



# The Fifth Judicial District of Pennsylvania

Allegheny County

ANNUAL REPORT 2008



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# Message from the President Judge and District Court Administrator



Hon. Joseph M. James  
President Judge



Raymond L. Billotte  
District Court Administrator

## *From the President Judge:*

*The end of 2008 marked my fifth and final year as President Judge. The past five years allowed me the great privilege of serving the citizens of Allegheny County as President Judge of one of the finest courts in the Commonwealth.*

*During my tenure as President Judge, many successes were realized in the pursuit of a more efficient, effective, and responsive judiciary. Most notably, I am proud of the work achieved to expand the diversity of the jury pool in Allegheny County, signifying improved representation of all people in the judicial system. Further, the creation of the Office of Conflict Counsel, designed to provide competent representation for those facing criminal charges and unable to afford these services, produced and continues to enhance the administration of justice while saving taxpayer dollars. Lastly, I am pleased that through the collaborative efforts of many persons during my term in office, important projects such as the creation of Children's Court, the implementation of the Early Disposition Program (EDP), and the adoption of an electronic automated arrest system were achieved.*

*I would like to thank all of the judges, district judges, and employees of the court. I have been honored by their support and cooperation in the efforts to provide high-quality services to the public. Without their loyal commitment, achievement of our objectives would not have been possible.*

*Lastly, I wish to offer my sincere best wishes to my successor, Judge Donna Jo McDaniel. The court and the citizens of Allegheny County can be confident that her devotion to the underlying principles of a fair and impartial judiciary will serve our community well.*

We are pleased to provide the citizens of Allegheny County our 2008 Annual Report of court operations. The pages that follow provide an operational and statistical review of the important work of our local judiciary.

This past year was marked by various milestones and advancements. We celebrated the 75<sup>th</sup> year of our Juvenile Court operations by honoring many of those who were instrumental in the creation and advancement of the nation's first "problem solving court," implemented to effectively address youth at risk within our community. Revised procedures were implemented in Orphans' Court to improve the court's ability to ensure

safe, secure adoptions for children and modified investigative procedures in guardianship cases to protect the rights of incapacitated persons. The Children's Court Roundtable team continued to work with the Office of Children, Youth and Families and others to improve efforts to reduce the time dependent children remain in foster care and to expedite their permanent placement with safe, caring families. Lastly, work to expand evidence-based practices in both Pretrial Services and Adult Probation led to the implementation of comprehensive risk assessment tools. These tools, designed to assist judicial officers and court professionals by presenting valid information used to determine

pretrial release status and court supervision practices, provide for the safety of our communities while balancing our need to use precious resources wisely. Substantive progress was also made in 2008 in developing both a Mortgage Foreclosure Conciliation Program to assist those within our community facing loss of their homes, and a Veterans Court that will provide support and guidance to veterans experiencing stress and anxiety due to military service. Both programs will be operational in 2009.

We encourage you to take a few moments to look over the court's highlights from 2008.

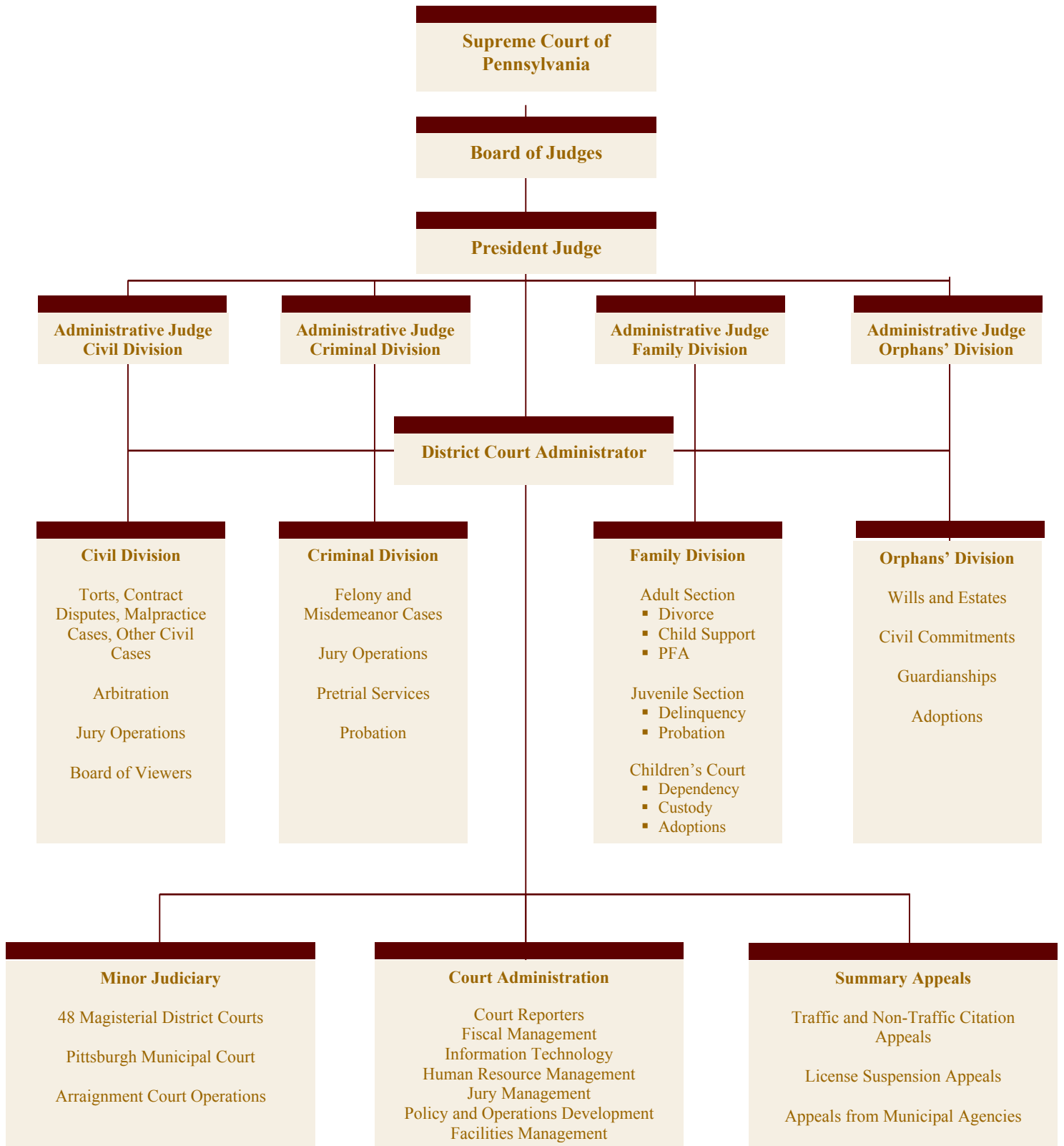
# Board of Judges



**Front Row:** Frank J. Lucchino, Kim Berkeley Clark, Joseph M. James, Gene Strassburger, Donna Jo McDaniel  
**2<sup>nd</sup> Row:** Jill E. Rangos, Kim D. Eaton, Kevin G. Sasinoski, Ronald W. Folino, Christine A. Ward, Anthony M. Mariani, Judith L.A. Friedman  
**3<sup>rd</sup> Row:** Judith Ference Olson, Guido A. DeAngelis, Paul F. Luty, Jr., Beth A. Lazzara, David N. Wecht, Kathleen A. Durkin, Kathleen R. Mulligan, Dwayne D. Woodruff  
**4<sup>th</sup> Row:** Kelly Eileen Bigley, Joseph K. Williams, III, Cathleen Bubash, Lee J. Mazur, Michael A. Della Vecchia, John A. Zottola, Edward J. Borkowski  
**5<sup>th</sup> Row:** Kathryn M. Hens-Greco, Michael E. McCarthy, David R. Cashman, Jeffrey A. Manning, Alan D. Hertzberg, Donald E. Machen, R. Stanton Wettick, Jr., Robert J. Colville  
**6<sup>th</sup> Row:** John T. McVay, Jr., W. Terrence O'Brien, Lawrence J. O'Toole, Randal B. Todd

Not Pictured: Gerard M. Bigley, Thomas E. Flaherty, Robert C. Gallo, Robert P. Horgos, Robert A. Kelly, Lester G. Nauhaus, Timothy Patrick O'Reilly

# Fifth Judicial District of Pennsylvania Table of Organization



# Administration

*The Office of Court Administration provides professional, comprehensive support services to the judiciary and other court-related entities to ensure meaningful access to the courts by adherence to the rule of law, use of timely information management, and expenditure of resources in an effective and efficient manner, in furtherance of the enhancement of public confidence in the judicial branch of government.*



# Court Management



*Claire C. Capristo, Esquire  
Deputy Court Administrator*



*Nancy Galvach  
Deputy Administrator,  
Magisterial District Courts*



*Helen M. Lynch, Esquire  
Administrator, Criminal Division*



*Patrick W. Quinn, Esquire  
Administrator, Family Division*



*James J. Rieland  
Director, Probation Services*



*Paul W. Stefano, Esquire  
Administrator, Orphans' Court Division*



*Angharad Grimes Stock, Esquire  
Administrator, Pittsburgh Municipal Court*



*Cynthia K. Stoltz, Esquire  
Administrator, Children's Court*





*Sean F. Collins  
Manager, Information Systems*



*Geralyn Dugan  
Manager, Jury Operations*



*Charles Kennedy  
Manager, Court Human Resources*



*Michelle H. Lally, Esquire  
Chair, Board of Viewers*



*Thomas McCaffrey  
Director, Pretrial Services*



*Daniel Reilly  
Manager, Facilities*



*Jo Lynne Ross  
Manager, Court Reporters*



*Gerard Tyskiewicz  
Manager, Fiscal Affairs*



# Continuity of Operations Plan

In 2008, all judicial districts in Pennsylvania received an extensive Continuity of Operations Plan (COOP) template realized under the direction of the Administrative Office of Pennsylvania Courts (AOPC). At the behest of Zygmunt A. Pines, Court Administrator of Pennsylvania, all judicial districts in Pennsylvania were obliged to adopt a COOP.

It is critical that court operations continue or resume as quickly and efficiently as possible following any emergency lasting more than a temporal period that affects court facilities, personnel, or both. It stands to reason that access to the court system may, in fact, be in even greater demand during the course of a manmade or natural disaster. The large and complex composition of the Fifth Judicial

District made this a challenging project that required the participation and substantial input by many key policy makers within and outside of the court system. The completed Fifth Judicial District COOP encompasses all of the offices and personnel of the Court of Common Pleas, Court Administration, Adult and Juvenile Probation, Magisterial District Courts, and Pittsburgh Municipal Court. The plan also incorporates communication and notification protocols for other indispensable parties for the orderly administration of justice and emergency services.

The comprehensive Fifth Judicial District COOP assures the capability to perform essential court operations in the short or long term under disaster circumstances where a

portion of a court facility is impacted; a court facility and the immediate surrounding area is impacted; a wide geographic region is impacted; and a pandemic infectious illness is present. The contingency plan documents the formulated processes and procedures necessary to expeditiously deploy designated court personnel, equipment, vital records, and supporting resources to secure alternate sites to sustain organizational functions crucial to the safety and well being of our community until normal court operations are fully restored. The adoption of the COOP has established an infrastructure that fosters a preparedness culture permitting the Fifth Judicial District to fulfill its constitutional and statutory duties in times of crisis.

# Orphans' Court Division

*To provide accessible, courteous, prompt, and efficient court services to all litigants and their attorneys in cases within the jurisdiction of the Orphans' Court Division, including Adoptions, Civil Commitments, Estates/Trusts, Guardianships (Incapacitated Persons and Minors), and Nonprofit Organizations.*



## Orphans' Court Division Judges



*Hon. Frank J. Lucchino  
Administrative Judge*



*Hon. Robert A. Kelly*



*Hon. Lee J. Mazur*



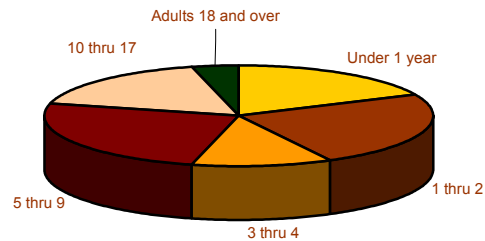
*Hon. Lawrence J. O'Toole*



*Hon. Thomas D. Gladden  
Visiting Judge  
Washington County*

# Orphans' Court Division

**Ages of Adoptees in Years**



Orphans' Court Division and the Department of Court Records are developing an e-filing system for the Orphans' Court Division. Court administrators also worked closely with the director of the Department of Court Records to conform practices in the Orphans' Court Division to the system used in other court divisions where filing fees are paid prior to the court disposing of the pleading.

