas of Allegheny County. We welcome and encourage you to review the report and our accomplishments.

During the past year of operations, the court underwent numerous changes in our administrative structure. The Honorable Joseph M. James assumed the position of President Judge on January 1, 2004, taking over for the Honorable Robert A. Kelly, who served in this capacity from 1999 through the end of 2003. Additionally, the Pennsylvania Supreme Court appointed two new administrative judges during 2004; the Honorable R. Stanton Wettick, Jr. in the Civil Division, and the Honorable Donna Jo McDaniel in the Criminal Division. All highly respected members of the bench, Judges James, Wettick, and McDaniel bring more than 60 years of combined service to the administration of the court.

As in past years, the diversity and inclusiveness of our jury system continued to be a top priority for the court. Utilizing information from the United States Census Bureau on the demographic population of Allegheny County, the court designed and implemented a procedure to increase diversity through improved qualifying and summoning techniques. Implemented in mid-2004, this procedure has demonstrated a modest but decisive increase in the number of minority citizens participating in our jury system. Further, we continue to work with court and legislative officials to alleviate the existing barriers that impede our ability to access substantive portions of our local community.

We also initiated a program to educate our local youth on the role and purposes of the court and increase the number of young adults in our jury pool. Working with the Pittsburgh Public Schools, the court coordinated educational assemblies in 11 high schools. In addition to helping our youth understand the judicial system, more than 600 students over the age of 18 completed voter registration forms and became available for jury service.

Significant strides were also made in the consolidation of court services in Allegheny County. In November, the Pennsylvania Supreme Court ordered the consolidation of the Pittsburgh Magistrates Court with the Court of Common Pleas. From 1968 through 2004, the Pittsburgh Magistrates Court operated under the direction and control of the City of Pittsburgh; however, the Supreme Court's decision designates the President Judge as the administrative authority in control of all operations. This decision promotes uniformity of operations, access to improved technology and case management requirements, and adherence to state and local rules of operation.

We also wish to acknowledge and extend our appreciation to the Honorable Gerard M. Bigley who moved to senior judge status after 27 years on the bench. Most recently, his work as administrative judge of the Criminal Division and support of the Allegheny County Criminal Justice Advisory Board will have significant impact on the criminal justice operations in the years to come. It is also unfortunate that we will no longer have the services of Senior Judges Bernard J. McGowan and James R. McGregor due to retirement, along with the Honorable Alan S. Penkower who left service. Their long and distinguished judicial careers spanned more than three decades in service to the citizens of Allegheny County.



*Joseph M. James
President Judge*

Court Administrator



*Raymond L. Billotte
District Court Administrator*

Court of Common Pleas of Allegheny County - Fifth Judicial District

CIVIL DIVISION

Hon. R. Stanton Wettick, Jr.
Hon. Eugene B. Strassburger, III
Hon. Robert P. Horgos
Hon. Alan S. Penkower
Hon. Judith L.A. Friedman
Hon. Joseph M. James
Hon. W. Terrence O'Brien
Hon. Paul F. Luty, Jr.
Hon. Cynthia A. Baldwin
Hon. Ronald W. Folino
Hon. Timothy Patrick O'Reilly
Hon. Robert J. Colville

CRIMINAL DIVISION

Hon. Gerard M. Bigley
Hon. Donna Jo McDaniel
Hon. Jeffrey A. Manning
Hon. Robert C. Gallo
Hon. Kathleen A. Durkin
Hon. Cheryl Lynn Allen
Hon. David R. Cushman
Hon. John A. Zottola
Hon. Lawrence J. O'Toole
Hon. Donald E. Machen
Hon. Robert E. Colville
Hon. Lester G. Nauhaus
Hon. Kevin G. Sasinoski

ORPHANS' COURT DIVISION

Hon. Walter R. Little
Hon. Robert A. Kelly
Hon. Lee J. Mazur
Hon. Frank J. Lucchino

FAMILY DIVISION

Hon. Kathleen R. Mulligan
Hon. Eugene F. Scanlon, Jr.
Hon. Kim Berkeley Clark
Hon. Kim D. Eaton
Hon. Michael A. Della Vecchia
Hon. Randal B. Todd
Hon. Guido A. DeAngelis
Hon. David N. Wecht
Hon. Christine A. Ward
Hon. Jill E. Rangos

SENIOR JUDGES

Hon. S. Louis Farino
Hon. Livingstone M. Johnson
Hon. Lawrence W. Kaplan
Hon. Bernard J. McGowan
Hon. James R. McGregor
Hon. James H. McLean
Hon. Raymond A. Novak



(Seated): Joseph M. James, President Judge

(Standing L-R): Donna Jo McDaniel, Administrative Judge-Criminal Division; Eugene F. Scanlon, Jr., Administrative Judge-Family Division; R. Stanton Wettick, Jr., Administrative Judge-Civil Division; and Frank J. Lucchino, Administrative Judge-Orphans' Court Division.

Judges of the Court of Common Pleas of Allegheny County



Pictured (L-R):

Row 1:

Frank J. Lucchino
Donna Jo McDaniel
Joseph M. James
Eugene F. Scanlon, Jr.
R. Stanton Wettick, Jr.

Row 2:

Kim D. Eaton
Cynthia A. Baldwin
Eugene B. Strassburger, III
Ronald W. Folino
Kathleen A. Durkin
Guido A. DeAngelis
Lester G. Nauhaus

Row 3:

Walter R. Little
Christine A. Ward
Livingstone M. Johnson*
Robert P. Horgos
Kathleen R. Mulligan
David N. Wecht
Lawrence W. Kaplan*
David R. Cashman

Row 4:

Lawrence J. O'Toole
Michael A. Della Vecchia
Kevin G. Sasinoski
Kim Berkeley Clark
John A. Zottola
S. Louis Farino*
Judith L.A. Friedman
Robert J. Colville

Row 5:

James R. McGregor*
Donald E. Machen
Randal B. Todd
Cheryl Lynn Allen
Jill E. Rangos
Raymond A. Novak*
Robert E. Colville
Jeffrey A. Manning

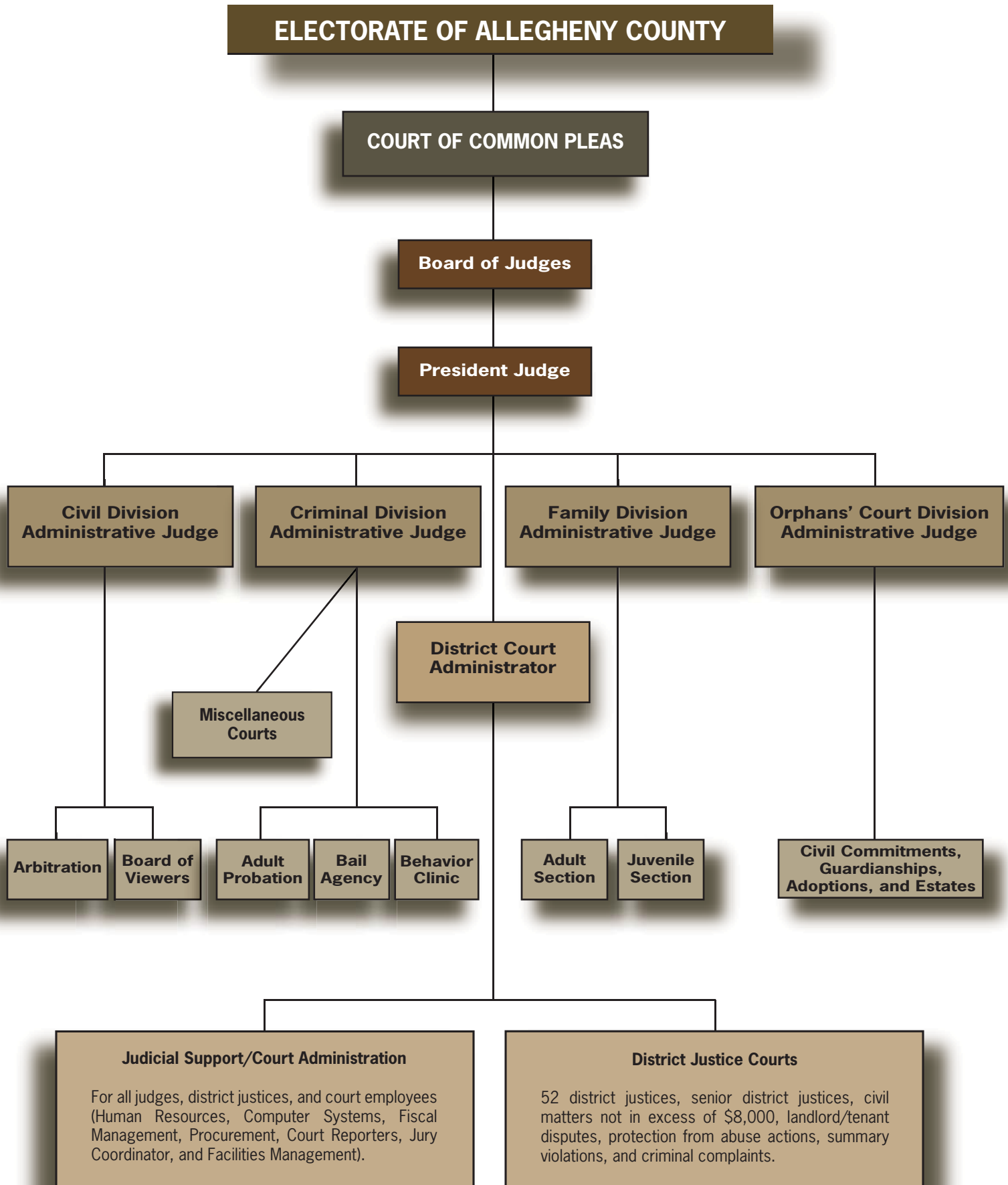
Not Available for Photo:

Gerard M. Bigley
Robert C. Gallo
Robert A. Kelly
Paul F. Luty, Jr.
Lee J. Mazur

Bernard J. McGowan*
James H. McLean*
W. Terrence O'Brien
Timothy Patrick O'Reilly
Alan S. Penkower

*Denotes Senior Judge

Fifth Judicial District of Pennsylvania



Court Administrator Hosts Urban Court Managers' Network Conference



Court Administrator Ray Billotte (L) discusses with Assistant Presiding Judge Nancy Wieban-Stock of Orange County, Santa Anna, California, the advantages of the CISP Program during the Hill District facility tour of Network conference participants.



Administrative Judge Scanlon fields questions concerning Juvenile Court's successful implementation of BARJ.



Juvenile Section Administrator Jim Rieland explains Allegheny County's concept of BARJ and related programs.

The Fifth Judicial District of PA hosted an interactive workshop June 3-5 as a member court of the Urban Court Managers' Network (Network). The Network is a national group of urban court leaders sponsored by the Justice Management Institute (JMI) and the National Association for Court Management (NACM). Coordinated by District Court Administrator Raymond L. Billotte, the workshop agenda focused on Mental Health Court and Juvenile Court's application of Balanced and Restorative Justice (BARJ).

Twenty-five Network members from 12 states attended the conference in Pittsburgh to exchange information about the innovative programs being developed to deal with mentally ill and juvenile offenders in large urban jurisdictions like Allegheny County. The Honorable Robert E. Colville, presiding judge of Allegheny County's Mental Health Court since 2002, led Thursday's session sharing his experience and expertise. Thursday evening's program included an overview of the workshop's focus programs by the Honorable Joseph M. James, Allegheny County's Court of Common Pleas President Judge.

Allegheny County's Family Division Administrative Judge Eugene F. Scanlon, Jr. and Juvenile Supervising Judge Kim Berkeley Clark, along with Juvenile Section Administrator James J. Rieland led Friday's sessions spotlighting Allegheny County's implementation of BARJ. Performance analyses of School-Based Probation and the Community Intensive Supervision Program (CISP) were offered, identifying trends to curtail recidivism by juvenile offenders. Workshop participants were given a tour of the Family Law Center and the Hill District CISP site. The conference ended on Saturday with roundtable discussions related to the effectiveness, efficiency, and fairness of the focused programs. This informational exchange facilitates identifying problems and solutions in furthering development of initiatives in the participants' home jurisdictions.

In addition to grant funding from the U.S. Department of Justice's Bureau of Justice Assistance to defray conference expenses, the Allegheny County Bar Association made a significant donation in support of the conference. The bar also offered administrative support, indicative of the constructive engagement between Allegheny County's bench and bar.



Urban court managers attending the June workshop had the opportunity to tour the renovated Family Law Center, formerly the Allegheny County Jail.

Court Systems



Sean Collins
Director of
Information Systems

*Frick Building
Grant Street
Pittsburgh, Pennsylvania*

In March of 2004, Court Information Systems launched the jury portion of the new Court of Common Pleas website which enabled prospective and summoned jurors of Allegheny County to conveniently submit and obtain information on the jury process.

More than one in five prospective jurors who obtained questionnaires took the opportunity to provide the court with their responses on the secure website making the process easier and more efficient. In the past, questionnaires returned to the Jury Commissioner's Office were evaluated manually. Weeks later, the forms necessary to obtain excusals from jury duty would be sent to the prospective juror for completion. Those that used the website were able to immediately print required forms for military, medical, and residency excusals for submission immediately after the completion of the questionnaire. This component saved the county and its citizens unnecessary postage and valuable time.

Summoned jurors were then able to find extremely valuable information as well. Frequently asked questions and answers about the juror process, maps, and directions to various divisions within the court, and discounted parking information are offered on the site along with phone numbers to contact the appropriate divisions within the court.

Jury Coordinator



Technological improvements to the jury system in 2004 and close monitoring by supervisory personnel produced a reduction of 5,000 summoned jurors compared to 2003. Additionally, 2,700 fewer jurors reported for jury service in 2004 due to a comprehensive evaluation of trial needs and pretrial conciliation efforts by the Civil Division judges.

In March of 2004, the court provided citizens receiving Juror Qualification Questionnaires the option of completing the questionnaire on-line. Over 21,000 citizens took advantage of this convenient method of submitting the qualification questionnaire. Further, the court's website (www.alleghenycourts.us/jury/) allowed citizens to obtain general information and forms for possible exclusion pertaining to jury service.

In association with the Pittsburgh Downtown Partnership, the court arranged discounted prices for jurors with downtown merchants that included parking garages, restaurants, and retailers during their jury service. In conjunction with the price reductions, the court and the Pittsburgh Downtown Partnership collaborated on the printing of a juror's guide, "Downtown Pittsburgh in 60 Minutes," to assist jurors in locating city restaurants, services, and areas of interest while serving their jury duty.

Court Employees Participate in AED Training



(L-R): Julie Nowak and Amy Hill from the court's Fiscal Affairs department are given a demonstration of technique by UPMC EMS Specialist Venard Campbell.

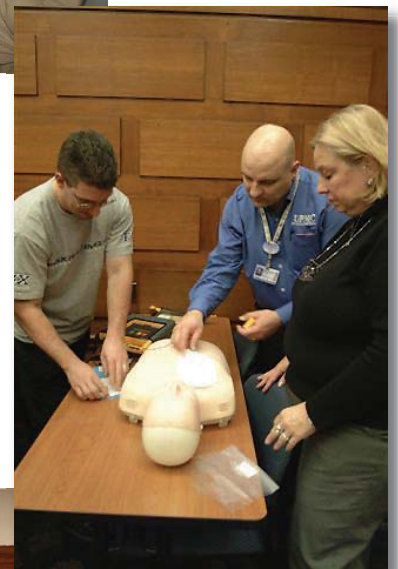
*Frick Building
Grant Street
Pittsburgh, Pennsylvania*



(L-R): Eileen Morrow, Margaret Lewis, Jann Dalton, and Jacqueline Cassidy listen to Dr. Rosenbloom's instructions.



(L-R): Bill Snyder and Sheila Levine are among those being trained by Dr. Rosenbloom.



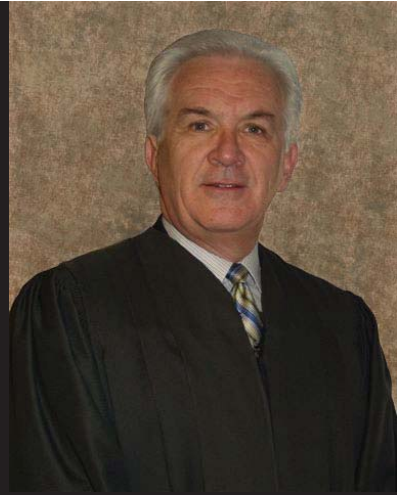
EMS Specialist Robert Hrabar (center) demonstrates the placement of the sensors.



(L-R): Dr. Rosenbloom and Robert Hrabar address the trainees.

FAMILY DIVISION

*Family Law Center
Ross Street
Pittsburgh, Pennsylvania*



Eugene F. Scanlon, Jr.
Administrative Judge

(L-R):

Row 1:

Kim Berkeley Clark
Eugene F. Scanlon, Jr.
Kim D. Eaton
Kathleen R. Mulligan
Guido A. DeAngelis

Row 2:

Lawrence W. Kaplan*
Jill E. Rangos
David N. Wecht
Michael A. Della Vecchia
Randal B. Todd

**Denotes Senior Judge*



JUDGES

The year 2004 was an energetic and successful one for the Adult Section of the Family Division. In addition to maintaining its impressive record of resolving domestic relations cases brought to the court, 2004 could best be characterized by the terms “evaluation and collaboration.”



