

*The Fifth Judicial District of Pennsylvania  
exists to administer fair and timely justice  
and provide efficient and effective  
court services.*

**The Fifth Judicial District of Pennsylvania**  
**ANNUAL REPORT 2012**

Pittsburgh, County of Allegheny, Pennsylvania



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## MESSAGE FROM THE President Judge and District Court Administrator



A handwritten signature in black ink that reads "Donna Jo McDaniel". The signature is fluid and cursive, written over a thin horizontal line.

**Donna Jo McDaniel**  
President Judge



A handwritten signature in black ink that reads "Raymond L. Billotte". The signature is cursive and written over a thin horizontal line.

**Raymond L. Billotte**  
District Court Administrator

In 2012, the Fifth Judicial District furthered its mission of providing efficient and effective services to the public amidst significant change and continuing economic challenges. We are pleased to present the court's 2012 annual report of operations highlighting the court's efforts throughout the year.

The Fifth Judicial District completed its first district-wide Strategic Plan in 2012 to identify short and long-term goals and priorities. The judges, magisterial district judges, court employees, members of the Bar, justice system partners, and the public provided substantive feedback regarding court operations which shaped the focus of the plan. Following planning team sessions, the 2012-2015 Strategic Plan of the Fifth Judicial District was finalized, and the *2012-2013 Strategic Projects: A Companion to the 2012-2015 Strategic Plan* outlining strategic initiatives was presented to newly formed Implementation Teams, who met throughout 2012 to document recommendations to implement priority projects.

After 20 years of dedicated service to the Fifth Judicial District, Raymond L. Billotte resigned as District Court Administrator and accepted the position of Court Administrator for the Superior Court of Maricopa County, Arizona. Mr. Billotte's accomplishments included implementation of numerous cost reduction and containment initiatives, leading the court-wide strategic planning initiative, the development of Allegheny County's first Criminal Justice Advisory Board, reorganization of jury processes, and design and implementation of a criminal case review project. On behalf of the Fifth Judicial District, we wish Mr. Billotte the best of luck in his new position. Claire C. Capristo, Esquire, Deputy Court Administrator since 2005, was appointed to fill Mr. Billotte's position in October 2012. Mrs. Capristo brings a wealth of experience in court operations.

Following the Pennsylvania Interbranch Commission on Juvenile Justice's (ICJJ) recommendations for juvenile justice reform, President Judge Donna Jo McDaniel and Family Division Administrative Judge Kathryn M. Hens-Greco convened a juvenile justice task force to assess Allegheny County's juvenile justice practices and make recommendations to ensure best practices consistent with the ICJJ report. The Allegheny County Commission on Juvenile Justice released its report in October 2012.

Despite ongoing economic and budgetary constraints, efforts continue to improve accessibility to the courts and ensure efficient use of resources. Examples of this include expanded business hours in the Arraignment Office; the opening of a Family Division Adult Section community-based office in the South Hills area of Pittsburgh and expansion of walk-in intake hours by the Protection from Abuse department; the development of specialized reentry services by Adult Probation; and the Orphans' Court establishment of "on-line" access to various case records. Many of these improvements and new projects were made possible by the reallocation of existing resources and/or the acquisition of grant funding.

The Fifth Judicial District's 2012 initiatives and accomplishments could not have been achieved without the efforts of dedicated employees and the collaboration of criminal justice system partners. We thank them for their commitment and look forward to continuing the court's work in 2013.

# BOARD OF JUDGES



**First Row:**

Lawrence J. O'Toole  
Donna Jo McDaniel  
Jeffrey A. Manning  
W. Terrence O'Brien

**Second Row:**

Kim Berkeley Clark  
Arnold I. Klein  
Kim D. Eaton  
Judith L.A. Friedman

**Third Row:**

Kathleen R. Mulligan  
Michael E. McCarthy  
Michael F. Marmo  
Ronald W. Folino  
Paul F. Luty, Jr.  
Christine A. Ward  
Kathleen A. Durkin  
Guido A. DeAngelis

**Fourth Row:**

Thomas E. Flaherty

**Fifth Row:**

John T. McVay, Jr.  
Paul E. Cozza  
Dwayne D. Woodruff  
Alan D. Hertzberg  
Alexander P. Bicket  
Cathleen Bubash  
Joseph K. Williams, III  
William F. Ward

**Sixth Row:**

Kevin G. Sasinowski  
David R. Cashman  
Donald E. Machen  
Kelly Eileen Bigley  
Edward J. Borkowski  
John A. Zottola

**Seventh Row:**

Randal B. Todd  
Lester G. Nauhaus  
Robert J. Colville  
Donald R. Walko, Jr.  
Susan Evashavik DiLucente  
R. Stanton Wettick, Jr.