In 2008, the Adoption Department implemented new procedures to comply with changes in the Child Protective Services Act. Prospective adoptive parents and any individuals over the age of eighteen residing in their household are now required to submit a federal criminal history record from the FBI. This new procedure requires the adoptive parents and adult household members to submit to fingerprinting at one of the several designated sites in Allegheny County. The Pennsylvania Child Abuse History report must cover the five-year period prior to the

filing of the adoption. Revisions made to the requirements of birth parents and adult adoptees accessing adoption records have resulted in a marked improvement in the processing of information requests.

The Guardianship Department modified investigation protocols for petitions seeking the appointment of a guardian for incapacitated persons and minors. In addition to carefully reviewing the petitions, guardianship investigators now research the UJS criminal docket and Department of Court Records civil docket for pertinent background information on proposed guardians. Investigators also closely monitor the filing of inventories and annual reports of guardians of estates to ensure adequacy of the surety bonds and to check for the unauthorized invasions of principal and/or payment of fees. Cases that do not comply with statutory and court rules are sent to the department supervisor for further

review and, if necessary, referral to the assigned judge.

The Civil Commitment Department participated on the committee formed to oversee the closing of Mayview State Hospital (MSH) and the transfer of the forensic unit to Torrance State Hospital. The closing of MSH impacted civil commitment cases handled by Orphans' Court Mental Health Review Officers. Since many MSH patients were dispersed to various long-term structured residences throughout Allegheny County, additional scheduling and hearing site changes were made to comply with due process requirements. Changes were made in the hearing report forms used by the Mental Health Review Officers for making their recommendations and in orders of court. Civil Commitment staff also notifies the District Attorney's Office and the Pretrial Services of the hearing schedule for all forensic cases.



# Orphans' Court Division

ADOPTIONS			
	Scheduled	Decreed	Withdrawn/ Dismissed
Adoptions	124	118	1
Confirm Consents	54	52	1
Involuntary Terminations	51	43	2
Confirm Consents w/Involuntary Terminations	2	2	0
<b>Total</b>	<b>231</b>	<b>215</b>	<b>4</b>
<b>Orders of Court</b> (Includes orders on petitions presented, continuances, amendments, allowance of service by publication, acceptance of jurisdiction, allowance of interrogatories, appointments of search agents)			442
Combined Decrees and Orders			657
Persons Adopted-some petitions include siblings			128
Adult Adoptee Search Requests			91
Orders Signed Appointing Search Agents			43
Birthparent Requests to Place Waivers in File			2
NON-RELATIVE ADOPTIONS			
Adoption Placement by Agencies			
Allegheny County Agencies			
Bethany Christian Services			7
Genesis of Pittsburgh, Inc.			5
The Children's Home of Pittsburgh			15
Catholic Charities of the Diocese of Pittsburgh			2
<b>Total</b>			<b>29</b>
Agencies Outside Allegheny County			12
Adoption Placements by Non-Agencies			7
Co-Parent Adoptions			8
Adult Adoption – No Intermediary			2
<b>Total Non-Relative Adoptions</b>			<b>58</b>
RELATIVE ADOPTIONS			
Step-Parent			49
Other Relative			11
U.S.A. Re-Adoptions			10
<b>Total Relative Adoptions</b>			<b>70</b>
<b>Total Persons Adopted</b>			<b>128</b>
<b>Total Orders Signed on Petitions To Register Foreign Adoption Decrees</b>			<b>45</b>

GUARDIANSHIP - INCAPACITATED PERSONS		
New Petitions Filed		270
Emergency Guardians Appointed		16
Permanent Guardians Appointed		183
Successor Guardians Appointed		15
Guardians Discharged		22
Petitions Withdrawn or Dismissed		36
Electro-Convulsive Therapy Petitions		23
Adjudication of Full Capacity		4
Petitions for Review		19
Contested Hearings		24
Total Number of Hearings		251
Bonds Approved		43
Safe Deposit Box Inventories		9
Court-Appointed Counsel		38
Independent Medical Evaluations		2
Petitions for Allowance/Ratification Presented		600
Annual Report of Guardians Filed		1,697
Final Report of Guardians (Person/Estate) Filed		160
Guardians of the Person of a Minor Filed		9
CIVIL COMMITMENT DEPARTMENT		
Total Petitions Presented		4,993
Dispositions		
Prior to Judicial review:		
Discharged	213	
Withdrawn	95	
Voluntary Admission	56	364
By Mental Health Review Officer (Hearings, Stipulations)		4,580
By Judges: Petition for Review		19
Electro-Convulsive Therapy	23	
Expungement	7	49
HEARINGS BY TYPE UNDER MENTAL HEALTH PROCEDURES ACT		
303	Up to 20 Days Civil Commitment	2,721
304-B	Up to 90 Days Civil Commitment	1,018
304-C	Up to 90 Days Civil Commitment	150
305	Up to 180 Days Civil Commitment	639
306	Modification Civil Commitment	40
306-2	Up to 180 Days Criminal Commitment	2
304-G2	Up to 365 Days Criminal Commitment	4
406	Up to 90 Days Criminal Commitment	6
ECT	Electro-Convulsive Therapy	23
EXP	Expungement	7
REVW	Judicial Review of MHRO Decision	19
<b>Total Hearings</b>		<b>4,629</b>
Contested Hearings-Patient Placed under Commitment		1,352
Uncontested Hearings-Patient Placed under Commitment		
Patient in Attendance	487	
Patient Not in Attendance	2,041	2,528
Hearings where Patient Not Placed under Commitment		749



ESTATES	
<b>Audit Hearing of Accounts</b>	
Accounts Filed by Executor, Administrators, Trustees, and Guardians	655
Small Estates (\$25,000.00) or Less	204
Total Decrees of Distribution	603
Contested Hearings*	
Hearings on claims of creditors against estates, exceptions to accounts, and questions of distribution involving appeals from decrees of the Register of Wills in the grant of letters of administration, inheritance tax appraisals and assessments; will contests; proceedings against fiduciaries; termination of trusts; delinquent inheritance taxes due; miscellaneous hearings, including presumed decedents, absentees, corrections of birth records	
*Excludes guardianship hearings, termination/adoption hearings	221
Exceptions Heard by the Court En Banc	1
Opinions Filed by the Court	7
Pretrial Conferences Docketed	334
Return Days Scheduled	177
<b>Petitions Filed</b>	
Additional Bonds	23
Appointment of Guardians of the Person and Estates of Minors	56
Approval of Settlement of Minors' Claims	411
Lifting of Suspension of Distribution	33
Sale of Real Estate	51
Petitions for citation against fiduciaries to file accounts or to show cause why they should not be removed, etc.	163
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.	58
Miscellaneous Petitions	530
<b>Total Petitions Filed</b>	<b>1,325</b>

## Criminal Division

*The Criminal Division is committed to furthering all facets of the criminal justice system with professionalism, skill, timeliness, and efficiency to promote confidence in the administration of justice by the impartial and equitable application of the law to protect the rights and liberties guaranteed by the state and federal constitutions.*



## Criminal Division Judges



*Hon. Donna Jo McDaniel  
Administrative Judge*



*Hon. Edward J. Borkowski*



*Hon. David R. Cashman*



*Hon. Kathleen A. Durkin*



*Hon. Donald E. Machen*



*Hon. Jeffrey A. Manning*



*Hon. Anthony M. Mariani*



*Hon. Lester G. Nauhaus*



*Hon. Jill E. Rangos*



## Criminal Division Judges



*Hon. Kevin G. Sasinoski*



*Hon. Randal B. Todd*



*Hon. Joseph K. Williams, III*



*Hon. John A. Zottola*



*Hon. Gerard M. Bigley*  
*Senior Judge*

# Criminal Division



The Criminal Division continued to lead the collaborative effort by members of the criminal justice community to provide an efficient and fair administration of justice to the citizens of Allegheny County. The year 2008 was the fifth and final year of leadership by Administrative Judge Donna Jo McDaniel. In December, she was elected by the Board of Judges to a five-year term as president judge. Judge McDaniel is the first female elected to this position in the 220-year history of the court. Although she will assume her new duties in January 2009, she plans to continue to hear cases in this division.

The division started the year with twelve commissioned judges. They were joined by the Honorable Joseph K. Williams, III, upon his appointment to the court by Governor Edward Rendell on October 8, 2008. Three retired judges, Judge Gerard M. Bigley, former Criminal Division Administrative

Judge, and Judge John K. Reilly, Jr., former President Judge of Clearfield County, assisted the division. Senior Judge Robert C. Gallo continued to handle ARDs (Accelerated Rehabilitative Dispositions) and PDQs (Plea Disposition Quickies).

The court adjudicated a total of 19,312 criminal cases in 2008, including 183 jury trials, 17,115 pleas and alternative dispositions, and 507 non-jury trials. The court was supported by minute clerks and tipstaves who, recorded the adjudications on the Common Pleas Case Management System (CPCMS). They also entered the necessary sentencing guideline information through the Pennsylvania Justice Network (JNET) website to the Pennsylvania Sentencing Commission. Reports show Allegheny County consistently ranked among the top reporting counties in Pennsylvania.

On April 25, 2008, fourteen Criminal Court employees were

presented with certificates of recognition in appreciation for their years of service with the court and in acknowledgement of their professionalism and dedicated service to the citizens of Allegheny County. The awards were given in five-year increments and to those with more than 30 years of service, Phyllis Martini with 33 years, Al Russo and Alberta Stoughton with 34 years, and Jean Toner with 35 years. Minute Clerk Karen Manning retired with 34 years of service, and Tipstaff Nicholas Parrilla retired with 15 years.

Jury operations functioned efficiently. In May of 2008, National Public Radio aired its "Justice Calling" program from the Criminal Division Jury Room. Several jurors were interviewed for the program. The subject matter was juror diversification and the great strides Common Pleas Court has made in attaining a diverse pool of jurors to assure

# Criminal Division



a fair trial for those individuals accused of a crime.

Court managers from Philadelphia County, Pennsylvania, and Essex County, New Jersey, contacted the Criminal Division Jury Room interested in using the Criminal Division as a model in streamlining the process of jury selection in their respective counties. Procedures and policies were discussed, and various forms were provided to assist those counties in their revamping endeavor.

The administrative judge ordered the prospective jurors' service day should end at 3:00 p.m. unless there are jury selections in progress. This directive has improved the morale of the jury pool.

The Pittsburgh news media was thrilled when Bishop David Zubik of the Pittsburgh Catholic Diocese not only reported for jury duty, but was selected and served on a home invasion case before the Honorable Kathleen Durkin.

The bishop had many good things to say about his experience and urged fellow Allegheny County residents to report for service when called upon.

The Criminal Court Arraignment Office processed approximately 15,783 cases. An additional 10,000 cases were rescheduled for various reasons. Warrants were issued for over 900 cases for failure of the defendant to appear. These numbers underscore the delay problems that are central to the court's goals for improvement in 2009.

On April 24, 2008, approximately 50 children of employees of Criminal Court, Pretrial Services, the District Attorney's Office, and the Sheriff's Office participated in Criminal Court's second annual, "Take Our Daughters and Sons to Work Day" program. Administrative Judge Donna Jo McDaniel welcomed the children to her courtroom where they participated in several events. The Sheriff's Office conducted a

child-safety program that included fingerprinting of children and a demonstration of safety equipment and the K-9 Unit. The District Attorney's Office presented a program in which the children became "crime scene investigators," dusting and lifting fingerprints. Children also toured the jail museum and viewed the Criminal Division Jury Room. McGruff, the Crime Dog, paid a visit while the children viewed the 911-transportation vehicle. Judge David R. Cashman presided over a "Question and Answer" session, and the children were presented with a "Certificate of Participation."

Criminal Court sponsored its third annual "National Day of Remembrance" on September 25, proclaimed by Allegheny County Chief Executive Dan Onorato as the county's official day of recognition. Over 300 people attended the event held in the courtyard of the Allegheny County Courthouse. The purpose was to honor the memories of

*Helen Lynch speaks at the podium while Pittsburgh Steeler Charlie Batch, Allegheny County Manager James M. Flynn, Jr., and Joanne Witkowski, Commissioner, City of Pittsburgh Youth Commission, look on at the 2008 National Day of Remembrance event.*



those who have lost their lives to violence and to honor all victims and children affected by violence.

Helen M. Lynch, Criminal Court Administrator, was master of ceremonies, Sheriff William Mullen led the “Pledge of Allegiance,” and Sgt. James Snyder led the Honor Guard. Speakers included Criminal Court Administrative Judge Donna Jo McDaniel, representatives from Parents of Murdered Children, The Center for Victims of Violence and Crime, Allegheny County Pretrial Services-Alcohol Highway Safety Program, the Pennsylvania DUI Association, and the City of Pittsburgh Youth Commission. Advocates from the Women’s Center and Shelter of Greater Pittsburgh, Womenspace, and Pittsburgh Action Against Rape were present. Pittsburgh Steeler

Charlie Batch, who lost a sister to violence, was also in attendance.