Patrick Quinn, Esq.
Administrator

The Adult Section of the Family Division, in collaboration with the Pennsylvania Department of Public Welfare, Bureau of Child Support Enforcement, instituted a process of self-evaluation termed “Management Review” in 2004. In this process, the spousal/child support department formed “process specific” committees, with the explicit purpose of evaluating its current procedures in order to formulate specific proposals as to the organizational structure of

the court, as well as to recommend appropriate changes to the currently utilized processes and procedures. The end result of this study will be a document issued by the Bureau of Child Support Enforcement containing a “blueprint” for recommended staffing and process changes, which will enable the Family Division to strengthen and improve its already impressive performance in the establishment and collection of child and spousal support obligations. It is

anticipated that due to the collaborative nature of this process, the Department of Public Welfare will provide the funding for the recommended changes from its share of federal child support incentive funds.

(Continued on page 10)

Case Activity Report

Complaints Pending	17,758
Modifications Pending	2,800
Complaints Added	13,622
Modifications Added	12,433
Complaints Processed	12,393
Modifications Processed	11,717
Conferences Conducted	21,854
Court Hearings Conducted	8,366
De Novo Withdrawals Processed	8
Contempt Hearings Conducted - Plaintiff	4
Contempt Hearings Conducted - Defendant	11,705
Paternity Filings	2,317
Paternity Acknowledged	3,223
Paternity Excluded	318

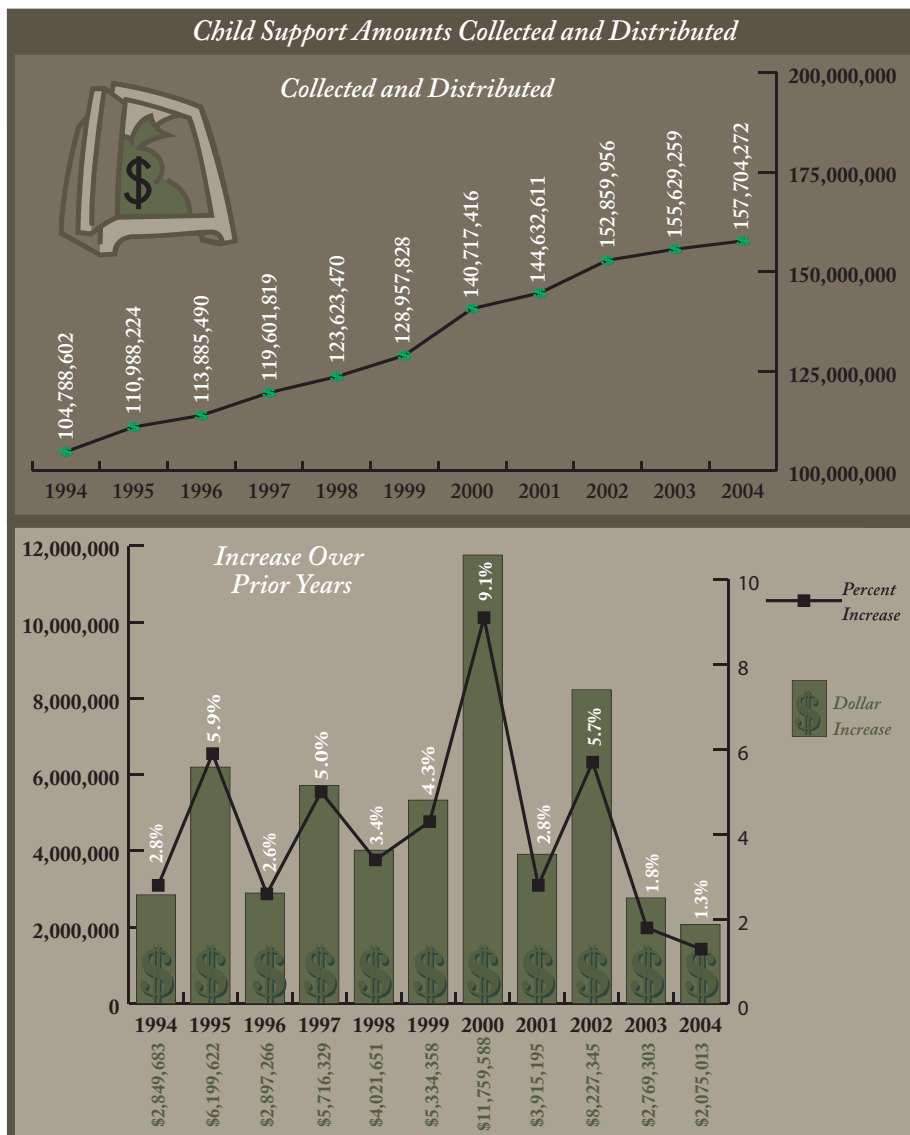
JUDICIAL ACTIVITY

	2003	2004
New Family Cases Assigned for Judicial Conciliation		
Equitable Distribution/Alimony	614	542
Full Custody	315	269
Paternity	5	8
Divorce (3301-D, Contested)	38	52
Other	252	86
Cases Listed for Judicial Hearing		
Equitable Distribution/Alimony (Judge)	239	289
Equitable Distribution/Alimony (Permanent Master)	233	242
Complex Support (Permanent Master)	88	90
Full Custody	229	211
Partial Custody	222	140
Paternity	5	8
Divorce	137	18
Other	2,821	5,631
Support (Contempt)	3,192	4,111
Protection From Abuse (Final)	2,800	2,786
Protection From Abuse (Contempt)	1,071	965
PFA Direct Hearings Scheduled before Judges	219	154
Miscellaneous		
Support Exceptions	437	429
Post Trial Motions	79	82
Motions	13,021	13,790
Support Orders Reviewed and Entered	22,590	25,975
Preliminary PFA Hearings	3,722	3,659

The Family Division continued to build on its impressive support collections record this year collecting \$157,704,272. This amount represented an increase of more than \$2 million from 2003, despite the fact that the number of active support cases was reduced from 83,483 in 2003 to 81,648 in 2004. The

division continues to operate at 100 percent in the “cost effectiveness” category of federal performance measures. The Family Division continues to maintain its status and leadership position among national urban areas as it participates in federally sponsored initiatives to discuss problems and solutions in the area of

Child Support Enforcement Performance Measures of Allegheny County									
Federal Fiscal Year	Paternity Establishment	Support Order	Current Payment	Arrearage Payment	Federal Fiscal Year	Paternity Establishment	Support Order	Current Payment	Arrearage Payment
<u>2003</u>	%	%	%	%	<u>2004</u>	%	%	%	%
October	83.97	73.42	73.82	29.17	January	84.30	73.56	70.88	47.18
November	84.20	73.52	69.16	36.37	February	84.21	73.41	69.22	50.21
December	84.13	73.47	72.47	43.07	March	84.58	73.45	76.69	55.34
					April	85.24	73.80	71.25	57.46
					May	85.31	73.79	69.91	59.25
					June	85.23	73.75	74.10	61.50
					July	85.44	73.81	70.99	62.75
					August	85.90	73.91	71.68	63.88
					September	85.96	73.90	71.24	64.34



support collections for large urban jurisdictions. Allegheny County's performance statistics far exceed those posted by other urban jurisdictions in nearly all federal categories. In the most recent federal statistics available, Pennsylvania was ranked second among all states (between South Dakota and North Dakota) in overall federal performance categories in the collection of child support. In fact, among the “big ten” states, only Ohio (14th) and Pennsylvania were among the top twenty. Allegheny County's contribution to this high ranking was critical.

(Continued on page 11)

Open Cases As of December 31, 2004			
	Child Support	Non IV-D Alimony	Total
Disability/SSI	3	0	3
Federal Foster Care	3,074	0	3,074
General Assistance	132	180	312
Non-Federal Foster Care	1,844	1	1,845
Non-TANF	56,818	3,992	60,810
TANF	15,483	121	15,604
TOTAL	77,354	4,294	81,648

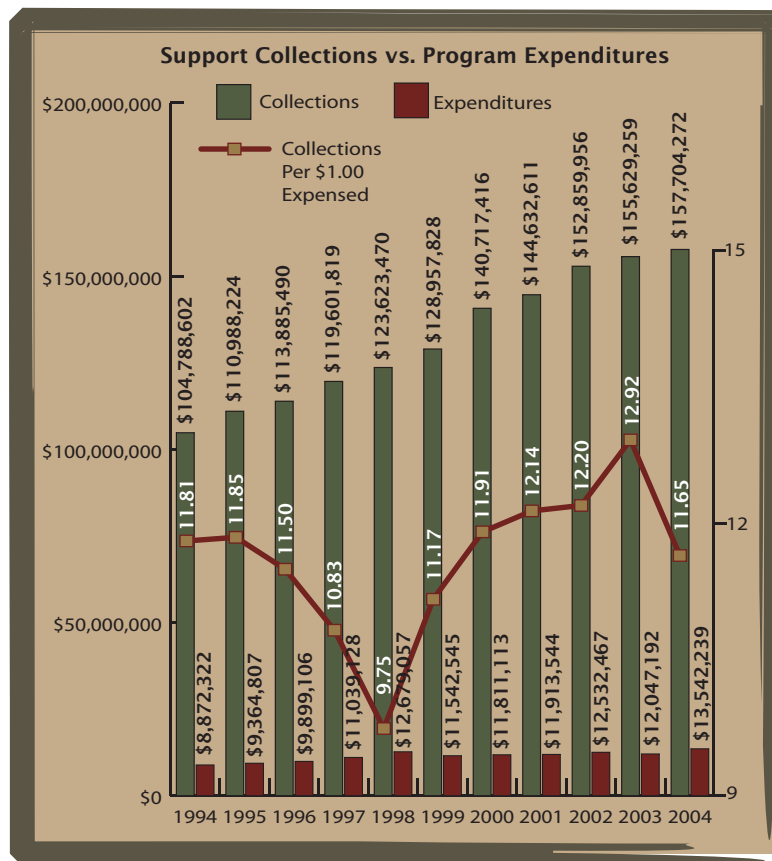
In compliance with federal regulations, the division's case closure unit continues to successfully eliminate inactive support cases, such as those where paternity cannot be established, the subject child has been emancipated, or one of the parties cannot be located. This process of removing inactive cases preserves scarce resources and increases Allegheny County's performance for federal incentive dollars.

Incentive Measure Dashboard Allegheny County Child Support Enforcement Federal Fiscal Year	
	2004
—Open IV-D Cases	78,149
—IV-D Cases with Support Order Established	57,751
—Support Order Ratio	73.90%
—Children Born out of Wedlock	46,016
—Children with Paternity Established	39,557
—Paternity Ratio	85.96%
—Current Support Owed	\$150,531,752
—Current Support Disbursed	\$108,033,915
—Current Support Ratio	71.77%
—Cases with Arrears Owed	54,940
—Cases with Disbursements toward Arrears	35,347
—Arrears Ratio	64.34%

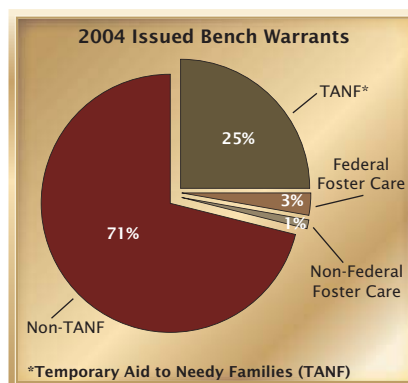
The latter part of 2004 brought a change within the state's Bureau of Child Support Enforcement relative to the statewide Pennsylvania Child Support Enforcement System (PACES) computer system. This organizational change will permit increased collaboration between Allegheny County Family Division and PACSES to improve functionality and design. The result will be a more "user friendly" system, permitting the Family Division to react quickly and appropriately to system design changes. Ultimately, this collaboration will result in improved automated enforcement remedies, which will enhance the division's successful collection rate.

The Family Division continued the innovative programs of "Phone Power" and "Night Court." The Phone Power program permits court employees to phone delinquent obligors during evening hours in an attempt to obtain information and secure support payments. This program resulted in direct collections of \$87,366.53, 46 new wage attachments, and 954 referrals for contempt proceedings.

Allegheny County's "Night Court" program, an effort to make the court more "client friendly," allows support litigants to receive assistance with their cases during non-traditional evening hours. In 2004 alone, almost 3,000 cases were handled during the four-hour/one evening per week schedule. This novel approach is being analyzed by and replicated in many other jurisdictions.



In yet another collaborative venture with the Bureau of Child Support Enforcement, a new innovative approach in assisting obligor's to obtain employment, and hence pay support, was initiated in August 2004. In a venture fully funded by the state, a contract was initiated with Educational Data Systems, Inc. (EDSI) to establish a referral system and protocol with the EDSI Reemployment Transition Center in downtown Pittsburgh. The contract provides for 250 placements with EDSI to provide limited job search, skill training, and referrals to specific employers. The contract provides financial incentives to EDSI for individuals who obtain jobs, who retain jobs for extended periods, and who are promoted by employers. The Family Division worked collaboratively with EDSI to establish a referral and follow-up protocol. Early indications are that this program will produce substantial child support payments to needy children and families, who in some instances have gone months and years without any financial support.

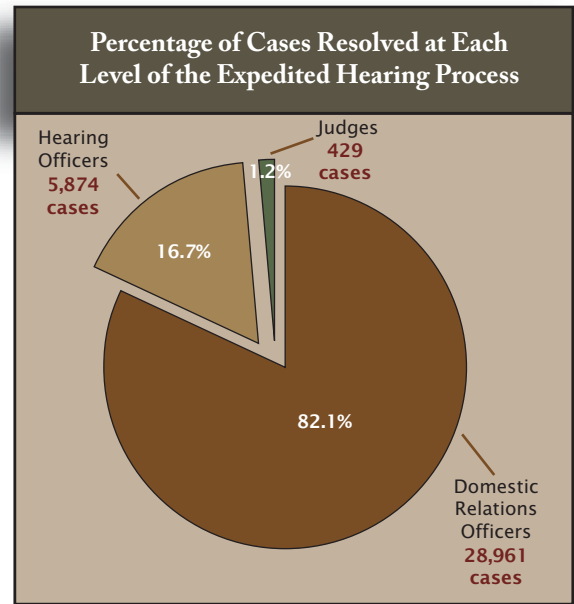


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In 2004, the Family Division continued to appropriately address and dispose of its traditionally large caseload. While the number of divorce filings decreased in 2004 to 3,129, down from the 3,292 filed in 2003, the number of equitable distribution cases listed for hearing increased to 531, up from 42 in 2003. Support filings increased from 30,671 in 2003, to 35,693 in 2004. Protection from Abuse cases listed for a hearing slightly decreased from 3,871 in 2003, to 3,751 in 2004.

FILING AND DISPOSITION REPORT

	2004		Pending
	Filed	Disposed	1/1/05
Support	25,975	23,980	20,558
Custody/Partial Custody	1,635	1,630	27
Divorce	3,129	3,043	4,257
TOTAL	30,739	28,653	24,842



DISPOSITION OF SUPPORT CASES REQUIRING ACTION AT EACH LEVEL OF THE EXPEDITED HEARING PROCESS

The Pennsylvania Rules of Civil procedure have introduced a "Diversionary Procedure" into actions for support. This procedure relieves the judiciary of the need to hear support cases in the first instance and passes this responsibility to hearing officers. This report lists the results of this procedure at each level of the process.

	2003	2004
Total Number of Cases Listed for Disposition	30,671	35,693
Cases Scheduled for Conference before Domestic Relations Officers	30,671	35,693
Cases Resulting in a Court Order after a Domestic Relations Officer's Conference	25,601	28,961
Cases Referred to a Hearing Officer at Conclusion of a Domestic Relations Officer's Conference	5,070	6,303
Cases Resulting in a Final Court Order after a Hearing Officer's Recommendation	4,633	5,874
Cases in which Exceptions are Filed before a Judge after a Hearing Officer's Recommendation	437	429

DIVORCE DECREES GRANTED

	2003	2004
Fault-Uncontested (3301-A)	12	7
No Fault-Uncontested (3301-C, 3301-D)	3,110	3,036
TOTAL	3,122	3,043

In an ongoing effort to improve staff performance, Allegheny County Family Division continues to work collaboratively with the Bureau of Child Support and Pennsylvania Child Support Enforcement Training Institute (PACSETI), an outreach service of Pennsylvania State University, to provide training to employees at no cost to the county. In 2004, 128 employees attended 189 classes, totaling 2,974 training hours conducted at PACSETI's South Side training facility. Family Division continues to be actively involved with many organizations, which provide training and support for the federal and state child support program, including the National Child Support Enforcement Association, the Eastern Regional Interstate Child Support Association, and the Domestic Relations Association of Pennsylvania. By providing these educational opportunities to division staff members, Allegheny County is better able to serve the varied litigants involved with the child support system and maintain its status as a successful and innovative leader in child support collections.