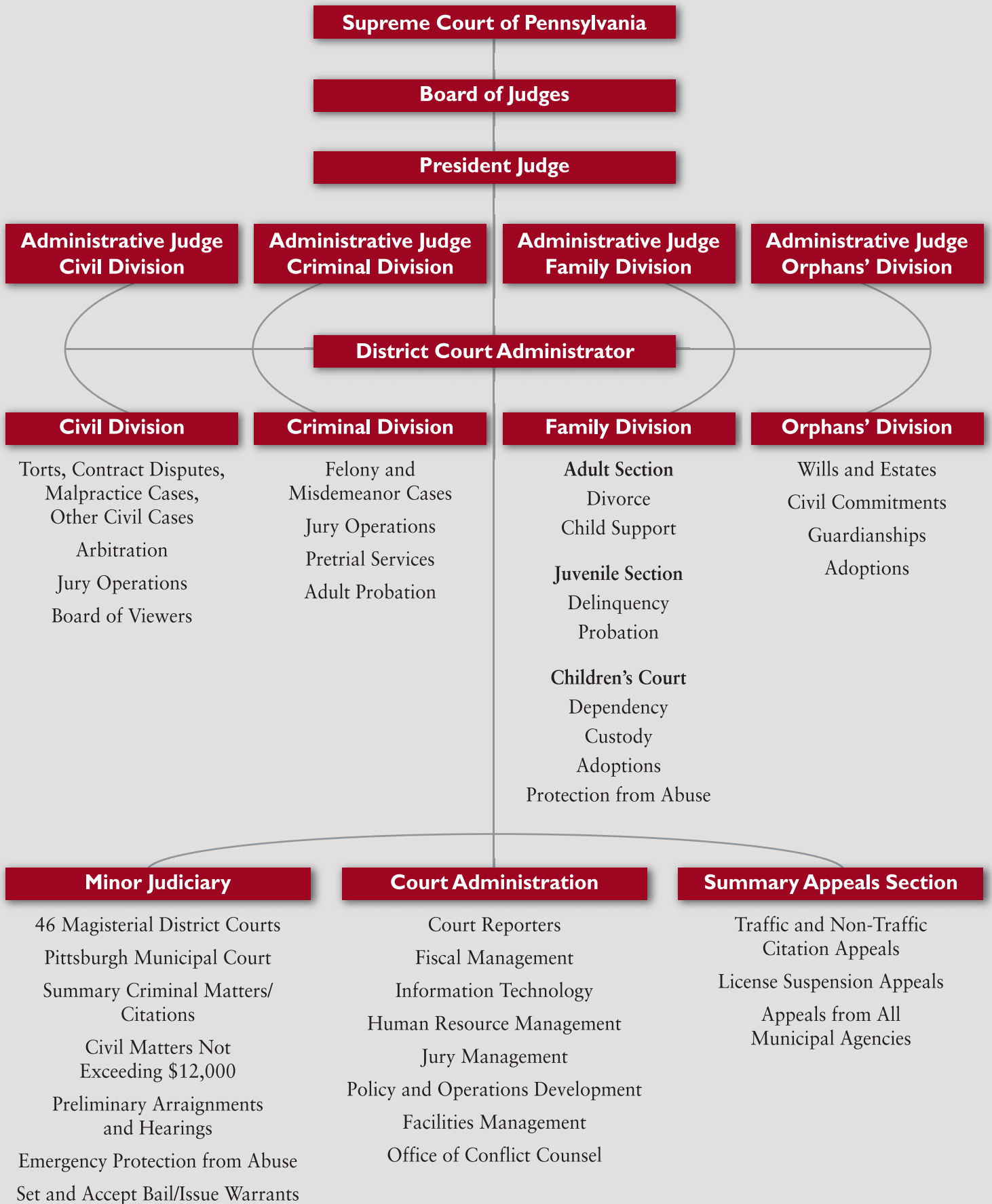
**Not Pictured:**

Gerard M. Bigley  
Michael A. Della Vecchia  
Robert C. Gallo  
Kathryn M. Hens-Greco  
Philip A. Ignelzi  
Joseph M. James  
Robert A. Kelly  
Beth A. Lazzara  
Frank J. Lucchino  
Anthony M. Mariani  
Lee J. Mazur  
Timothy Patrick O'Reilly  
Jill E. Rangos



# TABLE OF ORGANIZATION

## Fifth Judicial District of Pennsylvania



# Highlights and Accomplishments



## Judges Ward and Cozza appointed to Serve in the Fifth Judicial District

In 2012, Governor Tom Corbett appointed Judges William F. Ward and Paul E. Cozza to fill two vacant seats on the Court of Common Pleas bench.



Judge Ward celebrates his oath of office with his wife, Joan and his son, Thomas.

Judge **William F. Ward** served as the Governor's chief of staff and senior advisor for 16 months and was nominated in May 2012. He was sworn in as a judge at a private ceremony in July 2012. Before serving in the Governor's office, Judge Ward was a member and partner at the law firm of Ward McGough. He also served as chairman of the board for the Pennsylvania Board of Probation and Parole, First Deputy Attorney General from 1996 to 1997, Assistant U.S. Attorney for the Western District of Pennsylvania, and as a law clerk for Federal Judge Louis Bechtle.

Pittsburgh attorney **Paul E. Cozza** was administered the oath of office by Criminal Division Administrative Judge Jeffrey A. Manning at a public ceremony on August 14. An Allegheny County native, Judge Cozza's private legal practice focused on personal injury civil law and criminal defense for 21 years. He was appointed a special master for the Allegheny County Board of Viewers by President Judge Donna Jo McDaniel in November 2009. In 2006, he was selected as a member of the Board of Economic Development Infrastructure Tourism Fund that decides which local projects share casino money apportionments. That year, Judge Cozza also worked as the legal constituent liaison for PA Senator Wayne Fontana. Judge Cozza earned his law degree at Duquesne University's School of Law in 1990.



Judge Cozza takes his oath of office accompanied by his family. L-R: daughter Helaina, wife Nancy and daughter Dominique.

## Court Administrator Raymond L. Billotte resigns after 20 years of service – Claire C. Capristo, Esquire appointed as new District Court Administrator

Following 20 years of dedicated service to the court and citizens of Allegheny County, Raymond L. Billotte accepted the position of Court Administrator for the Superior Court of Maricopa County, Arizona and relocated to Phoenix in mid-September 2012.

Mr. Billotte served as the District Court Administrator for the Fifth Judicial District of Pennsylvania, County of Allegheny, from 1996 through September 2012.

Professional accomplishments during his tenure included: leading a court-wide strategic planning initiative that resulted in a multi-year formal strategic plan; the development of Allegheny County's first Criminal Justice Advisory Board; development and implementation of a criminal case review project which provided for a comprehensive analysis of case management processes in partnership with justice system stakeholders; and the implementation of numerous cost reduction and containment initiatives such as consolidation of court services and revision of policies and procedures governing the use of advanced communication technologies; and reorganization and automation of jury operations.

Prior to serving as District Court Administrator, Mr. Billotte held the position of Deputy Court Administrator from 1992 to 1996 in Allegheny County. He served as District Court Administrator in the Forty-Sixth Judicial District of Pennsylvania, Clearfield County, from 1985 to 1992. Mr. Billotte is a Graduate Fellow of the Institute for Court Management's Court Executive Development Program. Since 2010, he served on the Board of Directors for the National Association for Court Management and has also been an active member of the Pennsylvania Association of Court Management and the Mid-Atlantic Association of Court Management.



Allegheny County Council honored Raymond L. Billotte, District Court Administrator of the Fifth Judicial District of Pennsylvania, with a Proclamation upon the occasion of his resignation in September 2012.

An effective communicator who fostered collaborative relationships with members of the bench, representatives of the executive and legislative branches of government, justice system partners, court administrators, and court staff, Mr. Billotte is well-regarded and respected by those who know him. His wealth of experience, pioneering vision, kind personality, and good humor made him many friends among those who worked with him.

Thank you, Mr. Billotte, for 20 years of spirited leadership. Best of luck in your new position with the Superior Court of Arizona in Maricopa County and in all future endeavors.



Raymond L. Billotte congratulates Claire C. Capristo, Esq., on her appointment to succeed him as District Court Administrator of the Fifth Judicial District of Pennsylvania.

In mid-September 2012, Claire C. Capristo, Esquire was nominated by President Judge Donna Jo McDaniel to fill the District Court Administrator position vacated by Raymond L. Billotte. The nomination was approved by the Supreme Court of Pennsylvania in mid-October 2012.

Ms. Capristo most recently served as Chief Deputy Court Administrator for the Fifth Judicial District of Pennsylvania from 2005 to September 2012. Her experience as Chief Deputy included providing policy, procedural, and legal advice to the President Judge, District Court Administrator, and division administrators, annual preparation of the Continuity of Operations Plan, oversight of Jury and Magisterial District Court operations, and support and guidance for information technology initiatives. Prior to her employment with the court, Ms. Capristo served in the Office of the District Attorney as Chief of Staff from 1989-2005, as Deputy District Attorney from 1979-1989, and as Assistant District Attorney from 1975-1979. Ms. Capristo is a current member of the National Association for Court Management and member and former Board Member of the Pennsylvania Association of Court Management.