The Silent Witness Initiative displayed life-size wooden silhouettes throughout the courtyard representing those who died as a result of domestic violence. New to the program was a “Moving Memorial” arranged by Pretrial Services. The trailer was designed by the Pennsylvania DUI Association to provide a tribute to all who have lost their lives to drunk drivers. Over 1,300 names are printed on the walls inside the memorial.

Officer James Markel of the Monroeville Police Department sang, “You Raise Me Up,” and Sheriff Deputy Ricky Manning played the bagpipes. Coworkers remembered Court Reporter Cheryl Wilds, a victim of a

shooting on Thanksgiving Eve 2007.

A new procedure for fingerprinting defendants appearing for formal arraignment resulted in approximately 1,000 cases being timely processed. The defendants were printed the same day and returned to the arraignment office immediately afterward to be arraigned.

In an effort to improve overall court performance, three members of court administration attended a case-flow management workshop to learn the principles of *CourTools*. In November 2008, Assistant District Attorneys Christopher Connors and Bruce Beemer, Public Defender Michael Machen, and Judges Donna Jo McDaniel, Jeffrey Manning, and Jill Rangos, Court



# Criminal Division

CRIMINAL REPORT FILINGS AND DISPOSITIONS	
Cases Pending at End of Year 2007	14,091
New Cases Received in 2008	19,357
Cases Reopened During 2008	5,277
Cases Available for Disposition in Year 2008	38,725
AGE OF PENDING CASES	
DAYS	
1 to 60	3,829
61 to 120	3,434
121 to 180	2,387
181 to 240	1,505
241 to 360	1,377
361 +	1,561
<b>Pending Cases Total</b>	<b>14,093</b>
Inactive-Bench Warrants, Incompetency Determinations, and Interlocutory Appeals	1,530
Transfers to Juvenile Court, Magisterial District Judge, Family Court, Administrative Closures, Consolidations, Deceased Defendants, Remands to Lower Court	2,713
CASES DISPOSED IN 2008	
Dismissed, Withdrawn, Nolle Prossed, Speedy Trial and Satisfaction Agreements	1,507
Diversiory Programs	
Accelerated Rehabilitative Disposition (ARD)	3,311
Guilty Plea	13,804
Non-Jury Trial	507
Jury Trial	183
Cases Disposed in 2008	19,312
Cases Pending Adjudication at End of 2008	14,566

Administrator Raymond L. Billotte, and Criminal Court Administrator Helen Lynch attended an intensive training course in Phoenix, Arizona, entitled, "Reducing Delay in Metropolitan Courts." This conference was sponsored by the National Center for State Courts, Institute for Court Management.

Incorporating the *CourTools* principles, the Criminal Division identified a need for examination and improvement of the percentage of cases disposed within established time frames, inventory of active cases and tracking their progress through the system, and the court's ability to hold trials on the first date they are scheduled.

Participants were warned that undertaking case-flow management improvements, like any reform efforts, "are not a sport for the short-winded." This administration intends to sustain its commitment to provide an efficient and fair administration of justice to the citizens of Allegheny County.

Offenses	Confinement		Probation	Intermediate Punishment Program		No Further Penalty & Probation Without Verdict	
	Cases	State	County	County	State	County	County
CRIMES AGAINST PERSONS							
Criminal Homicide	52	46	3	1	0	1	1
Robbery	215	119	49	36	0	0	11
Kidnapping	3	2	1	0	0	0	0
Rape	14	14	0	0	0	0	0
Involuntary Deviate Sexual Intercourse	13	11	0	0	0	0	2
Indecent Assault	52	10	13	26	0	0	3
Other Sexual Offenses	28	10	13	5	0	0	0
Aggravated Assault	177	68	48	46	0	4	11
Simple Assault	560	9	66	438	0	16	31
Corruption of Minors	39	0	2	32	0	0	5
Homicide by Vehicle	9	6	2	0	0	1	0
CRIMES AGAINST PROPERTY							
Arson	9	2	4	2	0	0	1
Burglary	220	55	72	67	5	1	20
Forgery	88	0	13	67	0	4	4
Theft	841	31	119	605	0	20	66
Retail Theft	512	3	132	342	0	21	14
Identity Theft	30	1	6	19	0	1	3
Bad Checks	43	1	3	37	0	0	2
DRUG AND ALCOHOL OFFENSES							
DUI-1st Offense	1,031	1	379	49	0	602	0
DUI-2nd Offense	830	4	82	0	0	744	0
DUI-3rd Offense	162	17	23	0	1	121	0
DUI-4th or Subsequent Offense	9	4	5	0	0	0	0
DUI §3731	28	1	15	0	0	12	0
Narcotics	2,716	208	330	1,808	2	188	180
CRIMES AGAINST PUBLIC PEACE							
Criminal Mischief	11	2	2	4	0	0	3
Criminal Trespass	139	6	34	86	0	6	7
Prostitution	8	1	0	4	0	0	3
MISCELLANEOUS OFFENSES							
Terroristic Threats	89	2	12	64	0	0	11
Carjacking	13	7	3	1	0	0	2
Escape	109	19	47	33	0	0	10
Stalking and Harassment	28	1	6	21	0	0	0
Firearms Violations	377	100	74	148	1	28	26
Other Felonies	322	19	71	176	0	22	34
Other Misdemeanors	989	7	101	761	0	19	101
Total	9,766	787	1,730	4,878	9	1,811	551

# Criminal Division Adult Probation

*Adult Probation and Parole is charged by the Court of Common Pleas with the responsibility of providing effective, community-based alternatives to incarceration, improving public safety, partnering with community and law enforcement resources, and promoting positive behavioral change from offenders.*



*(First Row) Deputy Director Ronald Seyko, Manager James Trozzi, Lindsay Scheaffer, Rachel Jones, Marc Wilner, Gary Uram, Administrative Judge Donna Jo McDaniel (Second Row) Manager Frank Scherer, Vincent Cugini, Lisa Almo, William Fries, Mathilda Spencer, Dennis Cline, Manager Brian Dunbar, and Director James Rieland attend one of several swearing-in ceremonies that are held throughout the year for new probation officers.*

Adult Probation moved forward with plans to improve probation and parole supervision practices in Allegheny County. The probation department implemented a risk assessment tool that identifies offenders requiring more intense case management, thereby increasing the likelihood of their success. Nine probation officers are being trained as instructors in the use of an advanced risk/need assessment tool to further develop assessment skills in all probation officers.

In its second year, the “Charm School” female mentoring initiative provides a seven-week basic life-skills curriculum promoting positive behavioral

change. Four graduates are employed or enrolled in a junior college and/or trade school. At the onset of training, none of the participants were employed or enrolled in school.

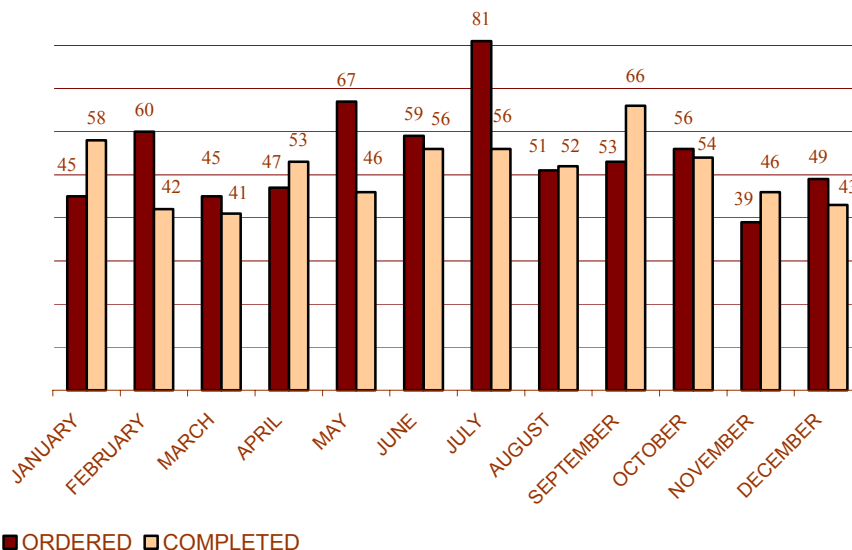
Drug and DUI Courts continue to produce successful outcomes for the offenders sentenced to these programs, with 81 offenders graduating this year.

Adult Probation received Pennsylvania Commission on Crime and Delinquency grant funding to open a Day Reporting Center (DRC) on the South Side of Pittsburgh. The center will provide educational programming, life-skills preparation, job readiness

instruction, drug and alcohol assessment, counseling, and other opportunities for offenders to become contributing members of the community while maintaining crime-free behavior. The use of the DRC provides viable alternatives and meaningful supervision to offenders.

The use of electronic monitoring (EM) continues to grow because it is an economical, successful alternative to jail. Ninety-seven percent of EM probationers completed the program without committing a new criminal offense. The EM Unit, in its 21<sup>st</sup> year, reached a landmark by

### ORDERED AND COMPLETED PRE-SENTENCE REPORTS



collecting \$1,104,477 in program fees from offenders. This is the first year collections have been in excess of one million dollars. In addition, EM supervision saved 370,000 jail days in 2008. That figure, multiplied by the cost to house an offender in the jail, \$62 per day, amounts to \$22,940,000 in savings for Allegheny County.

Successful operations conducted by the Juvenile Probation Warrant Unit initiated the decision to establish a similar unit for Adult Probation. In December, probation officer Timothy Drum was selected as the first Warrant Unit officer for Adult Probation. Mr. Drum spent numerous hours observing juvenile warrant officers in preparation for the launch of the adult unit, and thirty-one professional staff volunteered to participate in the new warrant operations. Bullet-proof vests were purchased and City of Pittsburgh SWAT officers provided building entry training.

In 2008, Adult Probation employed 111 probation officers, 24 managers or supervisors, one deputy director, and 38 support staff.

CASELOAD AS OF DECEMBER 31, 2008	
Probation	11,983
Parole	1,254
Intermediate Punishment	1,370
Accelerated Rehabilitative Disposition (ARD)	4,989
Probation without Verdict	435
<b>TOTAL</b>	<b>20,031</b>
PROBATIONERS BY OFFENSE GRADE AND RACE	
Misdemeanor	13,277
Felony	5,440
Other	1,314
Caucasian	12,456
African-American	7,414
American Indian	5
Asian	73
Hispanic	83
CASELOAD PER PROBATION OFFICER	
McKeesport Community Based Office	150
North Side Community Based Office	160
Central Community Based Office	130
South Hills Community Based Office	210
Wilkinsburg Community Based Office	138
Electronic Monitoring	35
Intensive Drug Unit	73
Forensic Unit	123
Domestic Violence Unit	97
Sex Offender Unit	89
DUI Unit	386
Minimal Supervision Unit	1,615
Intermediate Supervision Unit	638
Interstate/Inter-County Unit	293/912



# Criminal Division Pretrial Services



*AHSP Supervisor Bob Dulac makes a presentation at the Pennsylvania DUI Association Conference.*

*To provide accurate and timely information to assist the court in making informed decisions regarding bond, competency, and treatment. To supervise and monitor defendants in a respectful manner, utilizing cost-effective measures for the community, and to promote compliance with court orders, court appearances, and to support public safety.*

Pretrial Services includes the Behavior Assessment Unit, Bail Services Unit, Accelerated Rehabilitative Disposition (ARD) Unit, and the Alcohol Highway Safety Program. Reorganized last year to cohere interrelated court services, Pretrial Services components share resources and information to ensure public safety and court appearances by non-jailed defendants awaiting trial dates.

A primary focus of the Bail Services Unit this year was to promote public safety utilizing the newly developed database and risk assessment criteria designed to provide more accurately verifiable information employed to determine pretrial bail/release recommendations. Bail personnel are assigned to the Allegheny County Jail (ACJ) to provide pretrial investigative services around-the-clock. This year, the Bail Unit performed 22,085 investigations, advocated 700 bond modifications, and filed 3,709 bond forfeitures in the Court of Common Pleas.

The Bail Court Liaison Team's court appearances for preliminary

hearing forfeiture motions increased to 766 in 2008 from 203 in 2007 due to the implementation of Rule 543 of the PA Rules of Criminal Procedure. Rule 543 allows a magisterial district judge to hold a preliminary hearing without the presence of the defendant and to waive the criminal case to the Court of Common Pleas with a request for a failure-to-appear warrant, increasing the number of Common Pleas bench warrants requiring processing before a motions judge.

As a result of a newly formalized bond review process, an attorney of record may request a bail review by submitting a request directly to the Bail Unit, rather than by a formal petition to the court. The request forms are available on the court's website for electronic submission. Responses to bail review requests are made within 72 hours of their receipt, and if a bail modification hearing is deemed appropriate, the Bail Unit advises the requestor of the hearing date before a motions judge.