Once again, in 2004 impressive strides have been made to improve services for the thousands of Family Division litigants, and division staff look forward to 2005 when many programs initiated in 2004 will come to fruition.

In 2004, Court Services for Children (CSC), created in 2002, continued to promote efficient justice for children and families involved in Family Division cases. Under the leadership of Administrative Judge Eugene F. Scanlon, Jr., the court, through CSC further refined a strategic plan to meet its goal of operating as a unified family court system.

The mission of CSC's Administrative Office in accordance with the Unified Family Court Model is to promote the most efficient use of Family Division (Adult and Juvenile Sections) resources, and provide a more consolidated, less fragmented court experience for children and families. The primary function of this office is to develop, implement, and oversee cross-systems programs and procedural operations in both sections (Adult and Juvenile) of the Family Division, particularly child welfare and child custody proceedings, to maximize unified family court principles. The administrators for CSC and the Adult and Juvenile Sections work cooperatively to accomplish Family Division goals.

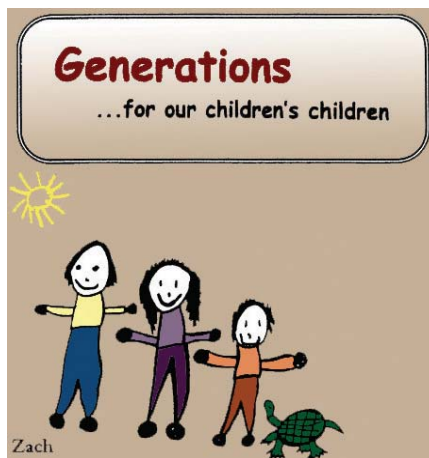
CSC Administrator Cynthia K. Stoltz, Esquire, works with the judges in the Adult and Juvenile Sections to help children and families involved in Family Division cases achieve outcomes that promote long-term stability. The departments, programs, and initiatives administered by CSC continued to expand to meet the needs of the Family Court system and its clients in 2004.

Generations Custody Program

Generations, the Family Division's custody program, provides custody education and mediation services to families involved in Family Division cases. In 2004, 10 parent educators and children's program facilitators with more than 20 years experience in education and child development provided quality education seminars on effective co-parenting arrangements that meet children's needs. Mediation sessions were handled by an experienced, multi-disciplinary group of mediators from the legal and mental health field, specially trained to handle high conflict custody disputes.

In 2004, Generations served over 4,000 adults and children. Of the more than 750 mediation sessions

conducted, 72 percent reached a settlement on some or all issues. Families who could not reach agreement in mediation were scheduled promptly for conciliation before the court's professional custody conciliators. Seventy-five percent of the cases scheduled for conciliation resulted in consent orders on custody issues.



Cynthia K. Stoltz, Esq.
Administrator

Dependency/Permanency for Children

This year marked the beginning of a comprehensive dependency court reform effort to significantly improve outcomes for children in the child welfare system in Allegheny County.

Dependency Court Improvement Project

The Allegheny County Dependency Court Improvement Project (CIP) was officially launched in June 2004. The goal of the Allegheny County CIP is consistent with

the National CIP, established by Congress in 1993, and the Pennsylvania CIP, established by the Supreme Court through the Administrative Office of Pennsylvania Courts: to achieve excellence in the court's handling of abuse and neglect cases. In July, the Family Division established the CIP Task Force, a unique collaborative of executive directors and top officials from the court, county, and child welfare stakeholder groups. The Task Force defined a detailed Action Plan and standing committees around six priority areas:

1. Automated Systems
2. Court Administration
3. Court Coordinated Case Management
4. Funding and Finances
5. Improved Access and Court Services for Children and Families
6. Cultural Competency

In addition to the six committees, five subcommittees convened meetings throughout 2004 on an aggressive schedule and involved active participation from service providers, clients, government, non-profit agencies, and others. The committees each worked to produce a report and recommendations for best practices to the Task Force in 2005. The court intends to publish a comprehensive final report and a multi-year strategic plan. Implementation of some of the preliminary recommendations of the Task Force began in 2004, including on-site drug screenings, comprehensive judicial training, revision and automation of all court orders involving children, and video-conferencing. Perhaps the most ambitious CIP project initiated in 2004 was the automated systems/electronic filing project.

Electronic Filing System in the Juvenile Section

The court entered into agreement in 2004 with the Allegheny County Prothonotary and a professional web developer to design and implement an electronic filing system for all Juvenile Section cases. This state-of-the-art web-based system will allow the electronic filing and service of all Juvenile Section pleadings, motions, and court orders. Officially known as eRIMS (Expansion of the Records and Information Management System), the system, scheduled to be completed in 2006, will provide authorized users with access to an electronic docket and images of court documents for all Juvenile Section cases. This system will be consistent with the Prothonotary's current web-based electronic filing and docketing system for Civil Division cases.

(Continued on page 16)

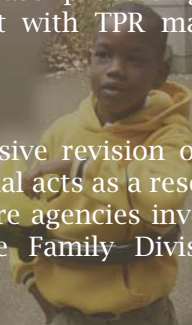
National Adoption Week

Adoption celebrations remain a monthly highlight, when court is transformed into a festive environment with balloons, cookies, and stuffed animals for joyful families finalizing adoptions. For the fourth consecutive year Allegheny County participated in National Adoption Month in 2004, hosting a kick-off ceremony on November 15th. The ceremony opened a week-long celebration of adoption, featuring the musical talent of the Second Chance Choir and a special keynote address by former Steeler Dewayne Woodruff. The week culminated with the finalization of 75 adoptions on National Adoption Saturday. Allegheny County's National Adoption Day celebration has been nationally recognized by the Alliance for Children's Rights as one of the top participants nationwide. Through the Family Division, 200 children were adopted in 2004.

The Juvenile Section also worked in collaboration with the Orphans' Court, the Register of Wills, and attorney groups to establish a docket for Termination of Parental Rights (TPR) matters, resolve a backlog of TPR cases through a mass status conference court list, and establish a protocol to ensure that case processing for children in foster care is efficient with TPR matters resolved without undue delay.

Adoption Manual

The court published a comprehensive revision of the Court Adoption Manual. This manual acts as a resource for the bench, bar, and child welfare agencies involved with adoptions processed by the Family Division's Juvenile Section.



Pictured under the banner for National Adoption Day are (front row L-R) Judges Christine Ward, Kathleen Mulligan, Kim Clark, (back row L-R) Jill Rangos, Eugene Scanlon, and Lawrence Kaplan.



National Adoption Day

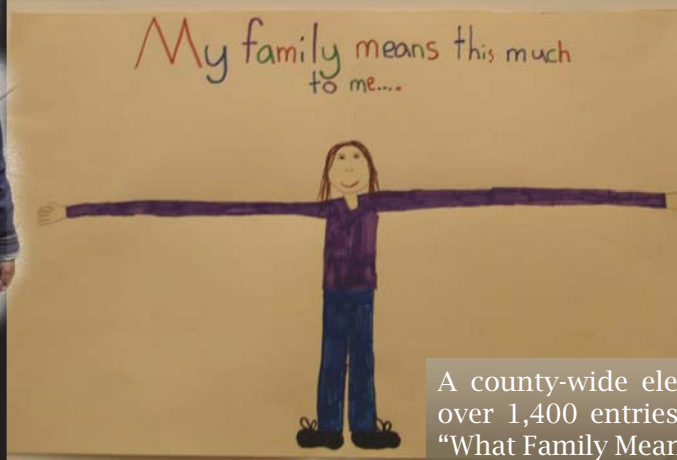


Judges Scanlon, (middle) and Kaplan pose with the Pittsburgh Penguin.



Judge Clark pictured with adopting father and sons.

National Adoption Week



A county-wide elementary school poster contest received over 1,400 entries. The theme of the poster contest was "What Family Means To Me" with all posters displayed in the court rotunda during the week.



WHAT



FAMILY

MEANS



TO ME



Evaluations for Children and Families

The court finalized and implemented a contract between Family Court, Allegheny County Children, Youth and Families (CYF), and Allegheny County Forensic Associates (AFA) in April 2004. This innovative, collaborative approach provides timely and comprehensive mental health evaluations for children and families involved in custody, dependency, and delinquency cases. The project achieved outstanding results during the initial months of the contract, including less duplication of services and significantly improved timeliness of reports.

Dependency Hearing Officers

The dependency hearing officers, under Chief Hearing Officer Cynthia Franklin, Esquire, continued to timely and consistently monitor and review cases involving children in both out-of-home and in-home placements. The Juvenile Section hearing officers played a significant role in the continued transformation and improvement of the local dependency system.

Three dependency hearing officers, each assigned to a specific judge, conduct review hearings on cases previously adjudicated by the judge. These hearings are conducted at community-based court sites, which afford litigants more convenient access to the court. The hearing officers preside over cases until an appropriate permanency plan has been implemented for each child and the case is closed. Review hearings are conducted timely, on average of every three months, and are scheduled in specific time slots with roughly 18 cases per day.

Hearing officer review of cases reduced overcrowded waiting areas in the Family Law Center, increased judicial resources for complex matters, and reduced the overall length of time children remain in out-of-home placements and the cost of care for children in placement, making resources available for other necessary services. Dependency officer review of cases in Allegheny County exceeds the expectations of the Adoption and Safe Families Act requirements for timely hearings for children.

In 2004, hearing officers conducted 5,704 case reviews and closed 798 cases. Of the case closures, 322 case resolutions resulted in reunification with a parent, 82 resulted in an award of permanent legal custodianship to a family member or foster parent, 142 resulted in adoptions, and 252 involved children 18 or older who were no longer eligible for services. Dependency hearing officers conducted 457 emergency shelter hearings in 2004.

Ronald McDonald Charities Care Mobile

In May 2003, CSC, CYF, Children's Hospital, and Ronald McDonald Charities collaborated to bring a state of the art pediatric primary care center on wheels to the Family Law Center. A worthy program continued in 2004, the Ronald McDonald Care Mobile visits the Family Court every Friday from 8:30 a.m. until 2:30 p.m. to provide required health screenings for children involved with CYF in the dependency system. The joint venture has resulted in more timely access to improved healthcare and decreased anxiety for dependent children. The Care Mobile project has received national recognition as an

example of how local government can partner with a charitable foundation to provide valuable services to dependent children.

Allegheny County Music Festival

For the fourth year, Juvenile Section staff assisted with the Allegheny County Music Festival, held on Labor Day weekend, to raise over \$30,000 for needy children. This fund was created to purchase goods and services for the Department of Human Services' children and youth that would not otherwise be possible through government funding.

Cross Systems Initiatives

Pro Se Motions Program

The pro se motions project for low income litigants is sponsored by the Allegheny County Bar Association Family Law Section and operates in cooperation with the court. The project continues to provide volunteer attorneys to assist un-represented litigants with motions and petitions to allow the court to address legal issues in a timely fashion. In mid-2004, the program welcomed the assistance of law students from both the University of Pittsburgh School of Law and the Duquesne University Law School. These students, with the oversight of their faculty advisors, assisted the volunteer attorneys and pro se motions staff in serving nearly 2,500 pro se litigants throughout the course of the year.

First Annual CYF/Juvenile Section Forum

CSC, in collaboration with the Allegheny County Department of Human Services (DHS), conducted the first annual CYF/Juvenile Section Forum. DHS and CYF managers met for a half-day session with Juvenile Section judges, hearing officers, and administrators to address issues of concern in our child welfare system. This forum proved successful in improving communication and problem solving between the court and the child welfare agency. As a result, judges and agency administrators have agreed that each judge and hearing officer will visit at least twice per year with their assigned CYF regional office for similar forums, as well as one annual forum with all judicial officers, administrators, and agency managers in 2005.

Court Sponsored Training

The court sponsored quality Continuing Legal Education (CLE) training for the bench, bar, mental health, and other treatment providers. Topics included paternity establishment and genetic testing, First Annual Permanency Forum, children's mental health issues, the use of forensic evaluations in child custody, delinquency and dependency proceedings, and transformative mediation as a form of alternative dispute resolution.

New Faces

In 2004, CSC welcomed Angela Conte into the Family Court Adoption Department. Ms. Conte, who transferred from the Orphans' Court Division, brought with her 29 years of experience in adoption law and proceedings. While currently assigned to the Family Court's Adoption Department, she assists the Family Court in a wide variety of projects.



James J. Rieland
Administrator

In 2004, Allegheny County Juvenile Court was once again recognized as a leader in comprehensive programming for delinquent youth and the continued implementation of the principles of Balanced and Restorative Justice. All this was accomplished while continuing to find innovative ideas to compensate for financial instability in grant funding and budget constraints.

Good news was delivered on December 17, 2004. Allegheny County Juvenile Court was proud to present County Executive Dan Onorato a check in the amount of \$2,559,362. Title IV-E of the Social Security Act made this possible. Allegheny County was one of only twelve counties in the commonwealth to initially participate in the Random Moment Time Study (RMTS), which resulted in this additional funding for Allegheny County.



(L-R): President Judge Joseph James, Judge Kim Clark, Director James Rieland, and Administrative Judge Eugene Scanlon present County Executive Dan Onorato with a check received by Juvenile Court for participation in the Random Moment Time Study.



Director Rieland (pictured at left) presents the winning team of employees (L-R) Matt Burkes-Svilar, Tamara Cunningham, Sandy Miller, Jeanette Ware, and Rita Steinmetz at the support staff retreat.

We continue to meet with juvenile placement providers to insure that our youth receive the very best in services, as well as making sure that placement costs are kept at a reasonable level. Due to the partnerships we have developed over the years with our providers, our placement costs and outcomes have remained steady.

(Continued on page 18)



Top Photo (L-R): Judges Clark, Allen, and Rangos meet with Mel Blount while on a provider trip.

Bottom Photo (L-R): Judge Rangos looks on as Judge Clark holds an infant while visiting a provider facility.



Judge Clark (second from left), Director Rieland, and Judge Scanlon (pictured in back row) pose with the 2004 Golden Gavel winners (L-R) Jason Bright, Duane Tabak, Robert Straw, Robert Konesky, and Leonard Thomas.

COMMUNITY PROTECTION

	Number of Youth	% of Cases Closed
Violation of Probation	108	6%
New Adjudication	188	11%
Completed Three Hour Victim Awareness Curriculum	1,227	74%

The Allegheny County Juvenile Court Warrant Unit was created in 2004. Nineteen probation officers volunteered to go through intensive training to become part of this specialized unit. On June 3, 2004, in collaboration with the City of Pittsburgh Police Department and the Allegheny County Sheriff's Department, the unit went on their first warrant sweep. Since that first sweep, the Warrant Unit has had a 74 percent success rate in apprehending delinquent youth in violation of court orders.

In May of 2004, our Drug & Alcohol Unit initiated bi-monthly meetings of the highly regarded Parental Survival Skills Training (PSST). This program teaches parents how to get back in control of their drug-abusing children and makes them better prepared to continue to stay in control after their child has been released from treatment.

(Continued of page 19)



Brian Barnhart was one of three juvenile probation officers who served in Iraq.



Juvenile probation officers (L-R) Duane Tabak, Taji Johnson, Leslie Smutney, John Bout, Ben Brown, Craig Resnik, Karen Thrower, Chuck Bregman, and Ronell Stackhouse are administered the oath of office.

Referrals to Juvenile Court by Most Serious Charge

	2003	2004	Increase/ Decrease	% Increase/ Decrease
Aggravated Assault	242	281	+39	16%
Aggravated Assault on Teacher	112	104	-8	-7%
Arson	26	12	-14	-54%
Auto Theft Related	206	425	+219	106%
Burglary	278	345	+67	24%
Carjacking (Robbery of Motor Vehicle)	9	15	+6	67%
Criminal Mischief/Institutional Vandalism	62	109	+47	76%
Criminal/Defiant Trespass	85	98	+13	15%
Disorderly Conduct	99	104	+5	5%
Drugs (Including Crack)	534	343	-191	-36%
Driving Under the Influence (DUI)	43	28	-15	-35%
Escape	14	12	-2	-14%
Ethnic Intimidation	1	3	+2	N/A
Failure to Adjust (FTA)	328	308	-20	-6%
Firearm Unlicensed or Possession	65	79	+14	22%
Harassment	26	47	+21	81%
Nonpayment of Fines	623	880	+257	41%
Receiving Stolen Property	237	136	-101	-43%
Retail Theft	46	15	-31	-67%
Robbery and Related	193	203	+10	5%
Sex Offenses	98	77	-21	-21%
Simple Assault	623	598	-25	-4%
Terroristic Threats	156	165	+9	6%
Theft and Related (Conspiracy/ Attempt)	289	131	-158	-55%
Transfers from Other County	125	124	-1	-1%
Violation of Probation	275	262	-13	-5%
Weapons on School Property	128	119	-9	-7%
Subtotal:	4,923	5,023	+100	2%
All Other	410	670	+260	63%
TOTAL	5,333	5,693	+360	7%

During 2004, Juvenile Court received 5,693 referrals, an increase of 7 percent from 2003. The most significant increase was Auto Theft Related up from 206 to 425 or an increase of +106 percent. The largest decrease was for drug charges showing a reduction of 191 or -36 percent. The highest number of referrals were for Nonpayment of Fines (880), followed by Simple Assault (598).