Ms. Capristo's extensive experience and sharp intellect have earned her respect throughout the court community and amply qualifies her for the position of District Court Administrator for the Fifth Judicial District of Pennsylvania.





Photo by Drew Hardman.  
Courtesy of the Allegheny County Bar Association.

Pictured with Homer S. Brown Bar Association Division Chair Jennifer D. Arnette and Homer S. Brown Bar Association Division Chair-Elect Gerald S. Robinson, III, Judge Kim Berkeley Clark (center) receives the Drum Major for Justice Award.

### Honorable Kim Berkeley Clark receives Drum Major for Justice and ATHENA awards

Family Division Judge Kim Berkeley Clark was honored with the Drum Major for Justice Award at the 13th Annual Martin Luther King, Jr. Prayer Breakfast, hosted by the Homer S. Brown Division of the Allegheny County Bar Association on January 16, 2012. This prestigious award is presented to individuals who have demonstrated a long-standing commitment to civil rights in Western Pennsylvania and to the improvement of the local African-American community. Judge Clark was also presented with the ATHENA award by the Allegheny Conference on Community Development. Presented annually, the ATHENA award honors a woman who demonstrates professional excellence, contributes to her community, and helps other women succeed through mentorship. Judge Clark worked as an Allegheny County Assistant District Attorney for approximately 16 years before becoming a judge in 1999. She was named President of the Allegheny County Bar Association for a one year term beginning July 2006 and was the first judge and first African-American woman to hold this position.



### President Judge Donna Jo McDaniel Awarded Governor's Victim Service Award

On October 16, 2012, President Judge Donna Jo McDaniel was presented with the Governor's Victim Service Pathfinder Award for her commitment to victims' rights and her contributions to the criminal justice system. Judge McDaniel was recognized for her involvement in the creation of a Domestic Violence Court program in Allegheny County. Specialized court sessions began in 2002 in which Judge McDaniel initially presided over violations of protection from abuse orders. The Judge expanded the court program to include review of offenders' probation progress and processing of cases involving repeat offenders.



President Judge Donna Jo McDaniel is presented with the Governor's Victim Service Pathfinder Award. L-R: Allegheny County District Attorney Stephen A. Zappala, Jr., President Judge Donna Jo McDaniel, Governor Corbett's Southwest Regional Office Director Mary Ann Eisenreich, and Allegheny County Executive Rich Fitzgerald.

### Judges Joseph James and Michael McCarthy accept ACTION-Housing, Inc. Award

ACTION-Housing, Inc., a Pittsburgh organization whose mission includes the provision of affordable housing, supportive services, and educational and employment opportunities, recognized the Court of Common Pleas mortgage foreclosure conciliation program and Judges Joseph M. James and Michael E. McCarthy with its annual Award of Excellence. The award, presented to the judges at ACTION-Housing, Inc.'s 55th Annual Meeting on April 13, 2012, recognized the mortgage foreclosure program results of more orderly and humane implementation of the foreclosure process and preservation of homeownership in the Pittsburgh region. In operation since January 2009, the program has resulted in the successful settlement of over 1,500 cases.

Judge Joseph M. James speaks about the Allegheny County mortgage foreclosure conciliation program at ACTION-Housing, Inc.'s 55th Annual Meeting.



Judges Dwayne D. Woodruff, Kim Berkeley Clark, and Joseph K. Williams, III.

## Judges Clark, Williams, and Woodruff honored at the NAACP Annual Human Rights Dinner

Fifth Judicial District Judges Kim Berkeley Clark, Joseph K. Williams, III, and Dwayne D. Woodruff were honored for their work in the courts by the National Association for the Advancement of Colored People (NAACP) Pittsburgh branch at the Association's 58th Annual Human Rights Dinner held at the Omni William Penn Hotel on May 3, 2012. Tributes to local jurists were presented by keynote speaker Judge Glenda Hatchett, Georgia's first African-American chief presiding judge of a state court.

## Leadership Pittsburgh XXVIII

On March 1, 2012, the Fifth Judicial District participated in an educational program in cooperation with Leadership Pittsburgh, Inc. (LPInc.), an independent, non-profit organization whose mission is to strengthen regional leadership through programs, partnerships, and connections. The objectives of the 2012 program, entitled "*Justice and Human Services*," included expanding LPInc.'s understanding of how local justice and human services systems interrelate and impact our region, exploring how state and local public policies affect these systems, and examining the balance between prevention/intervention/punishment/and self-sufficiency. In addition to visiting various human service program sites, participants observed court proceedings in the Family and Criminal Divisions of the Fifth Judicial District and were provided with an overview of the court system structure, the types and numbers of cases heard, and insight into justice system challenges by District Court Administrator Raymond L. Billotte and judges of the Family and Criminal Divisions.

## National Conference of Metropolitan Courts

The National Conference of Metropolitan Courts (NCMC) 2012 Annual Conference was held in Pittsburgh, Pennsylvania in October 2012, hosted by President Judge Donna Jo McDaniel and District Court Administrator Raymond L. Billotte.

An informative, educational program titled, "*Criminal Case Management for Trial Court Leaders – New Developments in the Law, Science, and Technology*," was presented by Dr. Cyril H. Wecht and Dr. Henry Lee, nationally renowned forensic pathologists, who reviewed new developments in forensic science impacting the courts. Professor John T. Rago of Duquesne University discussed conviction integrity issues, and additional sessions regarding wrongful convictions, enhancing juror comprehension, and numerous criminal case management topics designed to assist judges in managing and maintaining effective programs were presented by experts in these areas.

The NCMC is an education and research organization whose members include chief/presiding judges and court executives in the nation's largest state and local trial courts. The NCMC is committed to improving the administration of justice in urban courts through strengthening leadership, modernizing technology and facilities, and advancing the Rule of Law.

The success of the 2012 annual conference was due in part to the generosity of the Allegheny County Bar Association and the Pietragallo Gordon Alfano Bosick & Raspanti, LLP law firm for co-hosting a special reception at the John Heinz History Center for NCMC members and conference attendees.



Nationally renowned forensic pathologist Dr. Henry Lee reviews the impact of new forensic science on the courts at the National Conference of Metropolitan Courts 2012 Annual Conference.

## Teams Begin Work on Strategic Plan Implementation

The Fifth Judicial District court-wide Strategic Planning initiative, originating in 2011, continued to progress as seven Implementation Teams were formed to commence work on specific focus areas and accompanying projects identified by the Strategic Planning Committee.

A kick-off and organizational meeting of the Strategic Planning Committee and Implementation Teams was held on May 31, 2012 to review the Plan, to introduce Implementation Team leaders, and to establish guidelines and expectations. Implementation Teams consisting of judge sponsors, court managers, supervisors, and court staff of all levels were assigned specific focus areas and tasks.