At the time of the pretrial investigation, each defendant's risk to the community is determined to recommend a level of supervision during the bond period. Released defendants determined to need low supervision must report to probation personnel by telephone, while those assessed to need medium supervision must report in-person to an assigned pretrial probation officer. Frequency of reporting is dependent upon the individual defendant's risk factor. Other release conditions mandated by judicial authority, such as drug and alcohol treatment, are supervised by pretrial probation.

The highest level of supervision, pretrial electronic monitoring (PTM), has resulted in cost-savings to Allegheny County again this year. In 2008, 384 were placed on PTM; in 2007, 173 defendants. The average duration of PTM was 156 days in 2007, reduced to 140 days in 2008. Compared to an average cost of \$13.50 per day for PTM, the cost of housing a defendant in the ACJ is approximately \$62 per day. This year, PTM saved 51,848 jail days

*A contest, sponsored by the court in partnership with Clear Channel Radio program for National Drunk and Drugged Driving Awareness Month, featured as a prize an appearance on the Steeler Huddle. Winning Pine Richland elementary school teacher Katie Breen is pictured with Lamar Woodley, Hines Ward, and Tunch Ilkin.*



(\$2,453,146) and defendants paid PTEM fees of \$42,214 to offset program costs.

Automation of the Behavior Assessment Unit's (BAU) statistical and tracking data was completed in 2008. BAU psychiatrists completed 1,526 court-ordered competency evaluations and recommended 132 involuntary commitments, resulting in 123 defendant commitments to the regional state hospital. As part of competency assessments, BAU social workers completed 199 social histories this year. With the closing of Allegheny County's Mayview State Hospital in November of 2008, committed defendants were transferred to Torrence State Hospital.

During 2008, 3,311 first-time offenders, more than in any previous year, came under the supervision of Pretrial's Accelerated Rehabilitative Disposition (ARD) Unit. Only 11 percent of the new ARD cases involved non-DUI-related offenses. As a court-ordered condition of ARD, offenders may be required to

perform community service work. A total of 39,250 community service hours were completed in 2008, benefiting municipalities throughout Allegheny County. Improved operational procedures resulted in a record success rate of 96 percent, a 6 percent decrease in violation reports, and a 29 percent decrease in ARD failure-to-appear (FTA) bench warrants. Additionally, bail investigators assigned to the ACJ began interviewing ARD probationers taken to the jail on failure-to-appear warrants for non-compliance to expedite notification to the appropriate probation officer responsible for processing the offender through the violation process and ultimate release from jail. The court also initiated a Delayed Revocation Disposition that allows ARD probation violators a specific time period to comply with court-ordered probation conditions to avoid ARD revocation. Continued non-compliance may result in an administrative revocation of ARD and return of the defendant's case to the general trial docket for adjudication.

Pretrial's Alcohol Highway Safety Program (AHSP), responsible for completing evaluations of DUI offenders and managing mandated DUI-related programs, serviced over 4,600 DUI offenders through four Allegheny County programs, Mon Yough, Mercy Behavioral Health, WPIC, and Alternatives. AHSP's Court Reporting Network (CRN) led the state in total number of evaluations, 5,346. Throughout 2008, AHSP continued its involvement and sponsorship of programs designed to educate and inform the public about the dangers of drinking and driving and drug abuse, including Fatal Awareness, Safety Bug, Safety Simulator, and the annual Law Enforcement Seminar.

AHSP's Ignition Interlock Program again led the state in all categories: number of participants, lowest daily fee (\$975/year), highest number of sober miles driven, highest customer satisfaction, fewest device malfunctions, and no arrests for a DUI since 2005. The

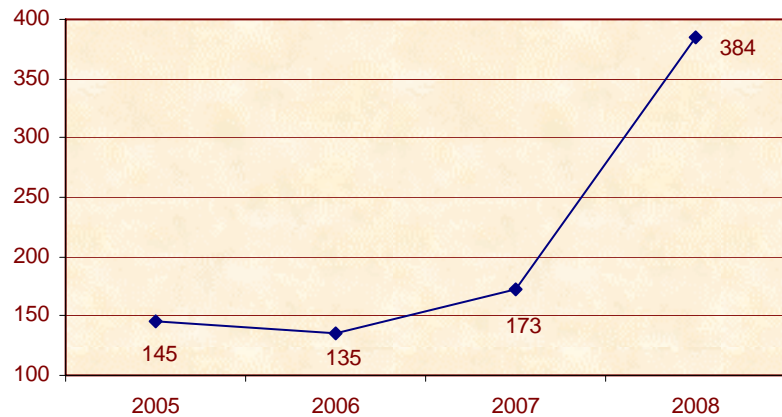
# Pretrial Services

426 new installations in 2008 represented 12 percent of the state's total participants.

Pretrial Services is recognized on a national level as a model pretrial program. The subject of a national case study for best practices in the area of pretrial services by the Pretrial Justice Institute (PJI) through grant funding by the Justice, Equality, Human Dignity and Tolerance Foundation (JEHT), reported it to be "one of the nation's most innovative" in an effort to create a more just pretrial system. At the annual conference of the National Association of Pretrial Services Agencies, Director Thomas McCaffrey was asked to share Allegheny County's risk assessment method. Deputy Director Janice Dean participated in pretrial reform panel discussions at the Pennsylvania Commission on Crime and Delinquency's 2008 Criminal Justice Advisory Board conference. The county's successful DUI-related programs were detailed by AHSP Supervisor Bob Dulac for the 2008 annual Pennsylvania DUI Association Conference.

BOND FORFEITURES PRESENTED IN COURT	
Sentencing	6
Trial	1,009
Pretrial Conference	520
ARD	48
Formal Arraignment	948
Preliminary Hearing	766
<b>Total</b>	<b>3,297</b>
MOTIONS COURT VIDEO ARRAIGNMENTS	
Bond Forfeitures	3,709
NEI Warrants	412
Modifications	700
<b>ARD Success Rate</b>	
2005	93%
2006	93.5%
2007	96%
2008	96%

Total Number Of Defendants Placed On Pretrial Electronic Monitoring



PRETRIAL ELECTRONIC MONITORING				
Calendar Year:	2005	2006	2007	2008
Total Number of Defendants Placed on EM	145	135	173	384
Number of Successful Completions	101	86	101	239
Unsuccessful Completions	51	30	46	79
Absconders	23	11	24	34
New Arrests During Supervision	8	11	9	24
Removed for Rule Violations	20	8	13	21
Jail Days Saved by EM Supervision	24,223	23,861	24,969	51,848
Total Amount Billed to Defendants	\$69,668	\$38,225	\$41,330	\$134,297
Total Amount Paid by Defendants	\$43,235	\$20,893	\$19,635	\$42,214
Outstanding Balance Owed by Defendants	\$26,433	\$17,332	\$21,695	\$92,083
Total Cost to House Defendants at ACJ	\$1,453,380	\$1,431,660	\$1,498,140	\$3,110,880
Total Cost to Supervise on EM	\$327,011	\$322,124	\$337,082	\$699,948
Cost Avoidance for Allegheny County	\$1,169,604	\$1,130,430	\$1,180,694	\$2,453,146

# Summary Appeals

SUMMARY APPEALS – CASE DISPOSITIONS				
Case Type	New Cases Filed 2007	Cases Disposed 2007	New Cases Filed 2008	Cases Disposed 2008
Criminal Summary Convictions	3,210	3,162	3,567	3,359
Motor Vehicle Code Suspensions	1,341	1,329	1,120	1,105
Pittsburgh Parking Authority	12	12	17	17
In Forma Pauperis	1,200	1,200	1,266	1,266
Nunc Pro Tunc Appeals	1,100	1,100	770	770
Administrative Agency	15	13	27	23
Civil Service	5	3	1	1
Land Use	31	28	27	24
Zoning Board	33	26	42	33
Local Agency	60	53	69	61
Liquor Control	3	3	5	5
School Board	1	1	2	2
Health Department	1	1	1	1
Miscellaneous Matters	*	*	185	183
<b>Totals</b>	<b>7,012</b>	<b>6,931</b>	<b>7,099</b>	<b>6,850</b>
*These figures were not reported prior to 2008				

The Summary Appeals Branch of the Court of Common Pleas maintains jurisdiction over criminal appeals from adjudications by magisterial district judges resulting in summary convictions and civil statutory appeals from decisions by state and local administrative agencies. The Honorable Robert C. Gallo presides over summary conviction appeals and those civil appeals arising from action taken by the Department of Transportation relating to the suspension of

driver's licenses, which account for the majority of statutory appeals. Other civil statutory appeals are referred to the administrative judge of the Civil Division for judicial assignment. In addition to conducting individual hearings on each appeal, the Summary Appeals Branch is responsible for all ancillary matters related to the appeal, including motions.

The criminal appeals include moving violations under the

Pennsylvania Vehicle Code; violations of the Pennsylvania Crimes Code, such as disorderly conduct, harassment, retail theft, public drunkenness, and underage drinking; violations of municipal ordinances; violations of dog licensing provisions, and truancy. This year, Judge Gallo established an alternative disposition program comprised of training for parents of truant children that teaches effective skills to abate truant behavior and foster appreciation of the value of education.



# Family Division

*To provide the most efficient and cost-effective processes for the establishment, modification, and enforcement of support obligations; to provide accurate, timely, and efficient process for distributing and accounting for support payments; and to process other family-related case matters in an expeditious manner.*



# Family Division Judges



*Hon. Kim Berkeley Clark  
Administrative Judge*



*Hon. Kelly Eileen Bigley*



*Hon. Cathleen Bubash*



*Hon. Guido A. DeAngelis*



*Hon. Kim D. Eaton*



*Hon. Thomas E. Flaherty*



*Hon. Kathryn M. Hens-Greco*



*Hon. Alan D. Hertzberg*



*Hon. Beth A. Lazzara*

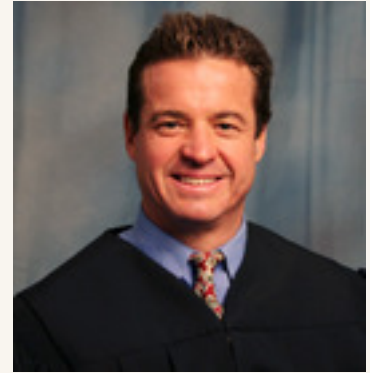
## Family Division Judges



*Hon. John T. McVay, Jr.*



*Hon. Kathleen R. Mulligan*



*Hon. David N. Wecht*



*Hon. Dwayne D. Woodruff*



*Hon. Lawrence W. Kaplan*  
*Senior Judge*



# Family Division Adult Section



Family Division's Adult Section, led by Administrative Judge Kim Berkeley Clark and Supervising Judge Kim D. Eaton, continued to introduce initiatives to improve service to litigants while handling a record volume of domestic relations cases in 2008. Contributing to the state's second consecutive year of finishing first among 56 states and territories with respect to the five federal performance indicators (support collection, support order establishment, paternity establishment, support arrears collection, and cost efficiency), Allegheny County collected 81 percent of current support due, a record national achievement. Overdue, unpaid child support collections totaled \$56.6 million, reducing arrearages by 21 percent.

Recognizing that compliance with support orders requires that obligors be gainfully employed, an employment specialist was added to assist delinquent obligors with job issues. Another initiative introduced to improve

performance and service to litigants this year, a medical support committee was formed for the management of cases involving medical insurance payments to ensure dependent children have adequate coverage and to coordinate compliance with federal and state regulations. Utilizing JNET, an integrated justice portal administered through the Pennsylvania governor's Office of Administration, Information Technology, the division is investigating additional information to find delinquent support obligors. Incorporating establishment, modification, parental support, and contempt as a mixed support docket resulted in less time between filing and conference hearings. Further improving the expediency of cases, use of video conferencing was introduced in 2008 for contempt of court/failure-to-appear hearings when the obligor is confined to the Allegheny County Jail. Video and audio conferencing are also now used for cases involving parties out-

of-county/state to reduce delays in establishing support orders and to promote compliance. Hearing officers received Pennsylvania Automated Child Support Enforcement Computer System (PACSES) training to improve accuracy and efficiency in recording recommendations and calculations.

Twice in 2008, obligors who had become delinquent in paying support arrears, but had no current support due, were granted limited amnesty and given the opportunity to resolve the past-due support owed. Of the 1,272 obligors contacted, 328 appeared in court representing 438 cases. Lump sum payments were made in the amount of \$32,228 by 149 obligors, 10 cases were closed, and 354 were restructured for further processing.

The ongoing, cost-effective Night Court and Phone Power programs both utilize evening hours for contact with litigants for whom regular business hours are not convenient. Open



# Family Division Adult Section



Wednesday evenings, 4:30-8:30 p.m., Night Court addressed 1,532 cases and recorded 125 new support petitions in 2008. Phone Power, originally designed to collect delinquent support payments, collected \$66,102 and initiated 15 new wage attachments. This year, Phone Power was utilized to contact plaintiffs who had filed objections and requested hearings concerning support modification notices. After receiving a thorough explanation for the modification by court personnel, most objections were withdrawn saving time for both the litigants and the court.