Take Your Child to Work Day - 2004



(At right) Director Rieland presents School-Based Probation Coordinator Ray Bauer (pictured at left) with a proclamation at the 10th-year commemoration of School-Based Probation.

In 2004, one of our School-Based Unit initiatives was the Bully Prevention Program. It was presented to over 1,000 seventh and eighth grade students in the Penn Hills School District. The uniqueness of this program is that it utilizes information gained from Parent/Community and Student Assessment Surveys to formulate the verbiage, ideas, and direction specific to the needs of the students in the particular school district. Students become instantly involved through

hearing their own words, listening to their own ideas being implemented, and addressing their immediate problems.

Celebrations of the 30-year anniversary of our Mon-Yough Community Based office and the 10-year anniversary of our School-Based unit were held in 2004.

(Continued on page 21)

SCHOOL-BASED PROBATION

Pittsburgh School District High Schools			Other Schools in Allegheny County		
	Probation Officer(s)	Caseload as of 12/31/04		Probation Officer(s)	Caseload as of 12/31/04
Oliver	2	55	Woodland Hills Jr./Sr. High	2	38
Brashear/South Hills Middle School	2	48	McKeesport High School	2	29
Westinghouse	2	48	Steel Valley	1	27
Carrick	2	47	Moon/West Allegheny	1	26
Langley	1	35	Sto-Rox High School	1	26
Schenley	1	34	Shaler	1	24
Peabody	2	32	Keystone Oaks	1	21
Allderdice	1	26	North Hills	1	21
Letsche	3	25	Fox Chapel	1	19
Pittsburgh School District Middle Schools			North Allegheny	1	19
Milliones	1	37	Penn Hills High School	1	19
Columbus	1	25	Duquesne High School	1	18
Arsenal	1	15	Wilksburg	1	18
Greenway	1	15	Chartiers Valley	1	17
Reizenstein	1	14	Baldwin	1	15
Knoxville	1	13	Highlands	1	15
			Hampton	1	12

During the 2004/2005 school year, school-based probation officers (PO's) served 16 Pittsburgh Public Schools and 18 other school districts throughout the county. The PO services all youth who are on probation and attend the school and the PO is also responsible for all intakes that occur within their assigned school. The School-Based Probation Project is also responsible for operating the Truancy Task Force. This program provides intervention for truant youth who are 13 years old and younger.

Music Festival



(L-R): Judge Scanlon, Director Rieland, and Supreme Court Justice Max Baer attend the 2004 Music Festival.



(First row L-R) Chelsea Dice, Judge Clark, Mary Hicks, Val Ketter, Mary Lee Tracy, (second row L-R) Walter Hales, Jim Rieland, and Judge Scanlon volunteer for the annual 2004 Music Festival.

Electronic Home Monitoring/Home Detention



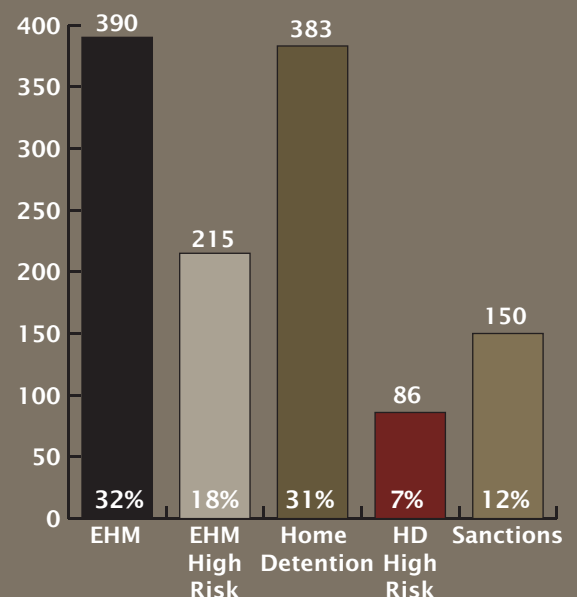
Electronic Home Monitoring staff (pictured first row L-R) Ken Wilson, Benny Skelton, Shatea Player, Monique Wilson, Dewayne Adams, (second row L-R) Marnetta Swann, Michal Ghafoor, Sam Bundridge, Sharmaine Beatty (third row L-R) David Beatty, Stan Brown, Jerry Best, and Stephen Bagdes.

DISCHARGES

	Total	% Successful
EHM	423	83%
EHM High Risk	220	78%
Home Detention	427	77%
HD High Risk	62	94%
Sanctions	135	90%
Total Discharges	1,267	81%

Juvenile Court continues to provide Home Detention/Electronic Monitoring (EM) as an alternative to prehearing secure detention for alleged juvenile offenders. This service is also used for increased supervision for youth in CISP and the Academy.

Referrals





CISP youth present the Center for Victims of Violence and Crime with a check for proceeds collected from a carwash that was held in the summer of 2004.

Our Community Intensive Supervision Program (CISP-McKeesport) was recognized for their contribution in helping to renovate a church in their McKeesport neighborhood. This community service project was a perfect example of youth giving back to a community that they violated. The youth and the parishioners worked as an unlikely team and produced some outstanding results.

In addition to presenting a check in the amount of \$1,350 to the Center for Victims of Violence and Crime, we continue to have a strong commitment to victims of crime by having young offenders pay them restitution. Our Probation Department collected \$290,967.23 from delinquent youth in 2004, and for those cases that were closed, 79 percent were paid in full.

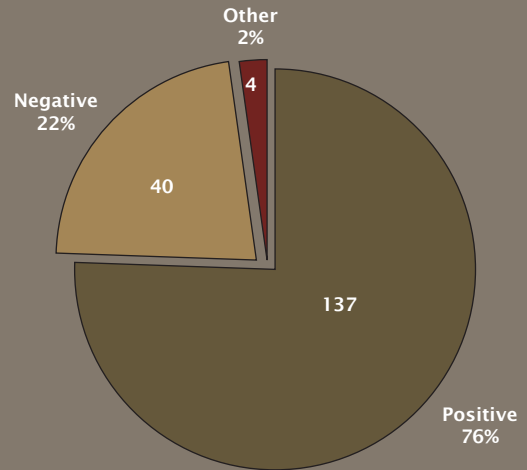
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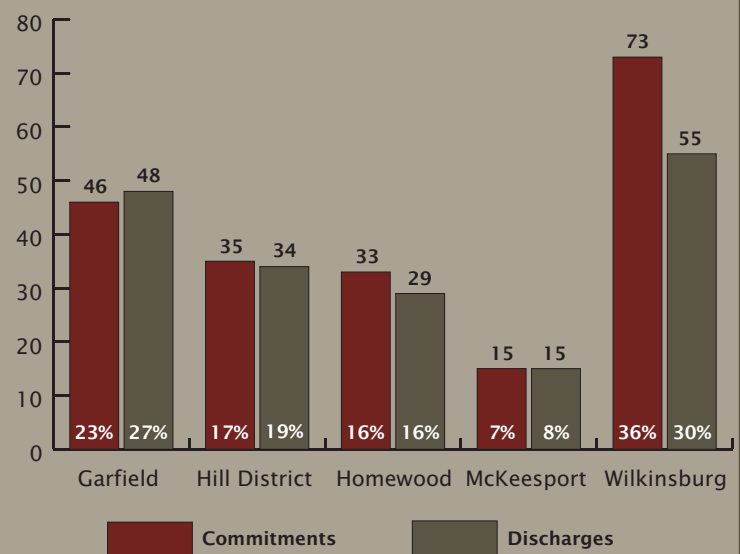
(L-R): Robert Straw, James Rieland, and Judge Clark at the 2004 Aids Walk in McKeesport. Juvenile Court won a trophy for placing first in the race.

Community Intensive Supervision Program

Youth Discharges



The Community Intensive Supervision Program (CISP) operated by Juvenile Court continues to provide an alternative to institutionalization for youth under court supervision who continue to commit delinquent acts. The majority of the youth referred to CISP (86 percent) had committed property/non person-to-person crimes. CISP also provides aftercare services to youth who are leaving out-of-home placement. During 2004, 39 percent of the total referrals made to CISP were for after-care services. Of all youth served during 2004, 13 (4 percent) committed a new criminal act while under CISP supervision.



Juvenile Justice Week in October 2004 brought approximately 1,000 students to Juvenile Court to witness various program presentations. Over half of the Juvenile Court staff volunteered and contributed to the success of this week. Our second Report Card was issued and once again distributed to over 100,000 households in Allegheny County.

JUVENILE JUSTICE WEEK



(L-R): Judges Rangos, Clark, and Mulligan pledge their support for Balanced & Restorative Justice during Juvenile Justice Week 2004.

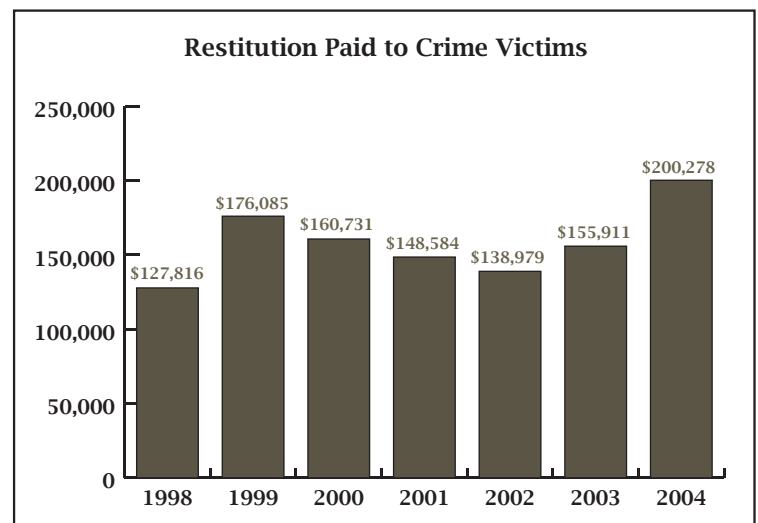
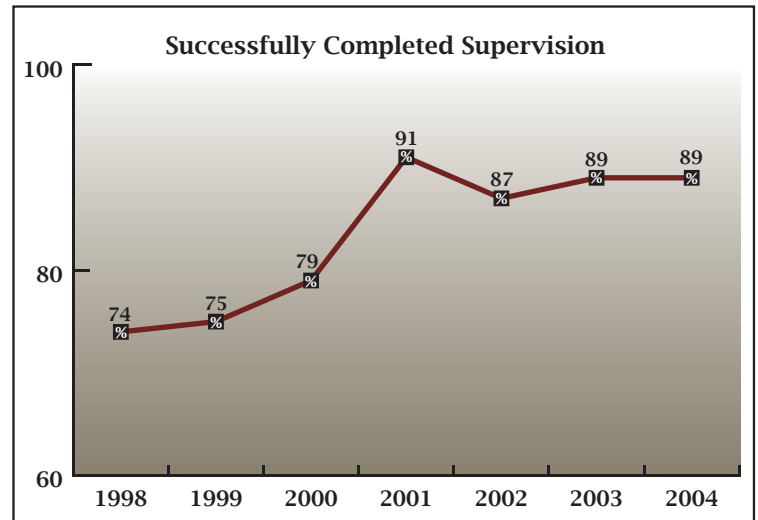


Superior Court Senior Judge Patrick R. Tamilia (standing fourth from the left) celebrates Juvenile Justice Week 2004 with Judges Mulligan, Clark (sitting L-R), Colville, Novak, DeAngelis, Scanlon, and Director Rieland (standing L-R).



High school students attend Juvenile Court's Juvenile Justice Week 2004.

All of these examples show the commitment and dedication of Juvenile Court staff to both the youth and citizens of Allegheny County. Our case closing statistics reflect that our efforts are working. Youth completed 73,573 community service hours and 89 percent successfully completed their supervision.



CIVIL DIVISION

*City-County Building
Grant Street
Pittsburgh, Pennsylvania*



R. Stanton Wettick, Jr.
Administrative Judge

(L-R):

Robert J. Collive
Livingstone M. Johnson*
Robert P. Horgos
Ronald W. Folino
Joseph M. James
R. Stanton Wettick, Jr.
Cynthia A. Baldwin
Eugene B. Strassburger, III
Judith L.A. Friedman

**Denotes Senior Judge*



JUDGES

Civil Division



Clair R. Beckwith
Manager

The Civil Division welcomed the Honorable Michael A. Della Vecchia to its ranks and disposed of a record number 10,992 cases in 2004, up from the record number of 9,955 set in 2003. The division brought thousands of cases promptly to trial and reduced the average time

from date placed at issue to disposition from 12.8 months to 12.5 months.

Judges and support personnel worked hard to ensure that disputes were resolved in a just and timely manner. The Honorable Eugene B. Strassburger, III, managed a Calendar Control practice that settled a majority of cases and brought those unable to settle quickly to trial.

Civil Division judges also maintained an accessible motions practice that provided attorneys and pro se litigants with fair and expeditious decisions. Administrative Judge R. Stanton Wettick, Jr., presided over Friday arbitration and discovery motions and the daily motions judge handled all dispositive motions and evidentiary hearings. This accessibility and prompt decision-making helped resolve pre-trial matters and contributed to the ability to bring cases quickly to trial.

(Continued of page 25)

CIVIL ACTIONS FILED

Against Property Owner	278
Asbestos Silicas	103
Asbestos/FELA	9
Assault & Battery	14
Contract	1,153
Defamation	14
FELA	13
Medical/Hospital Liability	298
Motor Vehicle Accident	884
Multiple Civil Action	1,064
Other Tort	773
Other Traffic Accident	21
Product Liability	46
Sci Fa sur Municipal Lien	1
Sci Fa sur Tax Lien	1,328
Toxic Substances	10
Total of New Case Filings	6,009

CASES FILED AND DISPOSED

	Filed	Disposed
TRESPASS - GENERAL		
Asbestos Silicas	103	20
Asbestos/FELA	9	0
Medical/Hospital Liability	298	340
Product Liability	46	61
Toxic Substances	10	1
Subtotal	466	422
OTHER TRESPASS - GENERAL		
Against Property Owner	278	260
Assault & Battery	14	9
Defamation	14	8
FELA	13	21
Other Tort	773	482
Other Traffic Accident	21	13
Subtotal	1,113	793
TOTAL Trespas	1,579	1,215
OTHERS		
Amicable Ejectment	11	1
Contract	1,153	1,014
Declaration of Taking	82	9
Declaratory Judgment	116	59
Ejectment	763	479
Equity	175	94
Equity - Lis Pendens	126	70
Equity - Partition	8	2
Mandamus	18	9
Mechanic's Lien	96	17
Mortgage Foreclosure	4,140	4,431
Motor Vehicle Accident	884	900
Multiple Civil Action	1,064	918
Pre-computer Case	0	47
Quiet Tax Title & Real Estate	98	3
Quiet Title	66	23
Replevin	59	38
Sci Fa sur Municipal Lien	1	1
Sci Fa sur Tax Lien	1,328	1,662
TOTAL Others	10,188	9,777
GRAND TOTAL	11,767	10,992

Civil Division

Arbitration enjoyed great success in managing cases under \$25,000. Arbitration handled an impressive 8,228 total cases in 2004. There is no backlog. Cases are scheduled for trial within four to five months after the lawsuit is filed. The continued effectiveness of Arbitration is due in large part to the efforts of Supervisor Anna Majocha and her staff, including new arrivals LesMarie Singleton and Deirdre Abbey.

CIVIL DIVISION ARBITRATION EMPLOYEES RETIRE



Francis Grzelka
41 Years



Jacqueline Kaufman
25 1/2 Years



Martin Terrick
11 Years

The Board of Viewers disposed of thousands of tax appeals while keeping the condemnation docket current.

Through the efforts of the judges and support staff of the Civil Division, the public was well-served and lawsuits were promptly brought to trial.



(L-R): Arbitration staff Brian Smarra, Richard Tyszkiewicz, Anna Majocha, Deirdre Abbey, and LesMarie Singleton.