Teams were provided with written descriptions of the focus areas and long-range goals and objectives and are expected to meet regularly, to investigate resources, and to develop proposals for long term implementation.

Progress and accomplishments were assessed throughout 2012 and new priorities for 2013 will be established.



Strategic Plan Implementation Manager Claire C. Capristo, Esq. joins members of Implementation Team 4 at a workgroup meeting. L-R: Mary Hathaway, Lisa Herbert, Esq., Magisterial District Judge Beth Scagline Mills, Claire C. Capristo, Esq., Paul Stefano, Esq., Keriann Onderko, Team Leader Renee Kimball, Esq., and Judge Beth A. Lazzara.

## Seven teams were established corresponding to seven focus areas, as follows:

### Obtain and Maintain Needed Resources

**Team Leader:** Gerard Tyskiewicz, Manager, Fiscal Affairs

### Improve Facilities

**Team Leader:** Russell Carlino, Administrator, Juvenile Probation

### Enhance the Use of Technology

**Team Leader:** Sean Collins, Director, Information Technology

### Enhance External Relations

**Team Leader:** Celia Shapiro, Esq., Civil Division

### Strengthen Workforce and Work Environment

**Team Leader:** Angharad Stock, Esq., Administrator, Pittsburgh Municipal Court

### Improve Timeliness and Court Operations and Programs

**Team Leader:** Renee Kimball, Esq., Director, Universal Intake/Self Help Center

### Enhance Access to the Courts

**Team Leader:** Cynthia K. Stoltz, Esq., Administrator, Children's Court



Members of Strategic Plan Implementation Team 2 meet to discuss court facility issues. Seated L-R: Allison Wolfson, Esq., Michelle Lally, Esq., Brian Dunbar, Esq., Judge Michael E. McCarthy, Faye Colonello, Connie Przybyla, Team Leader Russell Carlino. Standing L-R: Dan Reilly, Patrick W. Quinn, Esq., Judge Kathryn M. Hens-Greco, Claire C. Capristo, Esq.



# Court 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 ADMINISTRATION



**Claire C. Capristo, Esq.**  
Chief Deputy Court  
Administrator



**Michelle H. Lally, Esq.**  
Chair;  
Board of Viewers



**Jo Lynne Ross**  
Manager;  
Office of Court Reporters



**Russell Carlino**  
Administrator;  
Juvenile Probation



**Helen M. Lynch, Esq.**  
Administrator;  
Criminal Division



**Paul W. Stefano, Esq.**  
Administrator;  
Orphans' Court Division



**Sean F. Collins**  
Director;  
Information Technology



**Thomas M. McCaffrey**  
Director;  
Adult Probation



**Angharad Grimes Stock,  
Esq.**  
Administrator;  
Pittsburgh Municipal Court



**Lisa Herbert, Esq.**  
Deputy Court  
Administrator



**Patrick W. Quinn, Esq.**  
Administrator;  
Family Division



**Cynthia K. Stoltz, Esq.**  
Administrator;  
Children's Court



**Lindsay Hildenbrand**  
Director;  
Jury Operations



**Janice Radovick-Dean**  
Director;  
Pretrial Services



**Gerard Tyskiewicz**  
Manager;  
Fiscal Affairs



**Charles Kennedy**  
Manager;  
Court Human Resources



**Daniel Reilly**  
Manager;  
Facilities



**Matthew E. Zoccole**  
Deputy Administrator;  
Magisterial District Courts



# Family Division





# FAMILY DIVISION JUDGES



**Hon.  
Kathryn M. Hens-Greco**  
Administrative Judge



**Hon.  
Susan Evashavik  
DiLucente**



**Hon.  
Donald R. Walko, Jr.**



**Hon.  
Alexander P. Bicket**



**Hon.  
Kim D. Eaton**



**Hon.  
William F. Ward**



**Hon.  
Cathleen Bubash**



**Hon.  
Arnold I. Klein**



**Hon.  
Dwayne D. Woodruff**



**Hon.  
Kim Berkeley Clark**



**Hon.  
Michael F. Marmo**



## Senior Judges

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



**Hon.  
Paul E. Cozza**



**Hon.  
John T. McVay, Jr.**



**Hon.  
Robert A. Kelly**  
Senior Judge



**Hon.  
Guido A. DeAngelis**



**Hon.  
Kathleen R. Mulligan**



**Hon.  
Lee J. Mazur**  
Senior Judge

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

Under the leadership of Administrative Judge Kathryn M. Hens-Greco, 15 commissioned judges, and three senior judges assigned to the Family Division, the Adult Section continued the process of evaluating and amending protocols and processes to facilitate support and divorce procedures and improve *pro se* litigant access to the court.

The establishment and enforcement of child and spousal support and alimony *pendent-lite* constitutes a substantial percentage of the Adult Section's workload. In 2012, the Adult Section continued to effectively address and adjudicate its heavy volume of cases as demonstrated in the accompanying statistical charts.

The Adult Section announced the opening of a community-based office in the South Hills area of Pittsburgh (Castle Shannon) in January 2012. Litigants wishing to file for support, modify an existing order, or obtain information regarding their case may do so at this office. Support conferences and hearings are also conducted at the South Hills office. With a caseload of approximately 4,800 cases, the office operates utilizing an assignment management system. Using this system, a domestic relations officer and one clerical support staff are responsible for the establishment, modification, and enforcement of all orders associated within their caseload, enabling them to provide personalized and efficient services in the collection of child support. Additionally, the case ownership principle has been found to be very effective in meeting litigants' needs while improving the performance of the child support function of the court on all measurable statistics including the establishment of orders in a timely manner and in collection of all monies owed. The performance statistics/measurements of the South Hills office have exceeded the statistics of the overall Adult Section.

The employment search program, initiated to aid delinquent obligors in finding and maintaining steady employment in order to meet family support obligations, continues to be successful. The Adult Section's employment specialist unit continues to add additional employers and employment search agencies to its list of community partners for referral purposes.

Additionally, many community partners offer parenting, drug and alcohol counseling, vocational counseling, and education resources. During 2012, the employment specialist unit assisted over 3,500 individuals in exploring employment and training opportunities. As 2012 came to a close, nearly 400 individuals served by the program were steadily employed. Follow-up services have been provided to almost 2,000 obligors.

In an effort to enforce compliance with support orders, the Adult Section implemented a number of unique programs. One such initiative involves the Unclaimed Property program operated by the Pennsylvania Treasury Department. In October 2012, the court conducted a pilot project to seize unclaimed property for application to delinquent child support obligations by submitting the names of 682 delinquent defendants to the Pennsylvania Treasury database. From these submissions, the court received unclaimed property representing \$7,874.43 from 68 defendants. Due to its success, this initiative will be utilized on a quarterly basis.