To improve the establishment and enforcement of support in inter-county cases, Allegheny

County's Family Division convened a meeting of twelve neighboring domestic relations leaders in 2008. Proposals are being considered to develop better communication methods and standardize information-sharing procedures.

Administrative Judge Kim Berkeley Clark and Judges Beth Lazzara and Kathryn Hens-Greco have been evaluating procedures that will better protect, assist, and heal children who are affected by domestic violence. As a member of the Allegheny County Protection From Abuse Task Force, Family-Adult is involved in the effort to establish a unified community response to domestic violence.

Family-Adult promotes staff training to improve performance in collaboration with the state's Bureau of Child Support and the Pennsylvania Child Support Enforcement Training Institute (PACSETI). In addition to the standard PACSETI curriculum, a one-day "In-House Training Retreat" was offered this year emphasizing training on internal operational procedures for a diverse range of staffing levels.

To alleviate scheduling delays in equitable distribution and complex support cases, Family-Adult added a second equitable distribution master in 2008. The masters heard 235 complex support cases and 70 equitable distribution cases.

DISPOSITION OF SUPPORT CASES		
	2007	2008
Total Cases Listed for Disposition	35,081	37,697
Cases Scheduled for Conference before Domestic Relations Officers	35,081	37,697
Cases Resulting in a Court Order after a Domestic Relations Officer Conference	26,213	30,535
Cases Referred to Hearing Officer after a Domestic Relations Officer Conference	8,868	*7,162
Cases Resulting in a Final Court Order after a Hearing Officer's Recommendation	8,467	6,815
Cases in which Exceptions are Filed before a Judge after a Hearing Officer's Recommendation	401	347
*The hearing officers also scheduled and heard 3,881 direct hearings in 2008.		
CASES RESOLVED AT EACH LEVEL OF THE EXPEDITED HEARING PROCESS		
	2007	2008
Domestic Relations Officers	26,213	30,535
Hearing Officers	8,467	6,815
Judges	401	347
<b>Total</b>	<b>35,081</b>	<b>37,697</b>
JUDICIAL ACTIVITY		
New Family Cases Assigned for Judicial Conciliation	2007	2008
Equitable Distribution/Alimony	524	479
Custody	178	239
Paternity	17	6
Divorce (3301-D, Contested)	22	30
Other	106	157
Cases Listed for Judicial Hearing		
Equitable Distribution/Alimony (Judge)	282	344
Equitable Distribution/Alimony (Permanent Master)	57	70
Complex Support (Permanent Master)	176	235
Full Custody	230	287
Partial Custody	54	90
Paternity	1	15
Divorce	14	4
Other	8,525	7,760
Support (Contempt)	3,114	2,681
Protection from Abuse (Final)	4,033	2,821
Protection from Abuse (Contempt)	1,075	1,098
Miscellaneous		
Support Exceptions	401	347
Post-Trial Motions	65	59
Motions	10,982	12,841
Support Orders Reviewed and Entered	24,187	24,162

COLLECTIONS AND EXPENDITURES					
Year	Collections	Dollar Increase Over Prior Year	Increase/ Decrease	Expenditures	Collections per \$1.00 Expended
2003	\$155,629,259	\$2,769,303	1.8%	\$12,047,192	12.92
2004	\$157,704,272	\$2,075,013	1.3%	\$13,564,497	11.63
2005	\$159,325,239	\$1,620,967	1.0%	\$14,340,264	11.11
2006	\$162,421,344	\$3,096,105	1.9%	\$14,066,714	11.55
2007	\$167,229,139	\$4,807,794	3.0%	\$14,494,060	11.54
2008	\$178,886,036	\$11,656,898	7.0%	\$15,355,723	11.65

# Family Division Adult Section

Incentive Measure Dashboard Allegheny County Child Support Enforcement Federal Fiscal Year – 2008	
Open IV-D Cases	52,944
IV-D Cases with Support Order Established	46,338
Support Order Ratio	87.52%
Children Born Out of Wedlock	36,266
Children with Paternity Established	39,606
Paternity Ratio	109.21%
Current Support Owed	\$138,683,074
Current Support Disbursed	\$106,232,304
Current Support Ratio	76.60%
Cases with Arrears Owed	46,985
Cases with Disbursements toward Arrears	33,114
Arrears Ratio	70.48%
Count of Arrears-Only Cases with Orders Established	10,339
Count of IV-D Cases with Medical Support Ordered	25,836
Count of IV-D Cases with Medical Support Ordered and Provided	10,498
Medical Support Establishment Ratio	71.77%
Medical Support Enforcement Ratio	40.63%
CASE ACTIVITY REPORT	
Complaints Pending	8,070
Modifications Pending	2,438
Complaints Added	11,303
Modifications Added	12,990
Complaints Processed	14,588
Modifications Processed	13,845
Conferences Conducted	23,845
Court Hearings Conducted	7,624
De Novo Withdrawals Processed	5
Contempt Hearings Conducted	23,193
Paternity Filings	1,466
Paternity Acknowledged	1,483
Paternity Excluded	370
DIVORCE DECREES GRANTED	
Fault Uncontested	7
No-Fault Uncontested	2,527
<b>Total Divorce Decrees Granted</b>	<b>2,534</b>

FAMILY COURT REPORT				
	Filed	Disposed	Pending	
Support	24,162	28,433	10,508	
Divorce	2,739	2,533	4,631	
Total	26,901	30,966	15,139	
OPEN CASES				
	Child Support	Non IV-D Alimony	Total	
Disability/SSI	1	0	1	
Federal Foster Care	1,671	1	1,672	
General Assistance	43	88	131	
Medical Need Only	4	0	4	
Non-Fed. Foster Care	1,121	0	1,121	
Non TANF*	42,138	3,273	45,411	
TANF*	6,913	42	6,955	
Total	51,891	3,404	55,295	
*Temporary Assistance for Needy Families				
CHILD SUPPORT ENFORCEMENT PERFORMANCE MEASURES				
Performance Measure	Paternity Establishment	Support Order	Current Payment	Arrearage Payment
October-07	90.42%	82.07%	77.55%	35.88%
November-07	91.79%	82.67%	76.64%	44.41%
December-07	93.39%	83.69%	76.84%	49.17%
January-08	95.09%	84.27%	76.36%	53.07%
February-08	96.31%	84.77%	76.13%	57.17%
March-08	97.79%	85.42%	76.45%	60.46%
April-08	99.04%	85.74%	76.36%	62.76%
May-08	101.90%	86.18%	76.71%	65.48%
June-08	104.38%	86.47%	76.97%	67.17%
July-08	105.89%	87.04%	77.06%	68.59%
August-08	107.23%	87.24%	77.12%	69.63%
September-08	109.21%	87.52%	77.29%	70.48%
PROTECTION FROM ABUSE TOTAL DISPOSITIONS				
Preliminary PFA Hearings (Total Applicants)				3,531
Final PFA Hearings (Conciliations)				2,821
Indirect Criminal Contempt Hearings (Conciliations)				1,098
Direct Hearings Scheduled Before Judges				
Final PFA Hearings				123
Indirect Criminal Contempt				66
Total Case Dispositions				7,639

# Family Division Juvenile Section

*To reduce and prevent juvenile crime; promote and maintain safe communities; and improve the welfare of youth and families served by the court.*



## CELEBRATING 75 YEARS THE FIRST PROBLEM SOLVING COURT

**First Row:** Hon. Patrick R. Tamilia, Superior Court Senior Judge; Hon. Joseph M. James, President Judge; Hon. Gene Strassburger, Administrative Judge; Hon. Donna Jo McDaniel, Administrative Judge; Hon. Maurice B. Cohill, Jr., Senior District Judge United States District Court for the Western District of Pennsylvania; Hon. Kathleen R. Mulligan; Hon. Kelly Eileen Bigley; Hon. Kim Berkeley Clark, Administrative Judge; Hon. Timothy Patrick O'Reilly; Hon. Thomas E. Flaherty; Hon. Guido A. DeAngeles; Hon. Christine A. Ward; Hon. Livingstone M. Johnson (retired), Hon. Edward J. Borkowski

**Second Row:** Hon. R. Stanton Wettick, Jr.; District Court Administrator Raymond L. Billotte; Hon. Kathryn M. Hens-Greco; Hon. Robert J. Colville; Hon. Cheryl Lynn Allen, Superior Court; Hon. John T. McVay, Jr.; Director of Probation Services James Rieland; Hon. Gerard M. Bigley, Senior Judge; Hon. Alan D. Hertzberg; Hon. Jill E. Rangos; Hon. Michael A. Della Vecchia; Hon. Lawrence W. Kaplan, Senior Judge

Allegheny County Juvenile Court celebrated its 75<sup>th</sup> anniversary during Juvenile Justice Week, October 3–11, 2008, honoring individuals important to the fundamental development of this court's operational policies and procedures. Enacted in 1933, the Juvenile Court Law of Allegheny County was implemented in 1934 by the first presiding judge of Juvenile Court, the Honorable Gustav L. Schramm. Judge Schramm was instrumental in employing juvenile probation officers through the civil service process rather than political appointments. He oversaw the construction and development of a detention facility, courtrooms, and probation offices. Elected to the Court of Common Pleas in 1969, the Honorable Patrick R. Tamilia, now a Pennsylvania Superior Court Senior Judge, was primarily responsible for developing several

programs and resources for dependent and delinquent youth during his Juvenile Court tenure, the Neuropsychiatric Assessment Unit for Violent Children, the Parental Stress Center, and the Booth Parenting Program for unwed mothers. Currently Senior Judge of the United States District Court for the Western District of Pennsylvania, Maurice B. Cohill, Jr. influenced changes in court proceedings to better serve juveniles during his more than 10 years in Juvenile Court (1965–1976). The Honorable R. Stanton Wettick, Jr., now a senior judge in the Fifth Judicial District, served as a Juvenile Court judge beginning in 1976 and as its administrative judge for ten years (1980–1990). Recognizing the need for alternative programs for juvenile offenders, Judge Wettick spurred the utilization of the Academy's programs as an alternative solution

for juvenile offenders. Having advanced his career from probation officer in 1969, former Director of Court Services Joseph Dagerdas led the application of Balanced and Restorative Justice (BARJ) principles throughout Juvenile Court. He was instrumental in the development of Home Detention, High Impact Probation, the Drug and Alcohol Unit, the Sex Offender Unit, the Community Intensive Supervision Project (CISP), and School-Based Probation. James Rieland, current director, began his career in Juvenile Court as a student intern in 1974. As director, Mr. Rieland has reinforced BARJ principles, added a McKeesport CISP center, placed Center for Victims of Violent Crimes (CVVC) staff in juvenile probation district offices, and initiated the Warrant Unit.



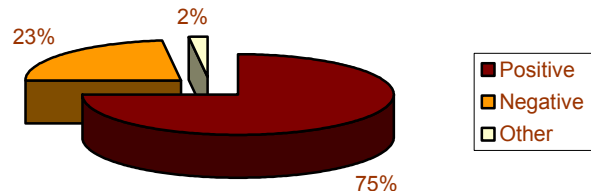
# Family Division Juvenile Section

The Juvenile Section of Family Division handles delinquency matters pertaining to juveniles, typically, children between the ages of 10 and 17 years, who have been charged with committing criminal acts. Juvenile Court also handles Mental Health commitments for juvenile offenders, Protection from Abuse cases when the defendant is a juvenile, and Act 53 Petitions for Involuntary Commitment for Drug and Alcohol Treatment. Dependency matters are now litigated through Children's Court.

With assistance from the National Center for Juvenile Justice, significant advancements were achieved this year in the development of assessment tools designed to provide a comprehensive restorative plan for each juvenile offender that requires involvement and coordination among the necessary juvenile justice providers. Utilizing structured evaluation techniques, the goal is to arrive at more consistent assessments that ensure a juvenile offender's successful completion of the comprehensive plan's goals.