ARBITRATION

	2002	2003	2004
Pending on January 1	3,358	3,083	2,372
New Cases Filed	8,428	8,478	8,897
Transferred from Civil Division	295	317	274
Cases Disposed	8,063	8,661	8,228
Awards by Boards	2,325	2,413	2,168
Settlements, Non-Pros., etc.	4,948	5,383	5,363
Trial List Cases Disposed by Judge	790	865	697
Pending as of 12/31 (Awaiting Trial)	4,018	3,217	2,320
Appeals Filed	853	897	795
Rate of Appeals	36.69%	37.17%	36.67%
Number of Arbitration Boards Served	811	884	803
Number of Arbitrators	2,433	2,652	2,409
Arbitrator's Fee Per Day	\$150	\$150	\$150
Total Arbitrators' Fees	\$364,950	\$397,800	\$361,350
Less Non-Recoverable Appeal Fees	\$82,020	\$85,245	\$80,985
Total Costs	\$282,930	\$312,555	\$280,365
Average Arbitrator's Cost Per Case	\$116.28	\$117.85	\$116.38
As of December 31			
Cases with Current Hearing Date	2,997	2,266	3,059
General Docket Cases with Current Hearing Date	86	106	66
Total Cases Pending	3,083	2,372	3,125

Another “First” for Judge Cynthia Baldwin



“one of the most effective leaders”

The Honorable Cynthia A. Baldwin, the first African-American female judge elected to the Allegheny County Court of Common Pleas in 1989, became the first African-American woman elected to chair Penn State University’s board of trustees in January. Judge Baldwin earned both her B.A. in English and M.A. in American Literature at Penn State. Before attending Duquesne University’s Law School where she was a member of its Law Review, she taught and worked as an administrator at Penn State’s McKeesport campus. In the mid-1980’s, while working in legal services and then for the Pennsylvania Attorney General’s office, Judge Baldwin stayed involved with Penn State by serving on the advisory board of the McKeesport campus, tutoring students, and creating a program to improve students’ study skills. Having served as president of

Penn State’s alumni association from 1991 to 1993, she was appointed to Penn State’s board of trustees in 1995 by then-Governor Tom Ridge.

As board chairwoman for Penn State’s trustees, Judge Baldwin’s goals include keeping quality education accessible and ensuring the recruitment and graduation of minority students. Penn State President Graham Spanier has praised the judge as “one of the most effective leaders” in Penn State’s history and is very proud that Penn State, one of the nation’s major universities, can lay claim to her. Colleagues on the bench, aware of Judge Baldwin’s commitment to Penn State and other organizations, credit her with an extraordinary ability to function as an exceptional jurist together with her other obligations.

Age of Cases Disposed by Type

Type of Disposition	Number of Cases	Percent of Total	Average Age by Month from Case Filing to Disposition*
Settled	10,660	96.98%	12.16
Non-Jury	130	1.18%	21.67
Jury	156	1.42%	30.46
Stricken	12	0.11%	28.57
Others	34	0.31%	8.43
Grand Total	10,992	100%	12.54

*These averages are separately calculated and are not merely the average of the individual figures above. Included in these figures are trial-ready cases and those cases disposed before being certified ready for trial.

CRIMINAL DIVISION

*Courthouse
Grant Street
Pittsburgh, Pennsylvania*



Donna Jo McDaniel
Administrative Judge

(L-R):

Row 1:

Raymond A. Novak*
Donna Jo McDaniel
Kathleen A. Durkin
Cheryl Lynn Allen
Kevin G. Sasinoski
David R. Cashman
Donald E. Machen

Row 2:

John A. Zottola
Robert E. Colville
Jeffrey A. Manning
Gerard M. Bigley
James R. McGregor*
Lawrence J. O'Toole
Lester G. Nauhaus

**Denotes Senior Judge*



JUDGES

The year 2004 was a period of transition for the Criminal Division. The new administrative judge, Honorable Donna Jo McDaniel, and administrator, Helen Lynch, Esquire, approached the court with a determination to bring it into the new millennia. In any organization it is necessary to develop a mission statement, assess existing personnel and facilities, examine existing problems, set goals, and then plan actions to achieve those goals.



Helen Lynch
Administrator

Guided by the concept that the purpose of government is service to its citizens, the mission of the Criminal Division is to provide an efficient and fair administration of justice to the citizens of Allegheny County.

Some of the problems faced by the new administration were:

- Shortage of judges
- Overcrowding in the Allegheny County Jail
- Employee relations and accountability
- Inequitable support personnel workloads
- Neglected facilities

At the beginning of 2004, there were thirteen commissioned judges and two senior judges working in the Criminal Division, two less than traditionally. By the end of 2004, Senior Judges Novak (who had worked a full caseload for six months) and McGregor left the bench, and Judge Bigley opted for early retirement. Of the remaining judges, only 11 (including the administrative judge) heard jury trials. In 2004, 106 homicide cases were filed while the regular caseload continued to climb. This undoubtedly is the most serious problem faced in the division, and there is very little the administration can do to rectify this matter. For 2005, we have appealed to the Administrative Office of Pennsylvania Courts (AOPC) for the assignment of out-of-county senior judges and have gotten a six-week commitment from Judge John Reilly of Clearfield County.

Recognizing that all parts of the county must work together, this administration made addressing the problem of jail overcrowding a priority. In early 2004, the jail population routinely approached or exceeded its cap of 2,500 prisoners. By the end of 2004, the daily count was averaging 300 fewer inmates per day. At a cost of \$67 per inmate per day, this represents a savings of \$21,000 per day for the citizens of the county and freed nonviolent defendants who were being held needlessly.

To realize this goal, the Probation Office began conducting Gagnon I hearings at the jail twice per week until all cases were heard, instead of one day of hearings per week with a maximum of 16 cases. The average time between arrest and hearing was reduced from 5-8 weeks to 7-10 days. The bench cooperated by using lists provided by Marsha Hinton, the court's Jail Population Coordinator, to review and lift detainees on nonviolent defendants. The judges also cut down on day-of-trial postponements and are promptly conducting Gagnon II hearings. Court administration produced a list of all cases over 180 days old, and the judges attempted to close these matters.

The communication and cooperation among members of the bench has been facilitated by the initiation of monthly judges' meetings. At least three to five agenda items of concern to the court are discussed and decided in an atmosphere of collegiality engendered by these meetings. The administrative judge and administrator hold a biweekly meeting with all department heads and, as a result, have promptly solved many large and small problems.

Reorganization of the support personnel has been a formidable challenge. During the year's first quarter, four positions were eliminated: three tipstaves and one minute clerk. In the second quarter, four more positions were lost pursuant to the county's early retirement buyout offer: chief minute clerk, two minute clerks, and one clerk. Many of the remaining clerks were reassigned to achieve a more equitable distribution of work. The court administrator assumed the responsibilities of chief minute clerk, and supervisory responsibility was rearranged for more efficient delivery of service with fewer personnel. Monthly staff luncheon/training meetings were initiated with positive results. Morale, discipline, and performance have improved.

The facilities at the courthouse have been sorely neglected. Many inexpensive improvements have been made, new chairs for jury rooms were found in the county warehouse, and three rooms have been painted, carpeted, and put to new uses. In early 2004, the courtroom of Judge Cashman was completely renovated and renovation of Judge Nauhaus' courtroom should be completed by early 2005. Routine maintenance issues are being addressed as they arise in an attempt to prevent further deterioration.



CRIMINAL COURT EMPLOYEES RETIRE



John Brian O'Connor
46 Years

Mary Ellen Berdar
22 Years

Mary Ann Bednaza
22 Years

Donald Sparrow
22 Years

(Pictured in photo above L-R)

*(Top Photo):
Judge McDaniel presents
Chief Minute Clerk Brian
O'Connor with an award
for his 46 years of service
to the courts and the
citizens of Allegheny
County on June 24,
2004.*



Disposition Report

	Complaints Filed	Remand	Nolle Prosse/ Dismiss/ Judgment Granted	DIVERSIONARY		ACQUITTALS		CONVICTIONS				SENTENCING		
				ARD	PWV	Judge/ Non- Jury	Jury	Judge/ Non-Jury	Jury	Plea	PDQ	Probation	Incarceration	NFS**
— CRIMES AGAINST PERSONS —														
Criminal Homicide	82	0	6	0	0	5	3	1	4	10	0	5	21	0
Robbery	301	0	120	1	0	4	6	8	5	291	0	32	230	11
Kidnapping/Unlawful Restraint	22	0	16	0	0	0	0	1	0	11	0	5	12	0
Rape	75	0	54	0	0	7	6	3	4	16	0	0	23	0
Involuntary Deviate Sexual Intercourse	24	0	13	0	0	1	1	2	1	7	0	2	11	0
Indecent Assault	63	1	18	0	0	0	1	0	0	40	0	29	21	6
Other Sexual Offenses	97	0	20	4	0	2	1	1	2	42	0	35	65	2
Aggravated Assault	622	0	230	23	0	19	8	16	4	236	0	30	69	9
Simple Assault	1,325	1	520	46	0	39	2	19	5	566	11	615	215	112
Corruption of Minors	80	1	40	3	0	2	0	4	2	55	0	59	27	4
Subtotal	2,691	3	1,037	77	0	79	28	55	27	1,274	11	812	694	144
— CRIMES AGAINST PROPERTY —														
Arson	16	0	7	0	0	1	0	0	0	11	0	6	9	0
Burglary	792	3	218	16	0	10	5	10	2	505	7	236	229	67
Forgery/Counterfeit	669	0	142	138	0	7	0	3	0	482	25	381	184	168
Theft	1,483	1	277	115	1	21	1	14	1	958	51	676	262	161
Retail Theft	737	2	26	8	1	9	0	5	1	623	121	352	229	54
Subtotal	3,697	6	670	277	2	48	6	32	4	2,579	204	1,651	913	450
— DRUG/ALCOHOL OFFENSES —														
Driving Under the Influence	4,432	0	139	2,389	1	49	3	53	4	2,074	422	479	1,785	8
Narcotics/Drug Laws	4,051	2	647	19	512	53	4	41	14	2,571	620	1,782	989	311
Liquor Laws	9	0	1	0	0	0	0	0	0	2	0	1	0	0
Subtotal	8,492	2	787	2,408	513	102	7	94	18	4,647	1,042	2,262	2,774	319
— CRIMES AGAINST PUBLIC PEACE —														
Criminal Mischief	111	1	14	9	0	4	0	2	0	30	0	40	8	12
Disorderly Conduct	334	4	53	19	1	2	0	9	0	246	29	268	90	147
Prostitution	248	0	30	1	0	0	0	2	0	307	0	184	79	19
Subtotal	693	5	97	29	1	6	0	13	0	583	29	492	177	178
— INCHOATE/MISCELLANEOUS OFFENSES —														
Criminal Attempt/ Solicitation	115	0	44	5	2	2	2	1	7	74	0	39	44	11
Criminal Conspiracy	114	0	34	5	0	2	3	0	4	52	0	43	32	19
Escape/Default Appearance	122	0	21	1	0	3	0	2	0	121	0	44	60	9
Firearm Violation/ Offensive Weapons/ Instruments of Crime	373	1	129	3	0	28	0	19	4	308	0	210	165	26
Vehicular Offenses	739	131	102	92	0	17	1	11	1	296	13	272	116	117
*All Other Offenses	316	19	82	128	3	8	5	7	6	423	15	171	113	167
Subtotal	1,779	151	412	234	5	60	11	40	22	1,274	28	779	530	349
Grand Total	17,352	167	3,003	3,025	521	295	52	234	71	10,357	1,314	5,996	5,088	1,440

*Includes offenses related to local ordinances specific to Allegheny County such as boating laws and animal regulations; also Workers' Compensation Fraud, Medical Assistance Fraud, etc.

**No Further Sentence

Adult Probation Services' Mission Statement:

...To assist the Court in the protection of the community by providing information, primarily presentence reports and violation reports; and a cost-effective alternative to incarceration targeted at the rehabilitation of the offender.



Robert J. Galardy
Chief Adult Probation Officer

To accomplish this the probation office conducts two major functions:

- Supervision of defendants (149 full-time staff)
- Completion of presentence investigations (9 full-time staff completed 591 presentence reports in 2004, 6.5 percent more than in 2003)

In order to provide the maximum protection to the community, Adult Probation Services must prioritize supervision. We must give the highest level of supervision to the cases that present the greatest risk to the public and to the cases requiring the most service. This attempt to triage cases evolved from an ever-increasing caseload size. This year, 101 officers shared responsibility for 26,263 cases.

Risk/Need Evaluation

Adult Probation Services has designed a computer program to assess risk on each new intake. In addition to this tool, a probation officer who makes the final caseload assignment reviews each case. The risk evaluation considers prior offenses as well as the current offense. Need is defined by any court-imposed special condition. A combination of the risk/need evaluation and officer judgment determines how long a more serious case receives field center supervision (6, 9 or 12 months). Once a defendant completes the required length of supervision, the case may be transferred to a lower level of supervision as long as the defendant is not in violation. Less serious cases without special conditions are placed on a lower level of supervision directly from intake.

Levels of Supervision

Supervision resources are prioritized to give the best level of supervision to each

case. The information below displays levels of supervision from the highest to the lowest level.

Level of Supervision (Highest to Lowest)	No. of Defendants per PO
Direct Supervision	
House Arrest	24
Intensive Drug	65
Special Service	142
Field	196
Indirect Supervision	
Intermediate	478 cases/PO
Minimum	1,384 cases/PO

While Adult Probation Services prioritizes cases to manage 26,263 defendants, far too many cases that need close supervision do not get it. Only increased use of lower supervision caseloads has made it possible to reduce caseload size of our field centers. Additional staff is needed to offer a higher level of public protection.

Supervision

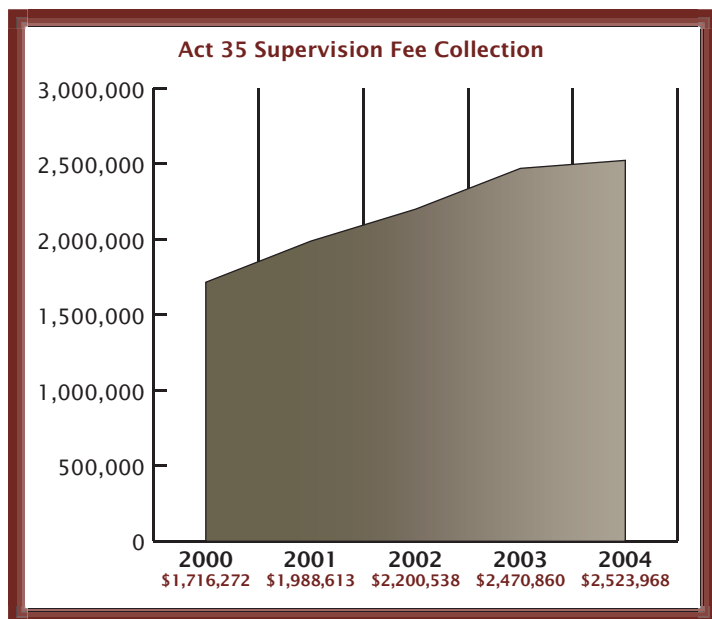
In the chart below, the first column indicates the number of defendants under direct supervision. The other columns show the number of defendants under indirect supervision. This includes a variety of administrative caseloads that do not require regular contact with a defendant such as Minimum Supervision Caseload (MSC) and Intermediate Supervision Caseload (ISC).

(Continued on page 31)

	—Supervision—		Absconder	Transferred out of County	—Total—		Change
	Direct	Indirect			2004	2003	
Probation	9,622	1,329	1,013	1,536	13,500	12,822	5%
Parole	524	12	44	35	615	558	10%
Parole-DUI	1,542	36	129	189	1,896	789	140%
Probation/ Parole	513	73	29	88	703	1,779	-60%
Intermediate	903	29	0	26	958	707	36%
ARD	61	1,853	417	142	2,473	2,599	-5%
ARD-DUI	112	4,780	539	67	5,498	5,394	2%
Probation w/o Verdict	479	88	2	5	574	547	5%
Bail/Bond	46	0	0	0	46	43	7%
TOTAL as of 12/31/04	13,802	8,200	2,173	2,088	26,263	25,238	4%

Electronic Monitoring

The court's use of electronic monitoring (EM) for supervision of criminal defendants continued during 2004 with the primary focus on defendants who are sentenced to Intermediate Punishment and Allegheny County Jail (ACJ) inmates detained for probation/parole violations. EM resources are also utilized for sentenced ACJ inmates identified by the court as suitable candidates for transfer to EM on the remaining portion of their jail sentences.

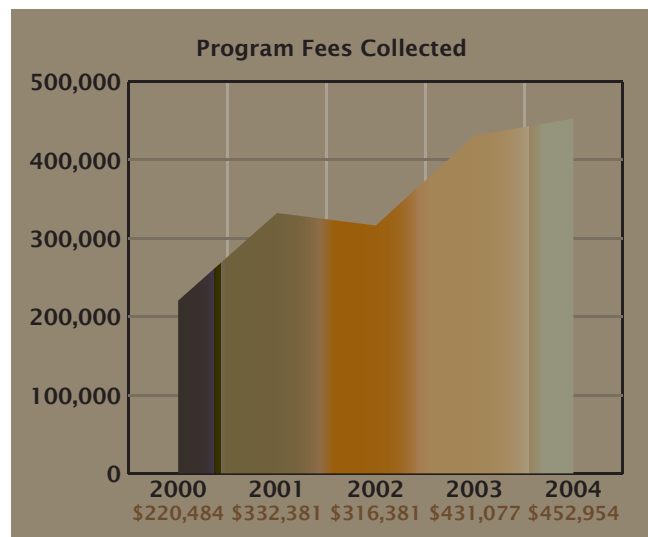


Employing an expansion of EM begun in 2000, the Bail Agency transferred 142 defendants from the ACJ to pretrial EM as a bond condition while awaiting trial or sentencing. Administrative aspects of this effort are handled by the Bail Agency while Adult Probation provides the EM supervision. Also the Family Division continued the placement of selected individuals who have failed to comply with support orders on electronic

curfew. Adult Probation provides the EM aspect of this project. A total of five individuals were ordered by the Family Division to be placed on electronic curfew in 2004.