The court made improvements in 2012 in addressing outstanding bench warrants for individuals who failed to appear for hearings. Three thousand one hundred eighty-seven (3,187) warrants were cleared, reducing the active warrants to 2,133 at the close of 2012. Over 800 of these warrants were cleared following the “appearance” of individuals in court via videoconference from prison, saving costs associated with security and transportation.

In a continuing effort to improve litigant access to the courts, effective June 2012, the Adult Section implemented a new initiative providing clients the option to file for support via U.S. Mail. Prior to implementation of this alternative, clients were required to appear in person to file for support. From implementation through the end of 2012, a total of 155 support complaints were received via U.S. Mail, a number the court anticipates will increase as the service becomes more widely known.

Also implemented in 2012 was the Administrative Enforcement-Intergovernmental Initiative (AEI). This electronic process, conducted in collaboration with financial institutions in states other than Pennsylvania, enables the court to identify bank accounts of delinquent obligors in other states. The court is then able to freeze and seize monetary assets to satisfy delinquent support obligations. This process, implemented in the latter half of 2012, resulted in the collection of \$10,978.88.

In January 2012, the Adult Section changed its case management method from a “bank teller” system with no specific assigned caseloads to a “team caseload” approach. Employing this method, Domestic Relations Officers and clerical support staff are responsible for the establishment, modification, and enforcement of all orders associated with the cases assigned to their respective teams. This principle has resulted in enhanced performance in entering fair, reasonable, and collectable support orders and in better rates of collection. Additionally, overscheduling has been eliminated, waiting times have been reduced, and individual members of teams have thorough knowledge of each case.

Phone Power, an ongoing project through which delinquent obligors are contacted during evening hours, collected over \$67,858 in additional support monies in 2012 and implemented a number of new wage attachments to ensure ongoing regular collection of support directly from employers. Additionally, “early intervention” calls are made to defendants following court appearances reminding them to make the first payment towards newly entered support obligations in order to avoid automated enforcement remedies. An automated phone system is used to contact parties to remind them of upcoming support conferences and hearings.

## FAMILY DIVISION – DIVORCE

<b>DIVORCE – ORIGINAL FILINGS</b>	<b>2011</b>	<b>2012</b>
Complaints Filed	2,831	2,868
<b>DIVORCE – JUDICIAL</b>		
Contested	381	296
<b>DIVORCE – HEARING OFFICER</b>		
Contested	81	144
<b>DIVORCE – PROFESSIONAL STAFF</b>		
Uncontested	2,227	2,119

## FAMILY DIVISION – CHILD SUPPORT

<b>SUPPORT – ORIGINAL FILINGS</b>	<b>2011</b>	<b>2012</b>
Complaints Added (PACSES)	9,128	9,110
<b>SUPPORT – SECONDARY FILINGS</b>		
Modifications	12,386	10,884
Contempt Hearings	20,024	15,116
<b>Total</b>	<b>32,410</b>	<b>26,000</b>
<b>SUPPORT – JUDICIAL</b>		
Support Contempt Hearings	1,148	592
Exceptions	129	135
<b>Total</b>	<b>1,277</b>	<b>727</b>
<b>SUPPORT – HEARING OFFICER</b>		
Hearing Officer Hearings	5,300	4,521
Hearing Master Complex Support	245	225
<b>Total</b>	<b>5,545</b>	<b>4,746</b>
<b>SUPPORT – PROFESSIONAL STAFF</b>		
Screening	13,730	14,051
Conciliations	15,571	15,746
Contempt Hearings	20,024	15,116
<b>Total</b>	<b>49,325</b>	<b>44,913</b>

## FAMILY DIVISION | ADULT SECTION **Continued**

The Adult Section continually strives to improve accessibility by providing the following programs and services to the public:

- Information including the court manual, frequently asked questions, local rules, the *pro se* assistance program, and telephone directory is available on the court's website, <http://www.alleghencourts.us/family/default.aspx>.
- A phone room operated by "information specialists" to answer questions and provide information via the telephone, postal mail, and e-mail is available Monday through Thursday 9:00 A.M. to 3:00 P.M. and Friday 9:00 A.M. to 12:00 Noon.
- A screening service is available to answer questions, address concerns, file modification petitions, and provide information to litigants Monday through Thursday 8:00 A.M. to 2:00 P.M. and Friday 8:00 A.M. to 1:00 P.M. at the Family Law Center, third floor and at the South Hills Office, 250 Mt. Lebanon Boulevard, Castle Shannon. During 2012, the Screening Unit assisted 7,818 self-represented litigants and more than 2,000 attorneys on a "walk-in" basis. This represented service on over 10,000 cases.
- Family Division "Night Court" offers non-traditional hours allowing employed parents access to the courts during evening hours. In 2012, 1,276 people were served during Wednesday evening "Night Court."

As a result of the aforementioned programs and newly implemented protocols, the Adult Section significantly contributed to Pennsylvania finishing first among the 56 states and territories in 2012 in the five federal performance measures of the child support enforcement. The Fifth Judicial District exceeded the statewide average in four of the five categories. By exceeding 80 percent in all five performance benchmarks, the court received the maximum amount of performance based-federal funding available. Some of the statistical highlights of the court's performance included the collection and disbursement of almost \$156,000,000 in support to families, and a one-year reduction in the amount of aggregate arrears owed by nearly \$13,000,000. The court's federal performance percentages in four of the five federal performance categories increased in 2012 while the court maintained its 100 percent cost efficient standard in the fifth performance category.

The five federal performance measurements are:

1. Determining the paternity of the child
2. Establishing child support orders through local courts
3. Collecting current monthly child support
4. Collecting overdue child support
5. Being cost-effective in the administration of child support collection

Governor Tom Corbett proclaimed August 2012 as Child Support Enforcement Awareness month in recognition of the valuable contributions made by child support professionals in ensuring financial support for children across the Commonwealth of Pennsylvania. Various activities were planned for staff, including a dessert social and a staff recognition award ceremony. Child identification and fingerprinting services were made available in the Family Law Center several times during the month, courtesy of the Allegheny County Sheriff. A children's coloring contest was held and the winning entry became the cover for a staff recipe book titled "Cooking Collections." Proceeds from the sale of the recipe book were donated to the on-site Children's Room, operated by the National Council of Jewish Women, which provides daycare service for children of parents involved in court proceedings.



In 2012, the court continued to offer its *Pro Se* Motions program providing income-eligible participants assistance in preparing, filing, and in many instances, presenting motions to judges. The assistance is provided primarily by law students from the University of Pittsburgh and Duquesne University Law Schools and augmented by pro bono attorneys of the Allegheny County Bar.