Juvenile Court has been working on the MacArthur Foundation's "Models for Change" initiative since 2004. The only state jurisdiction involved in improving all three areas of juvenile justice, aftercare/

**CISP Discharges**



**REFERRALS TO JUVENILE COURT**

	2007	2008	% Change
Aggravated Assault	287	336	17%
Aggravated Assault on Teacher	245	260	6%
Arson	31	31	0%
Auto Theft Related	202	156	-23%
Burglary	253	309	22%
Carjacking	14	4	-71%
Criminal Mischief/Institutional	105	180	71%
Criminal/Defiant Trespass	94	110	17%
Disorderly Conduct	90	86	-4%
Drug Charges (Including Crack)	630	598	-5%
DUI	32	41	28%
Escape	10	18	80%
Ethnic Intimidation	4	2	N/A
Failure To Adjust	430	363	-16%
Firearm Unlicensed or Possession	114	136	19%
Harassment	30	23	-23%
Nonpayment of Fines	834	1,066	28%
Receiving Stolen Property	156	128	-18%
Retail Theft	83	96	16%
Robbery & Related	256	272	6%
Sex Offenses	90	106	18%
Simple Assault	519	550	6%
Terroristic Threats	159	122	-23%
Theft & Related (Conspiracy/Attempt)	184	187	2%
Transferred from Other County	95	66	-31%
Violation of Probation	397	390	-2%
Weapons on School Property	166	139	-16%
<b>Subtotal</b>	<b>5,510</b>	<b>5,775</b>	<b>5%</b>
All Other Charges	302	316	5%
<b>TOTAL</b>	<b>5,812</b>	<b>6,091</b>	<b>5%</b>

CASE CLOSING INFORMATION				
Number of Cases Closed			2,040	
Average Length of Supervision			17.7 months	
Average Length of Supervision Consent Decree			8.46 months	
Accountability Factors				
Violation of Probation			288	14%
New Adjudication			396	19%
Completed the Victim Awareness Curriculum			1,464	72%
Attending School, Vocational Program, or GED Training or Employed at Time of Case Closing			1,371	67%
	Youth	Amount Ordered	Amount Paid/Completed	Paid in Full
Community Service Hours	1,533	90,672 hrs.	91,481 hrs.	96%
Restitution	674	\$336,361	\$223,465	81%
Electronic Monitoring Discharges				
Electronic Home Monitoring				496
High Risk Electronic Monitoring				368
High Risk Home Detention				399
Regular Home Detention				328
Sanctions				363
Total				1,954
CISP Center		Commitments		Discharges
Garfield		48	23%	48 21%
Hill District		33	16%	42 18%
Homewood		52	25%	54 24%
McKeesport		24	11%	27 12%
Wilkinsburg		54	25%	56 25%
Total		211		227

re-entry, mental health, and disproportionate minority contact, Allegheny County has implemented programs this year to better serve the offender and families. A detention assessment was introduced for all juveniles being considered for secure detention. Mental health screens were utilized more often throughout a comprehensive plan, and a pilot Multisystemic Therapy program for youth and families is being evaluated. As

a result of the initiative, three education specialists have developed a coordinated effort among caregivers to ease the juvenile offender's transition from residential placement back to their home school by closely monitoring academic progress throughout placement and requiring frequent communication among the caregivers prior to transition.

Pennsylvania Academic Career and Technical Training Project (PACTT), an Allegheny and Philadelphia court systems' collaboration through grants from the MacArthur Foundation, Pennsylvania Commission on Crime and Delinquency, and the Stoneleigh Foundation, is an expansion of reintegration projects underway in both jurisdictions. Primary PACTT goals include aligning residential provider academic programs with state academic standards to ensure that career and technical offerings in residential placement are connected to existing workforce opportunities.

Delinquency prevention programs have been upgraded through foundation grants to provide truancy abatement services to every Allegheny County school district. Juvenile Court's Truancy Prevention Program, with the support of the Allegheny Intermediate Unit and Department of Human Services, focuses on non-offender, chronically truant youth under the age of 15.

Another prevention effort, the Stop Now and Plan Program (SNAP) was implemented in early 2008, targeting high-risk youth between the ages of 6-11. SNAP offers families delinquency prevention programs designed to positively redirect the behavior of the youth.

# Children's Court

*Children's Court provides a forum for fair, prompt, and coordinated resolution of legal matters affecting children and families, and strives to promote the best interests of children including each child's right to a safe, permanent, and loving home, and to strengthen and preserve families.*



*Judge Kathleen R. Mulligan greets Alexia Corretti on Adoption Day.*

Electronic filing is a web-based system for filing and automatic docketing of Children's Court orders. The system allows official users to search and retrieve orders and other data on Children's Court cases and to e-file documents on Children's Court dependency or delinquency matters. A joint effort between Children's Court and the Department of Court Records, the system is available for use by authorized individuals involved in Children's Court cases. Over 71,000 e-filings were recorded in 2008. The e-filing team continued to refine information in the database to ensure the accuracy of records.

The Children's Court Video-conferencing Project was established in partnership with the Department of Human Services (DHS), the Allegheny County Jail, (ACJ) and Shuman Center. The pilot phase of this project involved equipment installed in eight sites: a Children's Court courtroom, a child-friendly testimony room, a Children's Court Regional Courtroom, Children's Hospital of Pittsburgh, ACJ, Shuman Center, DHS Office of Children, Youth and Families (CYF) Southern Regional Office, and Mon Valley Regional Office.

The Allegheny County Children's Roundtable continued

working with CYF and the court to expedite placement of abused and neglected children into permanent homes. Children's Court was selected as a model court for the Pennsylvania Permanency Practice Initiative and is currently working to implement the recommendations outlined by the Supreme Court.

Child Protection and Permanency addresses a child's need for safety and a permanent, loving home and family. The addition of three judges to the rotation hearing dependency, termination of parental rights, and adoption matters has accelerated resolution of these family matters.

CUSTODY STATISTICS		
Proceeding	Number of Cases	Result
Partial Custody Hearings before a Hearing Officer	436	270 (62%) Resulted in Consent Order
Custody Conciliations	832	393 (47%) Reached Final or Interim Order
GENERATIONS		
Mediations	891	501 (56%) Resolved Some or All Custody Issues
DEPENDENCY HEARING OFFICER STATISTICS		
	2007	2008
Reviews Conducted	5,560	5,171
Cases Closed	785	680
Case Closure Result		
Reunification with Parent	344	284
Subsidized Permanent Legal Custodianship	77	72
Adoption	247	200
Over 18 No Longer Eligible for Services	117	124
Emergency Shelter Hearings	878	1,119

TERMINATION OF PARENTAL RIGHTS AND ADOPTIONS			
	2007	2008	
New Cases	265	235	
Terminations	275	233	
Withdrawals	33	13	
Adoptions	309	302	
EMERGENCY CUSTODY AUTHORIZATIONS			
	Court Hours	Non-Court Hours	Total
Requests	790	339	1,129
Issued	772	339	1,111
Denied	18	0	18
Restraining Orders	56	18	74
Order Attendance at Shelters	13	0	13
PRIVATE PETITIONS			
New Petitions		479	
Continued		135	
Mediated		56	
Withdrawn		96	
Dismissed		96	
Transferred to Judge for Hearing		98	

The process for requesting attachments, standing orders that allow CYF to obtain custody of a child, was automated in 2008, improving efficiency. The first full year of scheduling the initial private petition before a hearing officer for a pre-hearing conference resulted in fewer adjudications.

National Adoption Month, a collective national effort to raise awareness about the 129,000 children in foster care in the United States waiting for permanent families, was again celebrated. Children's Court coordinated various activities to raise awareness about the need for foster and adoptive families. National Adoption Day was celebrated on November 15<sup>th</sup>, during which 54 adoptions were finalized. "Achieving Permanency for Older Youth: A Challenge to Child Welfare Professionals and the Court," an education forum featuring Richard J. Gold, Esquire, Deputy Secretary for the Pennsylvania Department of Public Welfare's Office of Children, Youth and Families, explored current trends in finding permanency for older youth. Barry Chaffkin, CEO and co-founder of "Changing the World One Child at a Time," discussed how to be a "world-changer" through working with children. The Heart Gallery exhibit was displayed in the Family Law Center Rotunda in November and December to raise awareness about children in need of adoption.

The Child Custody Department mediates custody disputes with the goal of ensuring resolution in the best interest of children. The department continued to see a high volume of clients in 2008; 18,259 were assisted at reception, and 11,913 phone calls were processed.

# Children's Court



*Allegheny County Chief Executive Dan Onorato, the Honorable Kim Berkeley Clark, and Cynthia K. Stoltz, Children's Court Administrator, announce the launch of the Children's Court video conferencing project.*

In 2008, Custody Officers reviewed 790 Emergency Custody Authorizations and 14 custody bench warrants. Clients who complete mediation and reach a Memorandum of Understanding have the option to enter into a consent order the same day; 176 consent orders were entered in 2008.

The Custody Conciliation Project was established to provide free legal representation for low-income clients in custody conciliations. A local law firm handles all income eligibility screening and scheduling of volunteers. Attorneys represented 70

clients, many of whom settled all custody issues.

The Child Custody Guardian Project was established to provide attorneys to represent children in high-conflict custody proceedings. *Pro bono* representation is provided for indigent clients, and trained volunteer attorneys provide representation on a reduced-fee basis to clients who are able to pay. Forty-four children have had an important voice in the court custody process through this program.

In 2008, professional staff reviewed 2,039 custody *pro se*

motions to improve case management in accordance with a one-judge one-family approach. Consolidation of a family's information and centralizing records provided continuity, reduced confusion for clients, and enabled judges to make better-informed decisions. Professional staff screened 990 *In Forma Pauperis* motions to determine eligibility for fee waivers. This service enables clients to have fee waiver requests addressed the same day and allows them to file their paperwork expeditiously.



## Civil Division

*To serve citizens through the prompt, courteous, and impartial dispensation of justice by adjudicating cases in a timely manner using efficient case management techniques, adhering to high standards, and being responsible stewards of public funds.*



## Civil Division Judges



*Hon. Gene Strassburger  
Administrative Judge*



*Hon. Robert J. Colville*



*Hon. Michael A. Della Vecchia*



*Hon. Ronald W. Folino*



*Hon. Judith L.A. Friedman*



*Hon. Paul F. Luty, Jr.*



*Hon. Michael E. McCarthy*



*Hon. W. Terrence O'Brien*



*Hon. Judith Ference Olson*



*Hon. Timothy Patrick O'Reilly*



*Hon. Christine A. Ward*



*Hon. Robert C. Gallo  
Senior Judge*



*Hon. R. Stanton Wettick, Jr.  
Senior Judge*

*Hon. Robert P. Horgos  
Not Pictured*

# Civil Division



Beginning in May 2009, the Civil Division will implement a new process for selecting juries. Under the leadership of Judge Strassburger, a blue-ribbon team was selected to research and create new *voir dire* rules. The revised rules, passed by the Board of Judges on October 8, 2008, and effective December 1, 2008, include significant changes. Most notably, attorneys will have a greater opportunity to participate in *voir dire* both by giving a short “*Voir Dire* Statement” and by asking follow-up questions. Jurors will complete a questionnaire upon arrival for jury duty, and questions posed to individual jurors will focus on tort reform issues.

On December 19, 2008, President Judge Joseph M. James implemented the

Residential Mortgage Foreclosure Program, which will be supervised by the Honorable Michael E. McCarthy. This program responds to the increase in mortgage foreclosures filed in 2008, and expected to be filed in Allegheny County during 2009, by providing an opportunity for homeowners to receive free assistance from a housing counselor. The goal of the program is to facilitate counseling for homeowners prior to sheriff intervention and sale.

Judges James and McCarthy also began work on a project to provide mental health assistance to veterans who are charged with a crime or currently incarcerated. The Veterans Court, modeled after the county’s mental health

court, will be the first of its kind in Pennsylvania.

The Civil Division welcomed the Honorable Judith F. Olson to the bench. Appointed by Governor Rendell, she was sworn in on November 10, 2008, and hears both general motions and cases on the Civil Division trial list. Prior to taking the bench, Judge Olson was chair of the Antitrust and Trade Regulation Practice Group for Schnader Harrison Segal & Lewis.

Judge Olson replaced the Honorable Eugene F. Scanlon, Jr., who retired from the court on July 7, 2008, to pursue work in private mediation and alternative dispute resolution. Judge Scanlon was appointed in 1998 and elected to a ten-year term in 1999. He served in the Family

Division until 2005 when he was assigned to the Civil Division.

After completing a successful five-year term as president judge, Judge James continues his assignment to the Civil Division. Among other duties, he will continue to hear zoning and election cases, areas in which he is a recognized expert.

Judges Robert J. Colville and Michael A. Della Vecchia have done an excellent job of clearing both expedited and backlog asbestos cases from the docket. Of the 56 expedited asbestos cases, 32 have been settled, dismissed, or tried. The remaining cases are scheduled for trial in 2009 or are pending the outcome of appellate rulings. Judge Della Vecchia successfully conciliated 532 backlog asbestos cases, those more than three years old and not placed at issue. All asbestos cases filed prior to 2005 should be cleared from the docket by April 2009.

The Honorable Charles H. Loughran, former President Judge of the Westmoreland County Court of Common Pleas, has been invaluable to the Civil Division over the past several years regularly hearing non-jury cases on the trial list.

The Civil Division concluded 2008 with a current trial calendar. Cases are routinely scheduled for trial within six months of being placed at issue.