A new aspect of EM that commenced in late 2004, district justices were extended the authority to sentence Driving Under Suspension (DUS - 1543b) offenders to Intermediate Punishment.

EM continues to be an important and growing resource to the court in terms of providing a viable and accountable option for the supervision of suitable populations. Chronic overcrowding at the ACJ emphasizes the need for effective alternatives to the costly traditional practice of incarceration. During 2004, over 1,950 defendants were supervised on EM. This resulted in the saving of over 192,000 jail days. EM supervision fees collected during 2004 totaled over \$450,000. Collected EM fees coupled with estimated savings in jail housing costs (minus the county's cost to provide EM) resulted in a net savings of slightly over 8 million dollars.



(Continued on page 32)

	2000	2001	2002	2003	2004
Offenders Served	1,150	1,453	1,613	1,811	1,959
Successful Completions	640	886	968	1,081	1,159
Currently on Program	364	374	462	489	560
Escapes	19	6	7	17	16
Absconders	N/A	37	44	65	68
New Arrests	9	14	22	11	27
Removed/Rules Violations	135	141	135	146	127
Jail Days Saved	85,306	109,105	149,881	180,914	192,605

Drug Court

Allegheny County Drug Court completed its sixth year of operation in 2004 with a total of 194 graduates since inception. A collaborative effort of the District Attorney's Office (D.A.), Adult Probation and the Allegheny County Drug and Alcohol Program under the direction of Judge Lester G. Nauhaus, Drug Court provides the opportunity for addicted defendants to make a commitment to recovery with the assistance of a structured support system. Defendants are required to engage in formal treatment while being allowed to participate in positive endeavors such as employment and education. Defendants must stay in close touch with the court through regularly scheduled progress hearings. In response to an individual's behavior, the court uses a system of timely rewards and sanctions. Supervision in Drug Court can last up to 2 ½ years. The ultimate goal is to have the individual return as a clean and sober member of his/her family and community.

During 2004, 66 defendants entered Drug Court; 20 defendants graduated. As of year's end, there were 114 defendants under supervision in Drug Court. The D.A.'s office reports a recidivism rate of 26 percent. The number of entrants increased this year as Pennsylvania Commission on Crime and Delinquency (PCCD) funding was restored to original levels following a reduction in 2003 due to budget cutbacks at the state level.

Ignition Interlock Program

Once again in 2004, the Ignition Interlock Program was successful. Due to a proactive approach with eligible participants, 320 interlock units were installed on Driving Under the Influence (DUI) offender's vehicles, which constitutes a 40 percent participation rate that continues to exceed the national and Pennsylvania state averages.

Last year, 225 clients successfully completed their 12-month ignition interlock requirement. The PA DUI Association, as an overseer for the Department of Transportation, routinely mails out end-of-program surveys to all participants. The DUI Association reported that of all Allegheny County respondents, not one had any negative comments (with the exception of equipment failure) regarding the program.

Growth is an all-important element of this program, and last year 100 more units were installed than the previous year. Excellence is also a quality to be maintained, and in 2004, Allegheny County continued to lead the state in number of participants that accounted for ten percent of the total program.

Safety Bug Program

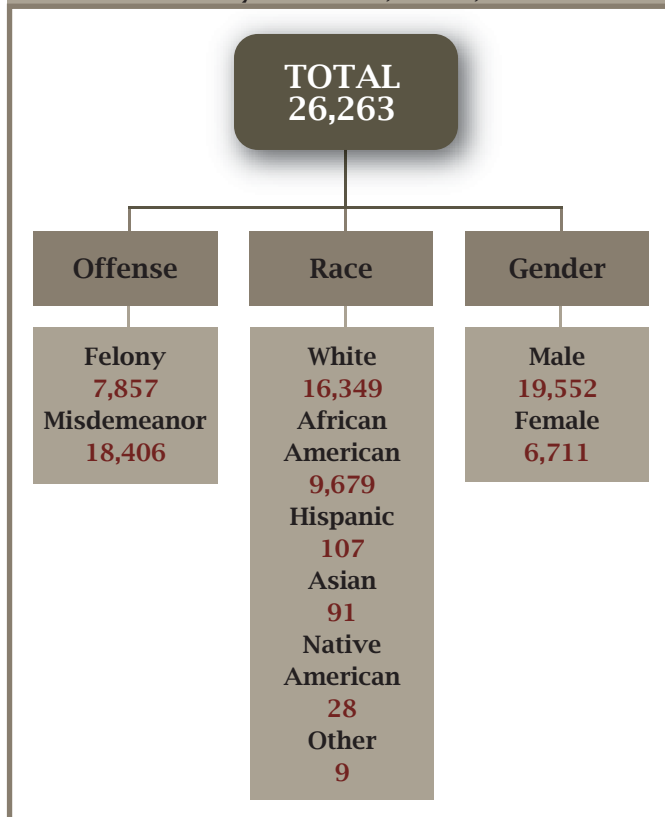
The Alcohol Highway Safety Program (AHSP) continued its Safety Bug Program in 2004. The "Bug," provided by the court every year to high schools in Allegheny County free of charge, visited 13 districts last year. The program is designed to help educate students to the dangers of drug-impaired driving, and encourages them to make responsible decisions regarding alcohol. The program is paid for from fees collected by the Clerk of Courts on all DUI associated costs. In 2004, approximately 2,000 students benefited from this program.

Students Against Drunk Driving (SADD)

In October of 2004, AHSP, through the PA DUI Association, sponsored 100 students from 43 SADD chapters across Allegheny County to attend the Western Region SADD Conference held at Seven Springs. This was a one-day workshop designed to provide students with various ideas on how to coordinate effective SADD chapters within their schools. This program was paid for by the court out of collected DUI fees.

(Continued on page 33)

Probationers by Offense, Race, and Gender



Underage Drinking Program

Once again in 2004, AHSP supported, through the Regional Alcohol Programs, an underage-drinking program designed to educate underage drinkers about the risks and perils of alcohol and other controlled substances. Most participants come to these programs from referrals made by district justices as a result of an underage drinking arrest. In 2004, the underage drinking program registered 515 participants. This program is paid under contract to the Regional Alcohol Programs from collected DUI fees.

Keys for Life

Keys For Life, administered in cooperation with the PA DUI Association and paid for by AHSP out of DUI-collected fees, purchased 1,000 specialty keys containing anti-drug and alcohol messages for high school students. The keys were given away at other Adult Probation-sponsored programs. The idea is for the student to pledge to make responsible choices and use the cut key as a reminder of those choices. The most popular key that was cut has been a car key.

Designated Driver Booth

The Designated Driver Booth is promoted at Station Square's Chevrolet Amphitheater for the summer concert series in cooperation with PENN DOT District 11, Clear Channel Communications, the Western Alliance Task Force, and AHSP. The concept is to have a place where a person can pledge to be a designated driver, receive free soft drinks during the course of the event taking place, and win the admiration of his/her family and peer group. DUI literature was made available, as well as staff. A crashed car was displayed at six separate shows this summer for not only visual effect, but for concert-goers to be able to sign their name to the car as a sign of safe decision making. This program was also made possible by collected DUI fees.

CRN Unit

Under contract to the court, the Court Reporting Network (CRN) staff was responsible for conducting all evaluations ordered by the court on DUI cases. In 2004, the staff completed 4,430 evaluations.

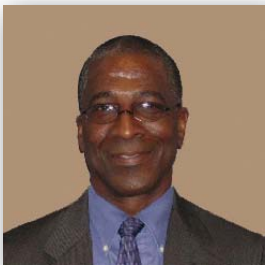
New Programs

Fatal Awareness Program

In April of 2004, the first-ever Fatal Awareness Program was co-sponsored with AHSP, PENN DOT, and AAA of Western PA. A one-day program, Fatal Awareness brought together students from 24 area high schools to participate in workshops designed to educate and heighten awareness of poor decision-making as it relates to alcohol. The highlights of the program were MADD National's presentation of their 2004 multimedia show and Retired Colonel Pete Collins of the Mississippi State Police. The host for this program was Robert Morris University in Moon Township. Collected DUI fees provide funding for this project.

DUI SIMULATOR

An entirely new program in 2004 sponsored by the PA DUI Association and paid for from DUI-collected fees, the Simulator program is designed, similar to the Safety Bug, to make participants aware of the dangers from driving while alcohol-impaired. The AHSP brought this program to 9 area high schools this fall, reaching approximately 1,800 students. A 3-D experience, the Simulator can create any type of road condition, coupled with any type of impairment issue, to create a sensation of losing control behind the wheel. Unlike Safety Bug, the Simulator does not need a parking lot of exact dimension, which means that we can bring this program to many more schools.



John A. Young
Manager

THE MISSION OF THE COURT BAIL AGENCY IS TO PROVIDE THE COURTS, MEMBERS OF THE BAR, AND RESIDENTS OF ALLEGHENY COUNTY WITH COMPREHENSIVE PRETRIAL AND DIVERSIONARY SERVICES IN COMPLIANCE WITH STATE AND LOCAL RULES OF CRIMINAL PROCEDURE.

The Court Bail Agency's focus in 2004 continued to be fulfillment of its commitment to make available comprehensive pretrial services to the residents of Allegheny County. Among their many duties, the agency's four functional units were committed to providing information to the courts, upon which decisions were based regarding the release of individuals awaiting disposition of their cases in Criminal Court. Below are listed descriptions of the Bail Agency functional units, and how they performed in 2004.

ARRAIGNMENT COURT UNIT

The primary responsibility of the Arraignment Court Unit is the compiling of information upon which magisterial district justices base their bail decisions at the time of the preliminary arraignment.

Operating out of an office located in the pre-arraignment section of the Allegheny County Jail, Bail Agency Arraignment Court Investigators interview defendants, verify information provided, obtain copies of the defendant's criminal arrest history and check for case dispositions, active

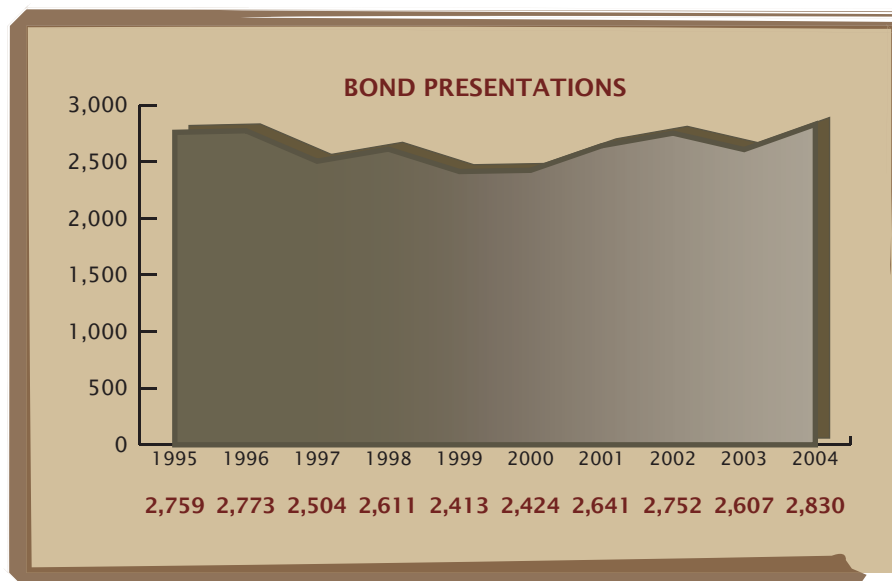
warrants, and probation/parole status, all in preparation for the preliminary arraignment. At the time of arraignment, the investigator is stationed on the bench with the magisterial district justice to present pertinent information and recommend the amount and type of bail deemed appropriate under the circumstances. In 2004, Bail Agency Investigators were present at 21,081 such arraignments, recommending the release of a majority of the defendants on R.O.R./Nominal bail or percentage cash bail.

In addition to above-mentioned duties, the Bail Agency also provides the defendant and other interested parties with information concerning bail and criminal procedure.

JAIL INVESTIGATIVE UNIT

Located in the Bail Agency's County Office Building administrative center, the Jail Investigative Unit, among its many duties, is charged with reviewing the cases of criminal defendants lodged in the Allegheny County Jail in lieu of bail.

(Continued on page 35)



Following the arraignment and lodging in the Allegheny County Jail of individuals unable to post bond, Bail Agency Investigators from this unit begin the process of examining these cases in an attempt to determine whether or not what is believed to be an appropriate bond has been set. Upon completion of these evaluations, a Common Pleas Court Judge may present a case for review of bail in open court. Cases may also be presented for bail review at the request of attorneys, family members and friends, or the defendants themselves. In 2004, Jail Investigative Unit Investigators were present at 856 bail hearings where bond was modified or set.

As with all of the Bail Agency functional units, the providing of information to the courts and the general public is one of the Jail Investigative Unit's major responsibilities.

BOND FORFEITURE UNIT

Also housed in the main office of the Bail Agency, members of the Bond Forfeiture Unit work to bring back into the court system criminal defendants who have failed to appear at various court proceedings. These investigators attempt to resolve cases of bond forfeiture by contacting the violators, who must report to the Bail Agency and

reinstated or set with regard to bond forfeiture cases. Bond forfeiture statistics are presented below.

PRETRIAL ELECTRONIC MONITORING UNIT

Begun in 2000 as a joint venture with the Allegheny County Adult Probation Office, Pretrial Electronic Monitoring was created as a way to alleviate jail overcrowding by providing for the restricted release of individuals charged with non-violent offenses. Electronic monitoring personnel review the cases of individuals held in the Allegheny County Jail who are not otherwise eligible for release on reduced bond. Suitable candidates have their cases presented to court with a request that bond be modified on the condition that they be restricted to their residences and abide by strict rules and regulations. Compliance is verified by the use of electronic monitoring equipment as well as case managers. In 2004, 148 defendants were released on Pretrial Electronic Monitoring, saving the taxpayers of Allegheny County an estimated \$1,744,881* and eliminating an estimated 26,043 total days of incarceration for these defendants.

Three ways in which Pretrial Electronic Monitoring benefits the residents of Allegheny County:

—Eliminates the cost of housing defendants in the county jail.

—Allows individuals to become involved in productive activities.

—Restricts the movements of criminal defendants awaiting further court action.

**Based on an estimated \$67 per day to house an inmate in the Allegheny County Jail.*

BOND FORFEITURES

	2001	2002	2003	2004	% Increase/ Decrease 2003 to 2004
Sentencing	35	48	32	33	3.1%
ARD	147	126	78	61	-21.8%
Pretrial Conference	444	475	447	519	16.1%
Preliminary Hearing	749	895	813	1,078	32.6%
Trial	1,111	1,210	1,239	1,284	3.6%
Formal Arraignment	1,349	1,217	1,332	1,513	13.6%
TOTAL	3,835	3,971	3,941	4,488	13.9%

present their cases in court for bail reinstatement. In the case of willful, non-compliant forfeitures, unit members will work closely with law enforcement officials to have those defendants apprehended.

In 2004, Bail Agency Investigators appeared at 1,974 court proceedings in which bond was either

In addition to its core duties, the Court Bail Agency is continually evolving—undertaking new duties and responsibilities in order to meet the needs and demands of the courts, the bar, and the residents of Allegheny County.

Since 1937, the Behavior Clinic has provided invaluable assistance to judges in their assessment of criminal defendants. Staff psychiatrists, psychologists, and psychiatric social workers provide professional evaluations to assist judges in their determination of a defendant's psychological ability to stand trial, the possibility of involuntary hospital commitment, and the range of sentencing. Crimes that require mandatory Behavior Clinic evaluation are noted in the statistical table. Additional cases that also require Behavior Clinic evaluation include Criminal Attempt of any of these charges, animal cruelty-related offenses, and any other cases in which the court orders an examination.

Of the 2,241 evaluations conducted in 2004, 105 were related to murder cases and over 300 were related to rape and other sex offenses. The largest increase in evaluations, 80, was for simple assault-related crimes; evaluations for indecent exposure cases declined the most by 22.

No defendant committed to the Allegheny County Jail on a Behavior Clinic detainer can be released from the jail, even if bond is paid, except under certain conditions. The detained defendant may be released when cleared by a doctor if bond is reduced to ROR, no charges are pending, or a court order is issued from a Court of Common Pleas judge or district justice stating that the inmate may be seen on an outpatient basis. In an ongoing effort to develop and improve methods of caseload management, the Behavior Clinic can better serve the community by early identification of offenders who will benefit from behavioral health services rather than incarceration.

Behavior Clinic Manager Bernice Gibson retired in June 2004. A court employee for 27 years, Ms. Gibson supervised clinic operations since August 1988. She started with the court in 1977 in the administrative office. Geardean Young, a Behavior Clinic caseworker for the last 10 years, became the clinic's manager in August 2004. Ms. Young was employed with the Allegheny County Jail as a caseworker for six years before transferring to the court.