*The **FAMILY DIVISION – JUVENILE SECTION** mission is to reduce and prevent juvenile crime; promote and maintain safe communities; and improve the welfare of youth and families who are served by the court.*

Balanced and Restorative Justice remains the mission and legislative mandate of the Juvenile Probation (JP) Department. Since the mid-1990s, JP has been focused on protecting the community, restoring victims and communities, and developing the competency skills of juvenile offenders and is currently in the third year of a comprehensive effort aimed at improving outcomes for each of these goals. This initiative, known statewide as the Juvenile Justice System Enhancement Strategy (JJSES), emphasizes evidence-based practices and structured decision making at every key decision point in the juvenile justice process.

JP's risk/needs instrument, the Youth Level of Service (YLS), and case plan are now fully integrated into daily operation. The YLS, conducted at the intake level, measures a youth's risk to re-offend and identifies factors related to offending behavior, such as attitudes/orientation, personality/behavior, peer relations, family circumstances, and substance abuse among others. The YLS results assist the probation officer in deciding whether to adjust a case informally or request a formal court hearing. In addition, the results of the YLS are incorporated into both the pre-disposition report presented in court and the case plan prepared by the probation officer outlining the supervision and evidence-based programming requirements for the juvenile while under court supervision. In 2012, JP conducted over 1,500 YLS assessments. The risk levels identified through these assessments were as follows: 31 percent – low risk; 60 percent – moderate risk; and 9 percent – high risk.

A central tenet of the Balanced and Restorative Justice mission is to ensure that juveniles are held accountable for their actions. In 2012, JP oversaw the collection of \$366,000 in restitution, fees, and costs, approximately \$206,000 of which was paid directly to victims; \$34,000 of which was paid to the Victim Compensation Fund; and nearly \$24,000 was directed to the Stipend Fund—money collected on failure to comply charges certified from magisterial district judges which is paid to victims owed restitution. The remaining \$102,000 collected by probation officers included court fees and costs incurred by juvenile offenders and was paid to state and county government agencies. Juvenile Probation does not recommend a case be closed until all monies are collected in full or the juvenile reaches 21 years of age, at which time the outstanding balance is indexed as a judgment with the Department of Court Records. Of the 1,822 juveniles whose cases were closed in 2012, 74 percent satisfied their restitution obligations in full.



On August 16, 2012, Raechelle Willie and Jeanneen DeWitt were sworn in as Juvenile Probation Officers. L-R: Asst. Chief PO Mary Hatheway, Administrative Judge Kathryn M. Hens-Greco, Asst. Chief PO David Evrard, Raechelle Willie, Jeanneen DeWitt, Administrator Russell Carlino, and Asst. Chief PO Ray Bauer.

**FAMILY DIVISION – PROBATION**

**JUVENILE PROBATION –**

<b>ORIGINAL FILINGS</b> <sup>1</sup>	<b>2011</b>	<b>2012</b>
New Filings <sup>2</sup>	1,843	1,588
Reopened Cases <sup>3</sup>	581	614
Additional Allegation Filed with New or Reopened <sup>4</sup>	122	73
New Allegation on Active Juvenile <sup>5</sup>	1,626	1,294
<b>Total</b>	<b>4,172</b>	<b>3,569</b>

**JUVENILE PROBATION – JUDICIAL**

Hearings <sup>6</sup>	8,858	8,502
Warrants	1,593	1,508
<b>Total</b>	<b>10,451</b>	<b>10,010</b>

**JUVENILE PROBATION – HEARING OFFICER**

Detention Hearings	1,831	1,665
Other Hearings	2,495	2,255
<b>Total</b>	<b>4,323</b>	<b>3,920</b>

**JUVENILE PROBATION – PROFESSIONAL STAFF**

Detention Hearings	2,283	1,693
Other Hearings	11,350	10,709
Warrants	1,593	1,509
Individualized Service Plan Meetings	689	509
Intakes – Allegations Received	4,172	3,579
Petitions Filed	3,123	2,563
Case Contacts <sup>7</sup>	55,056	58,537
<b>Total</b>	<b>78,122</b>	<b>79,099</b>

<sup>1</sup> Filings are based on allegations received.

<sup>2</sup> New filings represent the first allegation ever received on a specific individual juvenile.

<sup>3</sup> After a juvenile's case is closed, it is reopened when a new allegation is received.

<sup>4</sup> When multiple allegations for a new or reopened case are filed simultaneously, only one allegation is counted as "New" or "Reopened." Additional allegations are reported separately under this category.

<sup>5</sup> Allegations filed against juveniles currently under supervision.

<sup>6</sup> Includes detention and all other hearing types.

<sup>7</sup> Juvenile Probation Officers have regular contact with juveniles under supervision.

JP continued to be actively engaged in the following projects:

- *Pittsburgh Initiative to Reduce Crime (PIRC)* – This multi-agency and community collaboration initiative is aimed at reducing homicides and gun crimes in the City of Pittsburgh. PIRC involves community agencies that offer pathways out of gang activities for juvenile and young adult offenders.
- *Allegheny County Music Festival* – JP staff again volunteered their services at this event. Private donations raised via the festival support the participation of delinquent and dependent Allegheny County youth in cultural, educational, and recreational activities.
- *Juvenile Justice Week* – JP staff sponsored numerous events throughout October 1-6, 2012 to highlight JP's commitment to the citizens of Allegheny County. Events included workshops for area high school students and an awards ceremony recognizing key contribution and achievements of juveniles, parents, and probation staff. Approximately \$766 was collected and donated to the Stipend Fund for victims.
- Allegheny County JP, designated as one of 12 Model Delinquency Courts in the United States by The National Council of Juvenile and Family Court Judges, continues to focus on implementing the 16 key principles established in the Juvenile Delinquency Guide. This project is led by Judge Kim Berkeley Clark.

Along with Lehigh, Philadelphia, and Lancaster Counties, Allegheny County JP engaged in implementing the Juvenile Detention Alternative Initiative (JDAI), a data-driven process to improve practices. JDAI utilizes eight core strategies designed to improve case processing and provide alternatives to, or eliminate, the use of secure detention while ensuring public safety.



In 2012, JP coordinated its initial Disproportionate Minority Contact (DMC) training for the City of Pittsburgh Police Cadets. The curriculum, presented at Duquesne University, was developed by the Pennsylvania Commission on Crime and Delinquency and has earned widespread praise from Pennsylvania's Senate Judiciary Committee and the Federal Advisory Committee on Juvenile Justice. Law enforcement officials, community leaders, and youth work together to achieve the goal of improving interaction between minority youth and police officers. The Pittsburgh Chief of Police has requested that all new Pittsburgh Police recruits participate in the curriculum. In addition, JP is planning to offer the training to law enforcement officers throughout Allegheny County.

Electronic monitoring equipment was upgraded by JP in 2012 allowing for functionality in homes that do not have landline phone service. The upgrade in equipment has resulted in a shorter detention stay for youth and reduced expenses for JP.