CASES FILED AND DISPOSED		
TRESPASS-GENERAL	FILED	DISPOSED
Asbestos Silicas	75	1,398
Asbestos/FELA	6	13
Medical/Hospital Liability	278	325
Product Liability	34	41
Toxic Substances	2	0
<b>Subtotal</b>	<b>395</b>	<b>1,777</b>
OTHER TRESPASS-GENERAL		
Against Property Owner	274	277
Assault & Battery	16	11
Defamation	12	5
FELA	35	37
Other Tort	747	486
Other Traffic Accident	16	14
<b>Subtotal</b>	<b>1,100</b>	<b>830</b>
<b>Total Trespas</b>	<b>1,495</b>	<b>2,607</b>
OTHERS		
Amicable Ejectment	13	3
Contract	1,142	1,157
Declaration of Taking	162	12
Declaratory Judgment	84	62
Ejectment	650	508
Equity	128	85
Equity-Lis Pendens	73	70
Equity-Partition	0	2
Mandamus	12	8
Mechanic's Lien	166	32
Mortgage Foreclosure	4,720	5,031
Motor Vehicle Accident	711	757
Multiple Civil Action	646	536
Pre-Computer Case	0	22
Quiet Tax Title & Real Estate	136	8
Quiet Title	41	35
Replevin	54	34
Sci Fa sur Municipal Lien	39	30
Sci Fa sur Tax Lien	2,384	2,699
<b>Total Others</b>	<b>11,161</b>	<b>11,091</b>
<b>Grand Totals</b>	<b>12,656</b>	<b>13,698</b>



# Civil Division



CIVIL ACTIONS FILED	
Against Property Owner	274
Asbestos Silicas	75
Asbestos/FELA	6
Assault & Battery	16
Contract	1,142
Defamation	12
FELA	35
Medical/Hospital Liability	278
Motor Vehicle Accident	711
Multiple Civil Action	646
Other Tort	747
Other Traffic Accident	16
Product Liability	34
Sci Fa sur Municipal Lien	39
Sci Fa sur Tax Lien	2,384
Toxic Substances	2
<b>Total of New Case Filings</b>	<b>6,417</b>

CASES DISPOSED BY TYPE			
Type of Disposition	Number of Cases	Percent of Total	Average Age by Month from Case Filing to Disposition
Settled	13,416	97.94%	18.55
Non-Jury	119	.87%	25.39
Jury	127	.93%	34.46
Stricken	5	.04%	32.69
Others	31	.22%	10.88
<b>Grand Total</b>	<b>31,698</b>	<b>100%</b>	<b>18.75</b>
Included in these figures are trial-ready cases and those cases disposed before being certified ready for trial.			

ARBITRATION			
	2006	2007	2008
Pending on January 1	3,509	*5,214	7,878
New Cases Filed	11,620	15,952	18,592
Transferred from Civil Division	237	232	209
Cases Disposed	10,143	12,317	17,358
Awards by Boards	2,254	2,152	3,376
Settlements, Non-Pros., Etc.	7,311	9,480	12,794
Trial List Cases Disposed by Judge	578	685	1,188
Pending as of 12/31 (Awaiting Trial)	<sup>1</sup> 5,223	<sup>2</sup> 9,081	9,321
Appeals Filed	759	681	773
Rate of Appeals	33.67%	31.64%	22.90%
Number of Arbitration Boards Served	712	653	802
Number of Arbitrators	2,136	1,959	2,406
Arbitrator's Fee Per Day	\$150	\$150	\$150
Total Arbitrators' Fees	\$320,400	\$293,850	\$360,900
Less Non-Recoverable Appeals Fees	\$76,155	\$63,835	\$75,990
<b>Total Costs</b>	<b>\$244,245</b>	<b>\$230,015</b>	<b>\$284,910</b>
Average Arbitrator's Cost per Case	\$114.35	\$117.41	\$118.42
<b>As of December 31</b>			
Cases with Current Hearing Date	4,657	7,791	5,831
General Docket Cases with Current Hearing Date	91	87	78
<b>Total Cases Pending</b>	<b>4,748</b>	<b>7,878</b>	<b>5,909</b>

<sup>1</sup> Correction from 2006 Annual Report

<sup>2</sup> Correction from 2007 Annual Report

BOARD OF VIEWERS	
Condemnations (New Petitions/Views/Hearings)	79
Tax Appeals (Conciliations/Hearings/Settlements/Masters Reports)	5,523
<b>Total</b>	<b>5,602</b>

# Magisterial District Judges



Tara L. Smith  
05-2-01



Richard G. Opiela  
05-2-02



Robert P. Dzvonick  
05-2-03



Elissa M. Lang  
05-2-04



Carolyn S. Bengel  
05-2-05



Leonard J. HRomyak  
05-2-06



Jeffrey L. Herbst  
05-2-07



Susan Evashavik  
05-2-08



Ross C. Cioppa  
05-2-09



Kim M. Hoots  
05-2-10



Robert Barner  
05-2-11



Eugene F. Riazzi, Jr.  
05-2-13



Richard D. Olasz, Jr.  
05-2-14



Thomas Torkowsky  
05-2-15



Pat A. Capolupo  
05-2-16



David J. Barton  
05-2-17

## Magisterial District Judges



John N. Bova  
05-2-18



Blaise P. Larotonda  
05-2-19



Elaine M. McGraw  
05-2-21



Gary M. Zyra  
05-2-22



Dennis R. Joyce  
05-2-23



Mary P. Murray  
05-2-25



Beth Scagline Mills  
05-2-26



Eugene N. Ricciardi  
05-2-27



Oscar J. Petite, Jr.  
05-2-28



Ron Costa, Sr.  
05-2-31



James J. Hanley, Jr.  
05-2-36



Robert P. Ravenstahl, Jr.  
05-2-42



Carla Swearingen  
05-2-43



Regis C. Welsh, Jr.  
05-2-46



Scott H. Schricker  
05-2-47



Robert L. Ford  
05-3-02



David Sosovicka  
05-3-03



Suzanne Blaschak  
05-3-04



Thomas G. Miller, Jr.  
05-3-05



Mary Ann Cercone  
05-3-06



Eugene Zielmanski  
05-3-10



Kevin E. Cooper  
05-3-12



Richard G. King  
05-3-14



Anthony W. Saveikis  
05-3-17



Edward A. Tibbs  
Senior Judge



Edward Burnett  
Senior Judge



Douglas W. Reed  
Senior Judge

Not Pictured:

William K. Wagner  
05-2-12

Robert C. Wyda  
05-2-20

Linda Zucco  
05-2-32

Nathan N. Firestone  
05-2-35

Charles A. McLaughlin  
05-2-38

Randy C. Martini  
05-3-13

Senior District Judges

Nancy L. Longo

Lee G. Peglow

Richard H. Zoller

Magisterial District Courts

05-3-09 Vacant

05-2-40 Vacant

# Magisterial District Courts

*To provide a forum for fair and equal access to judicial services that promotes the expeditious resolution of public and private disputes through community-based locations throughout Allegheny County.*

FILINGS				
	2005	2006	2007	2008
Criminal	33,911	35,380	36,232	36,210
Civil	19,108	19,666	17,734	19,991
Landlord/Tenant	14,075	14,551	14,809	14,337
Non-Traffic	50,068	51,657	52,841	51,219
Private Criminal Complaint	13,674	12,611	11,677	11,736
Traffic	161,227	170,197	175,024	185,186
<b>Total</b>	<b>292,063</b>	<b>304,062</b>	<b>308,317</b>	<b>318,679</b>
MAGISTERIAL DISTRICT COURTS REVENUE COLLECTED IN 2008				
Total Receipts	Total Paid to Allegheny County		Public Access Reimbursements	
\$33,010,035.52	\$5,240,062.81		\$12,010.31	

As the above chart illustrates, Traffic filings have increased dramatically over the past four years, mostly due to federal funds earmarked for law enforcement programs such as “Click It or Ticket.” Pittsburgh Municipal Court (PMC) case filings have accounted for 25-30 percent of the Fifth Judicial District’s minor court filings since 2005, when it was incorporated by the state into Allegheny County’s magisterial district court system. Without PMC’s filings, total filings in the magisterial districts have increased nearly 11.5 percent over the last ten years.

In 2003, when the magisterial districts were reestablished, the court recognized a growing upward trend in Criminal filings

in the Mon Valley area of the judicial district in courts 05-2-09 (Rankin, Braddock, North Braddock, Braddock Hills and Swissvale); 05-2-11 (East McKeesport, East Pittsburgh, North Versailles, Trafford, Wall, Wilmerding and Turtle Creek); and court 05-2-14, (Dravosburg, Duquesne, West Mifflin and Whitaker). A new district, 05-2-47, was established, with its venue of Chalfont, North Braddock, East Pittsburgh, Turtle Creek and Duquesne. The combined criminal filings in the three original courts were 2,582 in 2001, while the 2008 combined filings in the four courts rose to 2,819.

Statewide, one of the biggest problems with high criminal

filings is the danger inherent in transporting prisoners between the jail and the court. The Administrative Office of Pennsylvania Courts provided video equipment and the court provided connections to facilitate video arraignment of incarcerated prisoners. This is not only a safer practice, but it saves the taxpayers the cost of constable service for transportation of prisoners.

In 2008, the court was charged with preparing a Continuity of Operations Plan (COOP) to allow for continued essential functions and operations to ensure that in an environment that is threatened, diminished, or incapacitated, court services crucial to the safety and well being of the community are



quickly and efficiently accessible until normal operations are fully restored. Three scenarios, essential functions within 48 hours, within one to two weeks, and in excess of two weeks, were identified, and plans for these continuing necessary functions were developed. Essential staff was identified, and alternative sites for all magisterial district courts were identified and published in the Fifth Judicial District's COOP.

Magisterial district court facilities have not escaped the current recession unscathed. Leases of magisterial courts are all-inclusive. However, for the first time, it became necessary for the Court Administrative Office to assume responsibility for the utilities in three courts, and two properties leased to magisterial district courts have been through foreclosure. There has also been a rise in the numbers of defendants on payment plans and defendants defaulting on payment plans or failing to respond to citations.

COURT	CRIMINAL	CIVIL	LANDLORD/ TENANT	NON- TRAFFIC	PRIVATE SUMMARY	TRAFFIC	TOTAL
05-0-03	15,395	0	0	10,814	40	46,486	72,735
05-0-04	90	0	0	1	0	0	91
05-2-01	545	343	246	1,317	706	6,845	10,002
05-2-02	761	405	156	839	706	4,576	7,443
05-2-03	683	439	203	1,144	284	4,590	7,343
05-2-04	463	325	108	1,166	51	4,120	6,233
05-2-05	348	367	201	950	70	2,161	4,097
05-2-06	749	1,024	473	861	393	1,723	5,223
05-2-07	545	420	446	857	345	2,821	5,434
05-2-08	437	191	100	717	632	4,173	6,250
05-2-09	625	240	452	1,623	118	3,509	6,567
05-2-10	568	365	711	799	129	7,369	9,941
05-2-11	594	341	383	1,275	67	4,856	7,516
05-2-12	529	523	93	558	337	6,328	8,368
05-2-13	664	680	707	2,052	78	1,971	6,152
05-2-14	877	863	126	817	591	1,991	5,265
05-2-15	713	364	248	1,672	188	3,069	6,254
05-2-16	519	357	152	668	134	2,852	4,682
05-2-17	469	312	199	593	111	3,809	5,493
05-2-18	1,007	354	296	832	21	2,793	5,303
05-2-19	640	408	242	1,444	192	4,509	7,435
05-2-20	518	408	134	787	265	4,729	6,841
05-2-21	476	365	75	608	325	5,132	6,981
05-2-22	460	337	143	397	104	2,297	3,738
05-2-23	454	353	151	854	235	2,897	4,944
05-2-25	901	664	200	986	123	3,773	6,647
05-2-26	287	530	68	496	89	1,401	2,871
05-2-27	0	437	572	1,123	117	2,675	4,924
05-2-28	0	544	879	740	299	792	3,254
05-2-31	0	608	1,073	536	138	42	2,397
05-2-32	388	296	223	386	98	1,553	2,944
05-2-35	0	361	299	538	41	929	2,168
05-2-36	87	260	241	47	79	16	730
05-2-38	212	433	327	724	204	192	2,092
05-2-40	0	431	584	336	154	715	2,220
05-2-42	0	372	662	1,339	121	108	2,602
05-2-43	433	399	275	441	139	4,876	6,563
05-2-46	421	598	47	480	350	5,692	7,588
05-2-47	723	498	482	1,740	350	2,824	6,617
05-3-02	186	122	49	297	10	4,725	5,389
05-3-03	528	226	67	691	214	3,905	5,631
05-3-04	351	190	26	524	694	2,055	3,840
05-3-05	288	329	62	294	9	1,018	2,000
05-3-06	1,074	364	404	1,556	128	2,615	6,141
05-3-09	502	623	148	1,143	1,563	1,503	5,482
05-3-10	0	197	173	167	37	5	579
05-3-12	0	309	491	1,041	135	53	2,029
05-3-13	0	253	236	320	58	507	1,374
05-3-14	274	569	531	922	337	1,478	4,111
05-3-17	426	594	173	707	127	6,128	8,155
<b>TOTAL</b>	<b>36,210</b>	<b>19,991</b>	<b>14,337</b>	<b>51,219</b>	<b>11,736</b>	<b>185,186</b>	<b>318,679</b>

# Pittsburgh Municipal Court



*To promote public trust and confidence in our judicial system by providing quality service to the public and law enforcement agencies in an impartial, efficient, and effective manner.*

The Arraignment Division of Pittsburgh Municipal Court (PMC), in conjunction with the Allegheny County Jail (ACJ) and Pretrial Services, implemented the use of a two-way simultaneous audio-visual communication system to conduct preliminary arraignments eliminating the transportation of defendants between PMC and the ACJ. Preliminary arraignments are scheduled based upon the time defendants are lodged in the ACJ. Utilization of the Allegheny Standardized Arrest Program (ASAP) enables PMC staff to monitor law enforcement, jail intake and identification, and the bail progress of each case, further streamlining the arraignment process. Following intake and identification procedures, Pretrial Services conducts an assessment. The defendant stays in an ACJ video room for an appearance before a Magisterial District Judge (MDJ) who conducts the preliminary arraignment via videoconferencing from a PMC courtroom. The use of

audio-visual technology to conduct preliminary arraignments has minimized the delay in arraigning defendants, evidenced by the 19,391 conducted in 2008, nearly 5,000 more than 2007. Audio-visual technology has also been utilized to arraign individuals housed in other correctional facilities throughout Pennsylvania.