Evaluations by Offense	2003	2004
Aggravated Assault	228	253
Arson*	38	36
Burglary	117	133
Corrupting the Morals of a Minor*	27	31
Disorderly Conduct	115	121
Driving Under the Influence	22	23
Endangering the Welfare of a Child*	117	106
Harassment*	94	102
Homicide*	104	105
Indecent Assault*	113	119
Indirect Criminal Contempt*	3	9
Indecent Deviate Sexual Intercourse*	25	44
Indecent Exposure*	123	101
Kidnapping*	18	27
Loitering and Prowling	8	15
Miscellaneous	109	155
Rape*	98	90
Reckless Endangerment of Another Person	35	78
Simple Assault	308	388
Stalking*	81	106
Terroristic Threats	88	96
Violation of the Uniform Firearms Act	16	12
Violation of Probation	19	22
Violation of the Controlled Substance Act	44	69
TOTAL	1,950	2,241
*Mandatory Evaluation		
BEHAVIOR CLINIC ACTIVITY		
Court Appearances	81	
Evaluations of Defendants Discharged from Mayview State Hospital	80	
Involuntary Mental Health Commitments	101	
Evaluations by Judicial Request	115	
Re-Evaluations (Second Opinions)	134	
Psychological Testing	1	
Social Histories	151	

Like Criminal Division, the Summary Appeals Branch underwent transition in 2004. It was renamed "Miscellaneous Courts" and consolidated with the Criminal Division's Accelerated Rehabilitative Disposition (ARD) and Plea Disposition Quickie (PDQ) diversionary programs. Miscellaneous Courts, now supervised by the Criminal Division, is regularly presided over by the Honorable Robert C. Gallo with several judges substituting when needed: Honorable Robert E. Colville, Honorable Lester G. Nauhaus, Honorable Kevin G. Sasinoski, Honorable David R. Cashman, Honorable Lawrence J. O'Toole, and Honorable Michael A. Della Vecchia. The jurisdiction of Miscellaneous Courts includes ARD and PDQ adjudications, summary and statutory appeals resulting from minor judiciary rulings pertaining to criminal citations, local ordinances, etc., and other statutory civil litigations.

Judge Gallo presides at collective ARD/PDQ hearings as well as daily summary appeals. Chief Clerk Joseph DeMarco refers miscellaneous civil summary appeals to Civil Division Administrative Judge R. Stanton Wettick, Jr., for assignment. All cases are tracked by the Miscellaneous Court staff from filing to disposition.

Consolidation efforts have centralized the court's diversionary program operations further enabling efficiencies in processing and disposing of daily filings. Nunc pro tunc appeals were over 850 this year, compared to more than 700 last year.



Joseph DeMarco
Manager

dispositions totaled 3,025, 140 more than in 2003. Not included in these disposition totals, ARD/PDQ violation hearings are held concurrent with ARD/PDQ group colloquies, requiring additional court time and clerical follow-up.

As with other cases, it is important to adjudicate PDQ's "quickly," and the average number of days from filing to hearing date for PDQ matters in 2004 was approximately 33 days, compared to over 120 days for regular criminal cases. Although a minimal time period between filing and hearing date for ARD's is not quite as crucial as in PDQ matters, with 8,754 cases diverted through ARD for the last three years, it is important that cases be disposed of promptly to maintain caseload management. In matters of drivers' license revocation/suspension, Miscellaneous Courts has kept the time from filing date to hearing date to 60-65 days as mandated by state law concerning PENNDOT cases. Completing cases in a timely manner is not only in the best interest of the defendant but also in the public's best interest by savings associated with incarceration, court personnel, and operational costs.

Computer programs are being further developed to improve caseload management. PDQ sentencing guidelines were entered under the JNET system in 2004, and PDQ data is scheduled to be entered into the new statewide criminal justice information system in early 2005. The resolve and conscientiousness of Miscellaneous Court's staff have made it possible to maintain exceptional efficiency levels in spite of escalating caseloads.

	New Cases Filed	Cases Disposed
Zoning Board	66	46
Civil Service	5	2
Motor Vehicle Code Suspensions	1,138	1,138
Liquor Control Board	5	4
Miscellaneous	62	58
Criminal Summary Convictions	2,772	3,509
TOTAL	4,048	4,757

PDQ total dispositions in 2004 almost doubled compared to 2003. Of the 1,314 dispositions, 1,042 involved drug/alcohol offenses; ARD



Judge Robert C. Gallo

ORPHANS' COURT DIVISION

*Frick Building
Grant Street
Pittsburgh, Pennsylvania*



Frank J. Lucchino
Administrative Judge



(L-R):

Walter R. Little
Lee J. Mazur
Frank J. Lucchino
Robert A. Kelly

JUDGES

In 2004, in order to continue to upgrade and improve the practice in the Orphans' Court Division, the court adopted new procedures for handling petitions for the appointment of the guardian of the person of a minor. Under the new procedure, the petition is presented to the motions supervisor and then referred to the guardianship department for review prior to presentation to a judge for the scheduling of a hearing.

After the hearing is scheduled, an investigator from the Guardianship Department conducts an onsite visit with the proposed guardians at which time all other occupants of the residence must be

present. The court also requires that checks be made for child abuse history, protection from abuse, and criminal records. The court then conducts a hearing on the record to determine whether to grant the petition. The new procedure represents a significant change from the prior practice where the motions judge handled the petitions at the time of the presentation of the motion and, while the proposed guardian and the minors were required to be present, in most instances the court did not conduct a hearing on the record. The new procedure is designed to provide the court with all pertinent information required to make a determination that the appointment of guardian is in the best interests of the minor.



Paul W. Stefano, Esq.
Administrator

(Continued on page 40)

GUARDIANSHIP PROCEEDINGS

Number of New Petitions Presented	263
Contested Hearings	15

Hearings

*Emergency Guardians Appointed	27
**Permanent Guardians Appointed	203
Successor Guardians Appointed	21
Guardians Discharged	18
Petitions Withdrawn	36
Electro-Convulsive Therapy (ECT)	23
Adjudication of Full Capacity	4
Petitions for Review	23
Total Number of Hearings Above	355

(In addition to the above, the Court held 10 miscellaneous hearings.)

Bonds Approved	47
Safe Deposit Box Inventories	5
Court-Appointed Counsel	59
Independent Medical Evaluations	9
Number of Allowances	688
Annual Report of Guardian of Person and/or Estate (includes 122 final reports, 185 inventories filed)	1,537

**Includes 6 plenary guardianships of person, 1 plenary of estate, 13 plenary of person and estate, 4 limited of person and estate, 2 limited of estate, and 1 limited of person.*

***Includes 12 plenary guardianships of estate, 8 limited of estate, 22 plenary guardianships of person, 6 limited of person, 148 plenary of person and estate, and 7 limited of person and estate.*

CIVIL COMMITMENTS

I. Total Petitions Presented	6,545
II. Dispositions	
A. Hearings by Mental Health Review Officers	5,765
B. Hearings/Reviews by Court	56
TOTAL DISPOSITIONS	5,821

HEARINGS BY TYPE UNDER MENTAL HEALTH PROCEDURES ACT

303	Up to 20 days involuntary commitment	3,532
304-B	Up to 90 days involuntary commitment	1,126
304-C	Up to 90 days involuntary commitment	276
305	Up to 180 days involuntary commitment	648
306	Modification of restrictions of commitment	293
306-2	Up to 180 days criminal commitment	6
304-G2	Up to 365 days criminal commitment	1
ECT	Electro-Convulsive Therapy (ECT)	19
EXP	Expungements of Records	7
REVS	Reviews of 303, 304B, 304C, etc.	30
TOTAL HEARINGS		5,938

New procedures were also made in the processing of minor's settlements where the minor and his/her guardian are not represented by counsel. Since most of these petitions are prepared and filed by counsel for the tortfeasor's insurance company,

the petitions are strictly scrutinized to make certain that they comply with local rules and that the proposed settlements are fair and in the best interests of the minor. The counsel for the insurance company must notify the parents of his/her prior representation of the insurance company, but advise the parents that for the purposes of the petition he/she will act solely in the minor's best interests. Additionally, counsel must sign a statement as to the desirability of the proposed settlement.

Also, the court has increased its scrutiny in all settlement petitions involving the use of structured settlements to insure that the proposed payouts are reasonable and not made over an extended period of years after the minor reaches majority, absent special circumstances.

(Continued on page 41)

ESTATES

PETITIONS FILED

—Additional Bonds	35
—Appointment of Guardians of the Person and Estates of Minors	71
—Approval of Settlement of Minors' Claims	494
—Lifting of Suspension of Distribution	24
—Sale of Real Estate	73
—Petitions for citation against fiduciaries to file accounts or to show cause why they should not be removed, etc.	208
—Petitions filed by Inheritance Tax Department and citations awarded against fiduciaries to show cause why they should not file Transfer Inheritance Tax Return and/or pay Transfer Inheritance Tax due	140
—Miscellaneous Petitions	630
TOTAL PETITIONS FILED	1,675

ESTATES

AUDIT HEARINGS OF ACCOUNTS

—Accounts by Executors, Administrators, Trustees, and Guardians	898
Decedent's Estates	563
Guardianships	210
Trusts	122
Minors	3

—Small Estates (\$25,000 or less)	201
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TOTAL DECREES OF DISTRIBUTION	898
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CONTESTED HEARINGS OF ESTATE MATTERS*	266
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Hearings on claims of creditors against estates, exceptions to accounts, questions of distribution involving appeals from decree of the Register of Wills in the grant of Letters of Administration, inheritance tax appraisals and assessments, will contests, proceedings against fiduciaries, termination of trust, delinquent inheritance tax due, miscellaneous hearings, including presumed decedents, absentees, and correction of birth records.

OPINIONS FILED	14
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PRETRIAL CONFERENCES DOCKETED	392
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RETURN DAYS SCHEDULED	193
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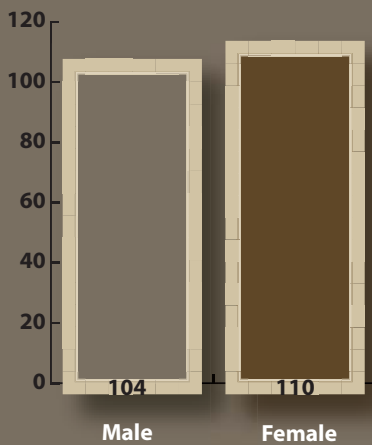
*Excludes guardianship hearings and termination/adoption hearings.

In the adoption area, the court, working with the members of the Allegheny County Bar Association, was instrumental in creating the "Indigent Birth Parent Attorney Group." Volunteer attorneys from this group provide free representation to indigent parents in private (as opposed to public agency) cases who are contesting the termination of their parental rights. All notices of hearing must now include information on the Indigent Birth Parent Attorney Group. Also, in order to improve the quality and thoroughness of their work for the court, Adoption Department investigators attended a training seminar dealing with the review and interpretation of criminal records.

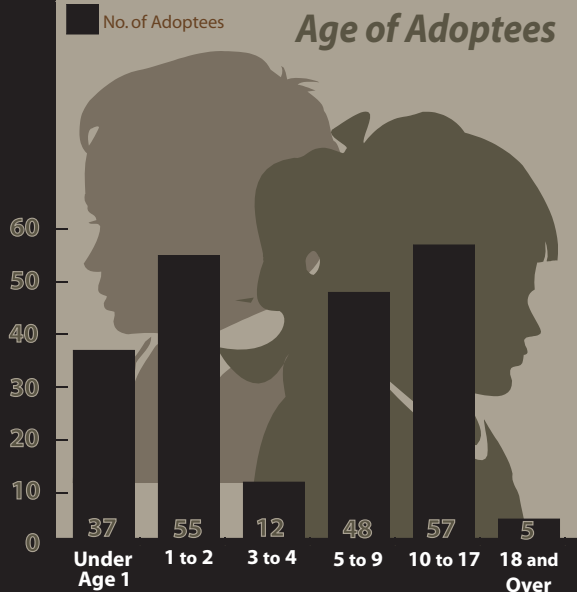
Birthplace

Allegheny County	122
Elsewhere in Pennsylvania	28
Outside Pennsylvania	37
Outside USA	27

Gender



Age of Adoptees



ADOPTION ACTIVITY

	Scheduled	Decreed
Adoptions	204	194
Voluntary Relinquishments	2	2
Confirm Consents	93	85
Involuntary Terminations	88	84
Confirm Consents with Involuntary Terminations	6	6
TOTAL	393	371

ORDERS OF COURT (Includes orders on petitions presented, continuances, amendments, allowance on publication service, acceptance of jurisdiction, allowance of interrogatories, appointments of search agents) 596

ADOPTION DECREES 371

COMBINED DECREES AND ORDERS 967

ADULT ADOPTEE SEARCH REQUESTS 99

PERSONS ADOPTED 214
(Some petitions include siblings)

**ORDERS SIGNED APPOINTING
SEARCH AGENTS** 89

**BIRTH PARENT REQUESTS TO PLACE
WAIVERS IN FILE** 4

**NON-RELATIVE ADOPTION PLACEMENTS BY
NON-ALLEGHENY COUNTY AGENCIES**

—Berks County, Pennsylvania Children & Youth Services (with Catholic Charities of the Diocese of Pittsburgh)	1
—Cambria County, Pennsylvania Children & Youth Services (with Bethany Christian Services)	2
—Christian Homes of Abilene, Abilene, Texas	1
—Cuyahoga County Department of Children & Families, Cleveland, Ohio (with Three Rivers Adoption Council/Black Adoption Services)	4
—El Paso Adoption Services, El Paso, Texas	1
—Family to Family Adoptions, Inc., Richmond, Texas (with A Labor of Love Adoptions, California)	1
—Hamilton County Department of Job & Family Services, Cincinnati, Ohio (with Children's Home of Cincinnati, Ohio)	1
—Love the Children, Quakertown, Pennsylvania	1
—Mitchell County Department of Social Services, Bakersville, North Carolina	1
—New Beginnings Family & Children's Services, Mineola, New York (with Spence-Chapin Services to Families & Children, New York, New York)	1
—State of Louisiana Department of Social Services (with Bethany Christian Services)	1
—State of West Virginia Department of Health & Human Services	4
—The Adoption Alliance, Las Vegas, Nevada	1
—The Welcome House Adoption Program of Pearl S. Buck International, Perkasio, Pennsylvania	1
—World Association for Children & Parents, Seattle, Washington	1
Sub Total	22

**NON-RELATIVE ADOPTION PLACEMENTS
BY ALLEGHENY COUNTY AGENCIES**

—Bethany Christian Services	10
—Genesis of Pittsburgh, Inc.	13
—Jewish Family & Children's Service	1
—The Children's Home of Pittsburgh	21
Sub Total	45

**NON-RELATIVE ADOPTION PLACEMENTS
BY NON-AGENCIES**

—Attorney	3
—All Other	9
—Parent	3
—Other Relative	1
Sub Total	16
—Co-Parent Adoptions	8
—Adult Adoption - No Intermediary	1

TOTAL Non-Relative Adoptions 92

**RELATIVE ADOPTION PLACEMENTS
BY NON-AGENCIES**

—Step-Parent	92
—Other Relative	14
—U.S.A. Re-Adoptions	16

TOTAL Relative Adoptions 122

TOTAL PERSONS ADOPTED 214

Every ten years following the census, the court is charged with reestablishing its magisterial districts based upon population changes and to establish caseload parity in its magisterial districts. Petitions for proposed changes are submitted to the Supreme Court, which enters an order reestablishing the districts.



Nancy L. Galvach
Manager

District and the Commonwealth of Pennsylvania's Unified Judicial System.

Additionally, through the reestablishment process, parts of four magisterial districts were combined into a newly created district, Magisterial District 05-2-47, which experienced 6,702 filings in 2004. Also through the process,

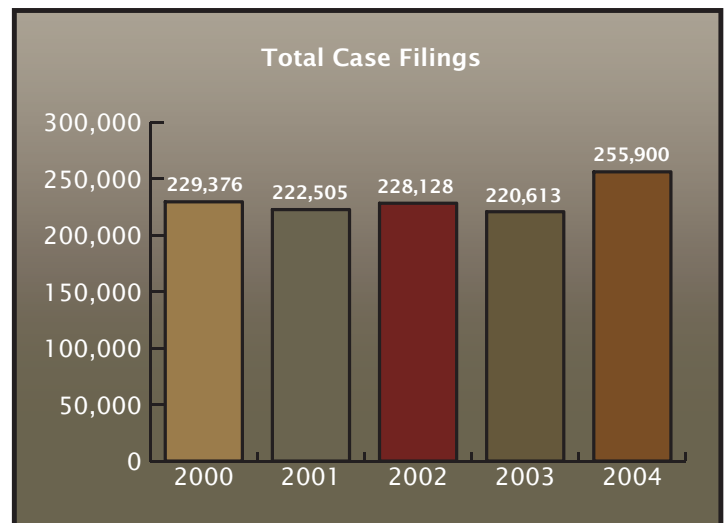
three magisterial districts were combined with three others, thereby reducing the number of magisterial districts from 55 to 52.