JP continues to be dedicated to protecting the citizens of Allegheny County by holding juvenile offenders accountable and providing juveniles with opportunities to become law abiding citizens. Of the 1,822 cases closed during 2012, 89 percent of juveniles successfully completed supervision without re-offending. These juveniles paid a total of \$279,599 in restitution, and 74 percent fully satisfied their financial obligations. Juvenile probationers completed a total of 58,983 hours of community service, 97 percent of whom completed their community service obligations in full.



CISP Community Monitors Ricky Cunningham and Wes Evans were promoted and sworn in as Juvenile Probation Officers in October 2012.



Administrative Judge Hens-Greco met with Family Division staff in March 2012. L-R: CISP Community Monitor Jamar Jackson, Administrative Judge Hens-Greco, DNA Counselor Ron Bell, and CISP Community Monitors Tom Edwards and Chip McClellan.

**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.

The Allegheny County Children's Roundtable, convened by Family Division Administrative Judge Kathryn M. Hens-Greco, sponsored seven active workgroups during 2012 collaborating with community stakeholders to address the needs of families within the child welfare system. Roundtable co-chairs Cynthia K. Stoltz, Esq., Children's Court administrator, and Patricia Valentine, Department of Human Services (DHS) executive deputy director, were joined in leadership roles by committee chairs Judge Kathleen R. Mulligan (Addiction and Treatment Issues), Judge Guido A. DeAngelis (Cross-Over Youth), Judge Michael F. Marmo (Father Engagement), Judge Arnold I. Klein (Older Youth), Judge Kim Berkeley Clark (Orders & Forms and Visitation), and Judge Dwayne D. Woodruff (Shared Accountability for Education).

Highlights of the Roundtable's efforts in 2012 included:

1. Development of a Dependency Court pilot project where parties with substance abuse issues are identified and provided with treatment in the early stage of their case; and
2. Implementation of a model truancy program developed in collaboration with the Department of Human Services and Pittsburgh Public Schools.

A Drug and Alcohol Pilot Project is being developed, which will require Office of Children, Youth and Families' caseworkers to identify, prior to a dependency adjudicatory hearing, parties in need of substance abuse evaluation and/or treatment. At the adjudicatory hearing, a judicial officer will determine whether to order an evaluation and/or treatment. If ordered, a status conference will be scheduled within 45 days before a hearing officer, at which time barriers to evaluation and/or treatment, if any, will be identified, and a plan established to address obstacles. This pilot project is scheduled to begin in early 2013.

Focus on Attendance is a model truancy program developed by the Shared Accountability for Education workgroup inaugurated in the Pittsburgh King and Pittsburgh Manchester Schools in September 2012. A Department of Human Services school outreach worker is assigned to the two pre-kindergarten through 8th grade schools and has served 58 students through December 2012. Barriers to school attendance, including lack of clothing, inadequate housing, and mental health care needs, are addressed by referrals to appropriate service providers. In collaboration with Magisterial District Judge Robert P. Ravenstahl, Jr., families who receive truancy citations are provided the option of participating in the Focus on Attendance program in lieu of paying fines.

Allegheny County DHS provides an on-site resource coordinator to work with judges, hearings officers, domestic relations officers, court staff, and attorneys to identify social services for children and families. In 2012, the DHS resource coordinator made nearly 200 referrals to community social service providers for clients involved in child custody related matters.

Children's Court continues to collaborate with local law firms whose lawyers provide *pro bono* representation to low-income clients in custody conciliations and protection from abuse matters, and *pro bono* and reduced fee guardians *ad litem* for children in high-conflict custody matters. Twelve Hundred (1,200) hours of *pro bono* work was performed on behalf of these children in 2012.

## PROTECTION FROM ABUSE

<b>PROTECTION FROM ABUSE (PFA)</b>	<b>2011</b>	<b>2012</b>
Petitions / Temporary Hearings	3,849	4,356
Final Hearings / Conciliations	4,295	4,851
<b>Total</b>	<b>8,144</b>	<b>9,207</b>

### PFA – JUDICIAL

Temporary Hearings	3,279	3,664
Final Hearings	131	159
Conciliations	447	417
Indirect Criminal Contempts	92	70
<b>Total</b>	<b>3,949</b>	<b>4,310</b>

### PFA – PROFESSIONAL STAFF

Applications	3,849	4,356
Conciliations	4,295	4,851
Indirect Criminal Contempt Processing	1,223	1,267
<b>Total</b>	<b>9,367</b>	<b>10,474</b>

The Protection From Abuse (PFA) department is now part of Children's Court. As part of this transition, the PFA department expanded its walk-in intake hours and now accepts emergency applications from 8:00 a.m. to 11:00 a.m. and 1:00 p.m. to 3:00 daily, improving victim access to the court. In 2012, PFA filings increased by 10 percent from 2011.

Children's Court educational liaisons provided support to 154 court-involved children and youth in 2012 and will continue work to expand its pool of educational resources with a special focus on meeting the needs of older youth.

National Adoption Day was celebrated in November 2012. Thirty-two (32) families adopted 42 children during this special Saturday event.



## CUSTODY

<b>CUSTODY - ORIGINAL FILINGS</b>	<b>2011</b>	<b>2012</b>
Custody Complaint	1,952	1,919
Divorce Complaint with Custody	97	104
Dependency Case Closure with Custody Order	59	90
<b>Total</b>	<b>2,108</b>	<b>2,113</b>

### CUSTODY - SECONDARY FILINGS

Modification	593	699
Contempt / Enforcement	80	54
<b>Total</b>	<b>673</b>	<b>753</b>

### CUSTODY – JUDICIAL

Conciliations	396	517
Hearings	284	281
Motions	8,635	9,195
<b>Total</b>	<b>9,315</b>	<b>9,993</b>

### CUSTODY - HEARING OFFICER

Partial Custody Hearings	503	495
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### CUSTODY - PROFESSIONAL STAFF

(In Forma Pauperis review, pro se motions review, walk-in consent orders, and an estimate of walk-in custody questions)

Screening	5,353	3,201
Mediation	1,280	2,003
Conciliations	818	866
Contempt Conferences	436	394
<b>Total</b>	<b>7,887</b>	<b>6,464</b>

This resplendent statue was donated by grandchildren of the late John R. DeAngelis, Esq. to the Fifth Judicial District of Pennsylvania, Children's Court, in 2012 to symbolize his commitment to the children of Allegheny County through his involvement in civic organizations during his lifetime, including the Shriners and the Children's Dyslexia Center, Inc. Attorney DeAngelis served as a Magisterial District Judge for the 11th Ward of Pittsburgh from 1982-1988. The statue is currently on display in the courtroom of Judge Guido A. DeAngelis in the Family Law Center.





President Judge Donna Jo McDaniel, Judge Dwayne D. Woodruff, and Pennsylvania Supreme Court Justice Debra McCloskey Todd. (Photo courtesy of the Administrative Office of Pennsylvania Courts.)