In addition to conducting preliminary arraignments, PMC initially processes criminal complaints, issues arrest and search warrants, and provides coverage for Emergency Protection from Abuse Petitions (2,845 in 2008) beginning at 11:00 a.m., Monday through Friday, and 24-hour coverage on weekends and holidays. Additionally, 145 marriage ceremonies were conducted at PMC in 2008.

Arraignment Court collected \$1,083,844.71 in 2008 for bail, collateral on traffic and non-traffic cases, and Department of Court Record fees. Bail money was distributed in

accordance with the status of the case to the Department of Court Records or to Magisterial District Courts.

Of the 72,735 cases filed at PMC in 2008, 15,395 were criminal, 10,814 were non-traffic, 46,486 were traffic, and 40 were private complaints. PMC's Criminal Division conducts preliminary hearings for defendants charged with criminal offenses arising within the City of Pittsburgh and all homicide and Act 33 Preliminary hearings for Allegheny County.

The method of docketing criminal complaints in the Magisterial District Judge System (MDJS) was greatly improved in 2008. The complaint information from ASAP is electronically transmitted into the MDJS. Upon manually filing a case with the court, PMC staff enters the case into the MDJS and verifies the information. This electronic transfer has enhanced productivity and reduced data entry errors.



Magisterial District Judge	Court Number	Sessions Assigned	<sup>1</sup> PMC Cases	MDJ Court Filings In 2008	<sup>2</sup> Total Filings Per MDJ
Eugene Ricciardi	05-2-27	101	5,650	4,924	10,574
Oscar Petite	05-2-28	101	5,650	3,254	8,904
Ron Costa	05-2-31	104	5,818	2,397	8,215
Nathan Firestone	05-2-35	100	5,595	2,168	7,763
James Hanley	05-2-36	150	8,392	730	9,122
Charles McLaughlin	05-2-38	100	5,595	2,092	7,687
<sup>3</sup> Vacant	05-2-40	100	5,595	2,220	7,815
Robert Ravenstahl	05-2-42	96	5,371	2,602	7,973
Eugene Zielmanski	05-3-10	150	8,392	579	8,971
Kevin Cooper	05-3-12	99	5,539	2,029	7,568
Randy Martini	05-3-13	148	8,280	1,374	9,654
Richard King	05-3-14	49	2,741	4,111	6,852
<sup>4</sup> Carla Swearingen	05-2-43	2	111	6,563	6,674
<b>Totals</b>		<b>1,300</b>	<b>72,729</b>	<b>35,043</b>	<b>107,772</b>

<sup>1</sup>Equals Yearly Sessions Assigned x 55.95 Cases Per Session

<sup>2</sup>Equals PMC Filings + MDJ Court Filings

<sup>3</sup>This office is vacant due to Judge Cathleen Bubash's appointment to Common Pleas Court in June of 2007.

<sup>4</sup>Magisterial District Judge Carla Swearingen's district encompasses Robinson Township and Ward 28 of the City of Pittsburgh. The majority of filings are from Robinson Township. Consequently, Judge Swearingen sits in a Friday rotation only.

PMC collected \$4,786,350.73 in fines and fees for traffic and non-traffic citations in 2008.  
As mandated by state law, the funds were distributed as follows:

County of Allegheny	Commonwealth of Pennsylvania	City of Pittsburgh
\$747,954.63	\$2,240,383.69	\$1,798,012.41



L-R: James Rieland, Judge Kim Berkeley Clark, Rafaela Herrera, Nancy Tafoya, Raymond Billotte

## 2008 At A Glance

Anticipated criminal justice reforms in a number of Mexican states prompted the coordination of meetings in March 2008 between representatives of the court and the USAid/Mexico and Proderecho organization. District Court Administrator Raymond L. Billotte, Director of Probation Services James Rieland, and Director of Pretrial Services Thomas McCaffrey met with Rafaela Herrera, JD, Rule of Law Advisor, and Dr. Nancy Tafoya, Team Coordinator, to review programs and share materials that may be beneficial to projected reforms in Mexico.



President Judge Joseph M. James and District Court Administrator Raymond L. Billotte were recommended by Mark Bergstrom, Executive Director of the Pennsylvania Commission on Sentencing, to attend the first meeting of the 2008 Stanford Executive Sessions held in San Jose, California, in March 2008. Organized by the Stanford Criminal Justice Center, the Stanford Executive Session is a forum for bringing together California stakeholders to develop strategies for reform of the California sentencing and correction systems. Judge James and Mr. Billotte

participated in the session by sharing knowledge and experience of procedures relating to pre-sentence reports and the electronic sharing of criminal justice data in Allegheny County.



The Allegheny County Court of Common Pleas was chosen to receive the “*County Collaborative Recognition*” award from the 2008 Pennsylvania Permanency Conference Planning Committee after being nominated by Toniya Cruse of “*A Second Chance, Inc.*” The Honorable Kim Berkeley Clark, Administrative Judge of the Family Division, was invited to attend the 16<sup>th</sup> Annual Pennsylvania Permanency Conference in Lancaster in July 2008 to accept the award on behalf of the court. The conference was sponsored by the Pennsylvania Department of Public Welfare, Office of Children, Youth and Families, Independent Living Services, and the Statewide Adoption and Permanency Network.

## Row Office Consolidation

An appointed Director of Court Records replaced the elected Allegheny County offices of Clerk of Courts, Prothonotary, and Clerk of the Orphans' Court/Register of Wills pursuant to an amendment to the Home Rule Charter by voters.

President Judge Joseph M. James and Allegheny County Chief Executive Dan Onorato conducted a comprehensive study to facilitate the consolidation of row offices and to achieve an effective and efficient transition. The National Center for State Courts (NCSC), an organization providing technical assistance and consulting services to courts nationwide, was retained to provide a project work plan. Additionally, a committee comprised of court personnel and local justice authorities was formed to provide critical information and decisions as NCSC addressed its tasks.

By order of Judge James, all power and authority that was vested in the row offices of Prothonotary, Clerk of Courts, and Clerk of the Orphans' Court/Register of Wills was transferred to the appointed office of the Director of the Department of Court Records effective January 7, 2008. Mary Catherine Barkman, Esquire, was announced as director of the consolidated offices and Eric Feder as deputy director.

Throughout 2008, a Policy and Operations Committee conducted

meetings for decision-making purposes in the reorganization and operation of the consolidated offices.



## New Administrative Judge

The Supreme Court of Pennsylvania appointed the **Honorable Gene Strassburger Administrative Judge of the Civil Division** effective January 7, 2008. First appointed by Governor Milton Shapp in 1978, Judge Strassburger was elected to the bench for a ten-year term beginning in 1979 and was retained by the citizens of Allegheny County in 1989 and again in 1999. While serving in the Family and Civil Divisions and as Calendar Control Judge, Judge Strassburger has been recognized for his case management initiatives, reducing delays, and improving the administration of justice in the area of civil litigation.



The **Honorable Eugene F. Scanlon, Jr.** announced his resignation effective July 7, 2008. Appointed to the bench in 1998, and elected to a ten-year term in 1999, Judge Scanlon first served in the Family Division and was appointed by the Pennsylvania Supreme Court to serve as administrative judge of the division from 2002 through 2005. During his tenure as administrative judge, a number of innovative programs to improve court services were established, expanded, and improved. Among the most

notable were the expedited divorce docket, improving the process for the establishment and collection of child support for parents and children, and addressing the needs of custodial parents by implementing procedures to allow for a prompt hearing before a court-appointed master. Judge Scanlon was assigned to the Civil Division for the last few years of his commission.



## Retirement

Concluding 30 years as a judge on the Court of Common Pleas, the **Honorable Lawrence W. Kaplan** retired from the bench at the mandatory retirement age of 80. Initially appointed to the court by Governor Shapp in 1978, Judge Kaplan was elected to a ten-year term in 1979 and won two subsequent retention bids. Judge Kaplan served all 30 years in the Family Division and is well remembered for his strong support for mediation in divorce cases, a process now required by law.

Judge Kaplan's prior experience and accomplishments include serving as a First Lieutenant, U.S. Army Judge Advocate General Corps from 1953 to 1956 (Judge Advocate 1954), receiving a Commendation Ribbon from the Judge Advocate General in 1956; engaging in private practice from 1966 through 1978, and serving on a Hearing Committee of the Pennsylvania Supreme Court Disciplinary Board from 1973 through 1978.



# Transitions



Judith Ference Olson is sworn in by the Honorable Christine A. Ward.



Joseph K. Williams, III, takes the Oath of Office while his wife, Darryl, holds the bible.

Two gubernatorial appointees to Pennsylvania's Fifth Judicial District, the Honorable Joseph K. Williams, III, and the Honorable Judith Ference Olson, were confirmed by the state Senate on October 7. Appointed to fill vacancies, the judicial appointees will serve on the bench through 2009, but will be required to run for election if they wish to seek a ten-year term. The Allegheny County Bar Association Judiciary Committee rated both judges "highly recommended."

Prior to her judicial appointment and assignment to the Civil Division, Judge Olson, 50, of Franklin Park, was a partner in the Schnader Harrison Segal & Lewis LLP law firm, chairperson of the firm's Antitrust and Trade Regulation Practice Group, and the firm's partner-in-charge of

litigation for the Pittsburgh office. Her law practice concentrated on complex commercial litigation. As a trial attorney, Judge Olson represented both plaintiffs and defendants in claims for negligence, defamation, personal injury, and other civil cases.

Judge Olson earned her B.A., *magna cum laude*, from Saint Francis College and her J.D., *cum laude* from Duquesne University School of Law (1982), where she ranked second in her class and was a member of the Law Review (1980-1981). She then clerked for the Honorable Maurice B. Cohill, Jr., of the United States District Court for the Western District of Pennsylvania.

Judge Williams, 56, of Penn Hills, is assigned to the Criminal Division where he

practiced for 23 years as a defense attorney. As a litigator in both Common Pleas Court and the United States District Court for the Western District of Pennsylvania, he also specialized in real estate development, contracts, international transactions, and estates and trusts.

A Pittsburgh native, Judge Williams won a scholarship, allowing him to attend Yale University for his junior and senior years of high school. He returned to Carnegie Mellon University for his undergraduate education, earning a B.A. in Psychology. At the University of Pittsburgh, he earned a Masters Degree in Clinical Psychology and completed course requirements for a doctoral degree. In 1985, Judge Williams graduated from Duquesne University School of law with a *Juris Doctorate*.

## In Memoriam



*David Wayne Brandon, Esquire  
July 8, 1951 - August 30, 2008*

David W. Brandon, Esq., served as Deputy Court Administrator for 14 years. His career with the Court of Common Pleas began in 1975, when he was originally hired as a night court bail investigator. Promoted in 1978 to main office investigator, Dave was appointed as director of the Bail Agency in 1980, a position he held until his

promotion to Assistant Administrator-Legal Affairs in the Court Administrative Office on February 22, 1993. On August 8, 1994, Dave was promoted to Deputy Court Administrator, a position to which he brought his keen intellect and unique outlook.

A graduate of Avalon High School, an Alumnus of Penn State University and Duquesne

University School of Law, Dave was awarded his *Juris Doctor* Degree on June 14, 1981. He was an investigator for the law firm Kudzma and Green prior to his employment with the court.

Dave was a master mason and a member of the Syria Shriners. His interests also included juvenile diabetes research and animal welfare.