One of the problems encountered in reestablishment of the districts within the City of Pittsburgh was that, with the existence of Pittsburgh Magistrates Court, the city district justices heard limited matters that were criminal in nature. The City of Pittsburgh lost 8.6 percent of its population between the 1990 census and the 2000 census. To achieve caseload parity, many of the magisterial districts would have to be combined, thereby eliminating many, or the judicial makeup of Pittsburgh Municipal Court would have to change from appointed magistrates to elected district justices.

Case filings in the District Justice Courts were 212,787. Pittsburgh Magistrates Courts' criminal, traffic, and non-traffic filings totaled 43,113, for a grand total of 255,900 filings in the judicial district.

The Fifth Judicial District's reestablishment petition that proposed assigning district justices to Pittsburgh Magistrates Court while allowing the terms of magistrates to lapse for a trial period was enacted in 2003. During the trial period in 2004, Econsult, consultants hired by the Supreme Court, studied the feasibility of the court becoming a county court.

In late 2004, Econsult's recommendation was accepted; and, by Order of the Supreme Court, Pittsburgh Magistrates Court became Pittsburgh Municipal Court, part of both the Fifth Judicial



Case Filings						
	Criminal	Civil	Landlord/ Tenant	Non- Traffic	Private Summary	Traffic
2004	34,278	19,373	14,028	44,432	10,278	133,511
2003	21,020	18,573	15,008	39,110	11,277	115,620
2002	19,801	18,208	14,949	35,900	9,250	130,011
2001	19,059	18,367	15,024	34,718	10,054	125,281

Donald H. Presutti

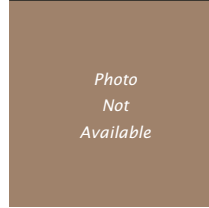


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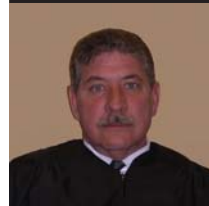


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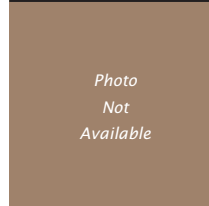


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Vacant



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Mon Wharf
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Senior District Justices

Leonard W. Boehm
Edward Burnett

Raymond L. Casper
Frank Comunale, III

Georgina G. Franci
Nancy L. Longo

Lee G. Peglow
Richard J. Terrick

Edward A. Tibbs
Robert E. Tucker

		Traffic	Criminal	Civil	Landlord/ Tenant	Non- Traffic	Private Summary	Total
05-2-01	Hon. Donald H. Presutti	5,870	430	412	174	719	718	8,323
05-2-02	Hon. Richard G. Opiela	2,519	720	546	167	589	730	5,271
05-2-03	Hon. Robert P. Dzvonick	1,595	434	353	68	799	200	3,449
05-2-04	Hon. Elissa M. Lang	3,993	383	334	97	780	34	5,621
05-2-05	Hon. Carolyn S. Bengel	1,388	363	311	222	960	213	3,457
05-2-06	Hon. Leonard J. HRomyak	1,071	627	928	450	1,018	550	4,644
05-2-07	Hon. Walter W. Luniewski	1,652	577	663	340	727	226	4,185
05-2-08	Hon. Susan Evashavik	4,172	408	184	85	1,023	116	5,988
05-2-09	Hon. Ross C. Cioppa	3,776	607	278	494	1,622	89	6,866
05-2-10	Hon. Alberta Thompson	767	713	313	731	787	38	3,349
05-2-11	Hon. Robert L. Barner	4,009	704	287	258	1,188	666	7,112
05-2-12	Hon. William K. Wagner	4,644	400	339	52	476	131	6,042
05-2-13	Hon. Thomas S. Brletic	1,153	825	565	700	2,556	39	5,838
05-2-14	Hon. Richard D. Olasz, Jr.	2,385	788	355	155	1,141	308	5,132
05-2-15	Hon. Thomas Torkowsky	2,404	647	308	234	1,532	175	5,300
05-2-16	Hon. Mary Grace Boyle	3,109	446	424	144	419	86	4,628
05-2-17	Hon. David J. Barton	3,286	495	420	203	601	51	5,056
05-2-18	Hon. John N. Bova	3,106	892	349	621	881	106	5,955
05-2-19	Hon. Blaise P. Larotonda	4,048	617	276	152	1,140	37	6,270
05-2-20	Hon. Robert C. Wyda	2,149	373	208	112	588	89	3,519
05-2-21	Hon. Elaine M. McGraw	4,704	523	433	73	637	298	6,668
05-2-22	Hon. Gary M. Zyra	1,356	295	278	80	351	63	2,423
05-2-23	Hon. Dennis R. Joyce	3,049	445	328	172	866	176	5,036
05-2-25	Hon. Mary P. Murray	2,261	666	852	198	1,019	265	5,261
05-2-26	Hon. Ernest L. Marraccini	1,229	269	382	78	452	92	2,502
05-2-27	Hon. Eileen M. Conroy	1,673	87	451	584	756	72	3,623
05-2-28	Hon. Oscar J. Petite, Jr.	1,122	502	687	701	587	437	4,036

		Traffic	Criminal	Civil	Landlord/ Tenant	Non- Traffic	Private Summary	Total
05-2-31	Hon. Ron Costa, Sr.	51	145	541	1,164	608	87	2,596
05-2-32	Hon. Linda I. Zucco	1,351	258	246	197	344	87	2,483
05-2-35	Hon. Nathan N. Firestone	487	50	505	284	335	45	1,706
05-2-36	Hon. James J. Hanley, Jr.	8	82	186	223	4	51	554
05-2-38	Hon. Charles A. McLaughlin	110	328	324	341	366	218	1,687
05-2-40	Hon. Cathleen Cawood Bubash	596	202	306	591	144	223	2,062
05-2-42	Hon. Robert P. Ravenstahl, Jr.	59	58	299	572	1,083	115	2,186
05-2-43	Hon. Carla Swearingen	3,751	541	444	322	417	142	5,617
05-2-46	Hon. Regis C. Welsh, Jr.	5,646	449	430	42	500	225	7,292
05-2-47	Hon. Scott H. Schricker	2,064	709	478	418	2,312	721	6,702
05-3-02	Vacant	5,263	116	107	35	192	17	5,730
05-3-03	Hon. David J. Sosovicka	2,909	232	203	36	396	207	3,983
05-3-04	Hon. Suzanne Blaschak	1,476	203	184	22	199	705	2,789
05-3-05	Hon. Thomas G. Miller, Jr.	661	367	284	91	306	31	1,740
05-3-06	Hon. Mary Ann Cercone	2,589	876	396	268	1,968	97	6,194
05-3-09	Hon. Armand Martin	871	584	994	184	1,421	28	4,082
05-3-10	Hon. Eugene Zielmanski	13	56	196	211	141	139	756
05-3-12	Hon. Kevin E. Cooper	33	51	282	643	468	150	1,627
05-3-13	Vacant	509	114	212	239	233	63	1,370
05-3-14	Hon. Richard G. King	219	33	187	147	426	436	1,448
05-3-15	Hon. Anna Marie Scharding	754	199	156	280	332	23	1,744
05-3-16	Hon. Sally Ann Edkins	1,122	88	95	6	153	72	1,536
05-3-17	Hon. Anthony W. Saveikis	4,460	487	801	234	668	165	6,815
05-4-01	Hon. Richard K. McCarthy	1,151	205	118	77	329	20	1,900
05-4-02	Hon. Richard H. Zoller	1,635	238	135	56	364	206	2,634
05-0-01	Pittsburgh Criminal Court	2	10,380	0	0	5,526	0	15,908
05-0-03	Pittsburgh Traffic Court	23,231	2,991	0	0	983	0	27,205

Honorable Gerard M. Bigley

In October 2004, Judge Bigley resigned his commission to the Court of Common Pleas effective January 3, 2005, three years prior to the expiration of his third judicial term. Having served the residents of Allegheny County for 27 years, the judge advised Governor Rendell that he was retiring “for purely personal reasons - to spend more time with my children and grandchildren, travel, and yes, to relax.” Judge Bigley, aware of the “ever-increasing workload in the Criminal Division,” requested senior status from the Pennsylvania Supreme Court, citing his willingness to help keep the caseload current. In his resignation letter to Chief Justice Cappy, Judge Bigley noted that he considered himself blessed to have had the opportunity to serve as a judge and to be associated with admirable colleagues.



Elected to the bench in 1977, Judge Bigley began his initial term in the Criminal Division in 1978 until December of 1991 when then-President Judge Zavarella assigned him to the Civil Division. He was reassigned to the Criminal Division in August 1993, and in April 1999, Judge Bigley was appointed to a three-year term as administrative judge of the Criminal Division by the Pennsylvania Supreme Court.

Prior to his judicial career, the judge served as an Allegheny County Assistant District Attorney from 1976 to 1977. During a seven-year stint in civil practice beginning in 1970 through 1977

with the law firm of Stone & Raynovich, he also served as Police Legal Advisor for the City of Pittsburgh for five years (1970-1975). Following college graduation, he worked as a criminal investigator for the U. S. Treasury Department from 1962 to 1968.

Judge Bigley earned his *juris* doctorate at Duquesne University School of Law, graduating first in the Class of 1970, *cum laude*. For each year at Duquesne University, Judge Bigley was honored with the West Publishing Company Prize for Scholastic Excellence. He also won the American Academy of Trial Lawyers Prize for Excellence in Torts, the American Jurisprudence Award of Excellence in Criminal Law, the Duquesne Law Wives Scholarship, Phi Alpha Delta Law Fraternity Scholars Award, and the Bar Association's Scholarship Award for attaining the highest cumulative quality point average in a graduating class. He received his B.B.A. in 1961 from the University of Pittsburgh. In 1984 and 1986, respectively, the judge was honored with the Duquesne University School of Law Distinguished Alumnus Award and the University of Pittsburgh Dean's Alumni Medal.

The judges' professional memberships include the Pennsylvania Conference of State Trial Judges and the Allegheny County Bar Association. He is a past vice president of the Western Pennsylvania Chapter of the Muscular Dystrophy Association.

Honorable Alan S. Penkower

Judge Penkower resigned his judicial commission to Pennsylvania's Fifth Judicial District effective September 1, 2004, taking an early retirement at the age of 62 to spend more time on the West Coast with family. A gubernatorial appointee to the bench in June 1983, the judge won election in November 1983 and won retention in 1993. During his 21 years on the bench, the judge served over 15 in the Civil Division where he presided over more than 800 trials and conducted over 4,000 settlement conferences. As a jurist, he earned a reputation as impartial and patient with an excellent understanding of the law. In "retirement," Judge Penkower will continue in the legal profession as a complex litigation specialist with Alternative Resolution Centers (ARC).



City of Pittsburgh's Chief Magistrate and its Housing Court presiding magistrate for 5 years and 11 years, respectively, before becoming a Court of Common Pleas judge.

Among the many awards bestowed on him, the judge was granted the Reginald Huber Smity Community Lawyer Fellowship, the American Jurisprudence Prize for Excellence in Procedure, and the American Jurisprudence Prize for Excellence in Trusts and Estates. In May 2004, the Western Pennsylvania Trial Lawyers Association (WPTLA) recognized Judge Penkower for his many years of service to the association.

Born and raised in Brooklyn, New York, Judge Penkower relocated to Pittsburgh while serving with Volunteers in Service to America (VISTA), a national domestic volunteer service program. Since 1965, VISTA sends volunteers "to community-based agencies to help find long-term solutions to problems caused by urban and rural poverty." The judge earned his B.A. at Brandeis University in 1965 and his *juris* doctorate at New York University Law School in 1967. Following his VISTA service, he accepted a position with Neighborhood Legal Services (1969-1972) and partnered in a private practice. He served as the

Judge Penkower's professional affiliations include serving as past president of the Pennsylvania Conference of State Trial Judges and counselor to the American Inns of Court's University of Pittsburgh School of Law chapter. As an active member of the Allegheny County, Pennsylvania, and American bar associations, the judge has made significant contributions to many special committees. He has been a member of local, state, and national Special Court Judges' associations and an advisor on community code compliance and housing and urban development law. For three years (1997-1999), the judge taught a civil mediation course as a National Judicial College faculty assistant.

Under Pennsylvania law effective January 1, 1999, mandatory retirement for judges is 70 years, but they may serve as senior judges in retirement until they reach the age of 75. This age limit does not apply to senior appellate judges or senior judges serving before enactment of the legislation. Two of the Fifth Judicial District's jurists who were approved as senior judges at age 70 in 1999 celebrated their 75th birthdays in 2004, the Honorable James R. McGregor on July 13th, and the Honorable Bernard J. McGowan on December 18th.

Honorable James R. McGregor

Honorable James R. McGregor began his judicial career thirty years ago as a gubernatorial appointee in 1974 who won election in 1975 and was retained for two additional 10-year terms in 1985 and 1995. After a brief term in the Family and Civil Divisions, Judge McGregor served in the Criminal Division since August 1975 where he presided over more than 20,000 trials. He was an active member of the Prison Board and Criminal Justice Task Force while a criminal jurist.



juris doctorate at the University of Pittsburgh Law School in 1957 after serving in the U. S. Army. He attended the National College of State Judiciary in Reno, Nevada, in 1974. Prior to his judicial tenure, he practiced law both as a partner and solo for approximately 10 years, was solicitor for the Allegheny County Controller's Office (1968-1969), and legal counsel to the Pennsylvania House of Representative Minority Leader (1966-1967).

A former Russian interpreter/translator with the U.S. Army Language School in the early 1950's, Judge McGregor traveled to Veronezh, Russia in 1993 through the Soros Foundation to assist with that country's legal and prison reform. Soros, an international philanthropic organization based primarily in Central and Eastern Europe and the former Soviet Union, promotes the development and implementation of programs focusing on civil society, education, media, public health, and human rights.

The judge earned his undergraduate degree at Washington & Jefferson College (W & J) and his

Judge McGregor's present and former professional affiliations include the American Judicature Society, Pennsylvania Conference of State Trial Judges, The Law Club of Pittsburgh, and the American, Pennsylvania, and Allegheny County Bar (ACBA) Associations. He was an acclaimed member of the ACBA Players. The judge has served as the Vice Chair for the Boy Scouts of America East Valley Area Council's Executive Board and as a member of Amen Corner's and Western Pennsylvania's Leukemia Society Board of Governors, and Consilium, Inc.'s Board of Directors. Active in W & J's alumni association, Judge McGregor headed the Allegheny County Chapter in 1964-1965.

Honorable Bernard J. McGowan

Honorable Bernard J. McGowan began his 29-year judicial career in the Allegheny County Court of Common Pleas winning election to the bench in November 1975. He won retention for two subsequent 10-year terms in 1985 and 1995.



Originally assigned to the Criminal Division for approximately two years, Judge McGowan was transferred to the Civil Division, where he was in charge of Calendar Control for approximately 20 years, serving in this capacity longer than any other judge in recent memory. With a dedicated group of hardworking jury trial judges and a strict policy on continuances, the Civil Division during this time maintained a current civil trial calendar. As the Calendar Control Judge, Judge McGowan is remembered for exhaustive conciliation of every case on each day's trial list. He is well renowned for his instincts in the alternative dispute resolution process, particularly in mediation. As a member of the Voir Dire Subcommittee of the ACBA's Court Rules Committee, he is credited with much of its success. "The initiative would have failed without Judge McGowan's input and his imprimatur," cites a *Lawyers Journal* article. Judge McGowan was assigned to the Orphans' Court Division as a senior judge in 1999 at the request of the late Administrative Judge Paul R.

Zavarella. When outgoing President Judge Robert A. Kelly returned to the Orphans' Court in 2003, Judge McGowan was reassigned to the Civil Division, where he closed out his career on the bench.

Judge McGowan received his A.B. from the University of Pittsburgh in 1951. After graduating from the University of Pittsburgh's Law School in 1954, he was admitted to the Allegheny County Bar.

Before beginning his legal career, the judge served in the U. S. Marine Corps, 1954-1957, attaining the rank of First Lieutenant. He established a solo private law practice in his hometown of McKeesport after completing his military service. While Calendar Control Judge, Judge McGowan served several years as an instructor in the civil trial advocacy program for young lawyers, National Institute for Trial Advocacy (NITA), sponsored by the University of Pittsburgh Law School.

The judge's professional memberships have included the Allegheny County and American Bar Associations and the American Judicature Society. An active member of the American Veterans of World War II and Korea, he served as a past State Commander and was a former member of the governor's Pennsylvania State Veterans Commission.

“The initiative would have failed without Judge McGowan's input and his imprimatur.”

NOTE OF THANKS

Special acknowledgement goes to Rebecca Planinsek, Sharon McAllister, Gina Urbanski, Eileen Morrow, and Elaine Rjabak for their dedication, professionalism, creativity, and tireless efforts in the preparation and production of the 2004 Annual Report.

A special thanks to Margaret Grace Stanley, Allegheny County Photographer.

—Raymond L. Billotte
District Court Administrator