Following the Pennsylvania Interbranch Commission on Juvenile Justice's (ICJJ) mandate in 2009 to investigate the corrupt activities in the Luzerne County juvenile justice system, President Judge Donna Jo McDaniel and Family Division Administrative Judge Kathryn M. Hens-Greco convened a juvenile justice task force to assess Allegheny County's juvenile justice practices and make recommendations to ensure best practices consistent with the ICJJ report.

The Allegheny County Commission, chaired by Judge Dwayne D. Woodruff and administrative co-chair Cynthia K. Stoltz, Esq., involved respected Allegheny County and Pennsylvania experts including judges, hearing officers, court administrators, juvenile defenders, district attorneys, advocacy groups, juvenile probation, and child welfare representatives.

On November 26, 2012, Judge Woodruff was joined by Pennsylvania Supreme Court Justice Debra McCloskey Todd and President Judge McDaniel in announcing the release of Allegheny County's Commission on Juvenile Justice Report, which can be found at <http://www.alleghencourts.us/AlleghenyCountyCommissionJuvenileJustice.pdf> in its entirety. Implementation of proposed recommendations will promote the principles of balanced and restorative justice: victim restoration, youth redemption, and community protection.

## DEPENDENCY

<b>DEPENDENCY PETITIONS</b>	<b>2011</b>	<b>2012</b>
Agency (Children Youth & Families – CYF)	934	1,117
Agency with Aggravated Circumstances (CYF)	30	42
Private/Police	349	323
<b>Total</b>	<b>1,313</b>	<b>1,482</b>

## SECONDARY FILINGS

Terminated Parental Rights Petitions	121	185
Adoption Petitions	210	142
<b>Total</b>	<b>331</b>	<b>327</b>

## JUDICIAL

Emergency Custody Authorization Requests	1,103	1,291
Shelter Orders	1,330	1,390
Adjudicatory Orders – Dependent	901	1,056
Adjudicatory Orders – Not Dependent	55	86
Permanency Review Orders	6,795	6,746
Bypass Orders	42	33
<b>Total</b>	<b>10,226</b>	<b>10,602</b>

## HEARING OFFICER

Shelter Applications	1,576	1,587
Shelter Recommendations	1,080	1,279
Permanency Review Recommendations	4,317	4,249
<b>Total Hearing Officer</b>	<b>6,973</b>	<b>7,115</b>

## PROFESSIONAL STAFF

Private/Police Petition Processing	342	323
Permanent Legal Custody Modification Processing	74	59
<b>Total</b>	<b>416</b>	<b>382</b>

# Civil Division

The **CIVIL DIVISION** serves 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.  
W. Terrence O'Brien**  
Administrative Judge



**Hon.  
Judith L.A. Friedman**



**Hon.  
Michael E. McCarthy**



**Hon.  
Robert J. Colville**



**Hon.  
Alan D. Hertzberg**



**Hon.  
Christine A. Ward**



**Hon.  
Michael A. Della Vecchia**



**Hon.  
Joseph M. James**



**Hon.  
Timothy Patrick O'Reilly**  
Senior Judge



**Hon.  
Ronald W. Folino**



**Hon.  
Paul F. Luty, Jr.**



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

## Senior Judges



The year 2012 was a productive year for the Civil Division under the leadership of Administrative Judge W. Terrence O'Brien. In addition to its regular complement of nine commissioned judges, Senior Judges Timothy Patrick O'Reilly, R. Stanton Wettick, Jr., Erie County Senior Judge John A. Bozza, Mercer County Senior Judge Francis J. Fornelli, and Somerset County Senior Judge Eugene E. Fike, II served in the Civil Division in 2012. Judge Michael E. McCarthy was reassigned from the Family to the Civil Division in September 2012. Judge Judith L.A. Friedman concluded her tenure as a commissioned judge after a long career of distinguished service to the citizens of Allegheny County. The Administrative Office of Pennsylvania Courts approved Judge Friedman's application for senior judge status effective January 1, 2013.

Civil actions are often complex, involving multiple proceedings during the course of litigation including preliminary objections, arguments, conciliations, and jury and non-jury trials. The following represents some of the matters processed by Civil Division judges throughout 2012.

- 562 cases appeared on the General Argument List. This number includes arguments on Motions for Summary Judgment and Judgment on the Pleadings.
  - 452 cases were adjudicated;
  - 110 cases were relisted for hearing.
- 356 opinions and memoranda of law were filed by Civil Division judges.
- 1,180 cases were scheduled for pretrial conciliations, with the following results:

Settled	521
Transferred to Arbitration	24
Stricken from Issue	2
Transferred to Bankruptcy Court	4
Dismissed	5
Transferred to Another Division/Section	2
Relisted by Calendar Control Judge	171
Summary Judgment Granted	6
Scheduled for Jury/Non-Jury Trial	445
<b>TOTAL</b>	<b>1,180</b>

- After the conclusion of pre-trial proceedings, 648 cases were called for trial (212 - jury and 436 - non-jury) resulting in the following dispositions:

Jury Verdicts	72
Non-Jury Verdicts	278
Settled Prior to Trial	222
Continued	27
Transferred to Federal Bankruptcy Court	3
Non-Suits	3
Other	43
<b>TOTAL</b>	<b>648</b>

In 2012, the Civil Division continued to utilize special dockets, programs, and the assignment of judges to hear specific case types as follows:

- Administrative Judge W. Terrence O'Brien - Pennsylvania Office of Open Records appeals;
- Judge Ronald W. Folino - Calendar Control Judge;
- Judge Robert J. Colville - expedited asbestos and Allegheny County drink tax cases;
- Judge Michael A. Della Vecchia - backlogged asbestos (pre-2009) and eminent domain cases;
- Judge Judith L.A. Friedman - Housing Authority appeals;
- Judge Alan D. Hertzberg - Housing Authority appeals and prisoner litigation;
- Judge Joseph M. James - Residential Mortgage Foreclosure Diversion Program, Zoning Board appeals, and construction litigation seeking damages in excess of \$100,000;
- Judge Paul F. Luty, Jr. - Pennsylvania Liquor Control Board appeals;
- Judge Michael E. McCarthy - structured settlements, Residential Mortgage Foreclosure Diversion Program;
- Judge Christine A. Ward - Residential Mortgage Foreclosure Diversion Program and commerce and complex litigation cases;
- Senior Judge Timothy Patrick O'Reilly - Pennsylvania Liquor Control Board cases;
- Senior Judge R. Stanton Wettick, Jr. - commerce and complex litigation, class action and toxic substance cases, Water Authority appeals, special and general motions related to arbitration cases.

Asbestos cases are complex due to intricate causation issues, large numbers of defendants, and multiple theories of liability and defense. The Civil Division successfully employs expedited and general asbestos dockets to resolve backlogged cases and accelerate disposition and litigation. In 2012, Judges Colville and Della Vecchia heard arguments and disposed of 1,200 motions for summary judgment in asbestos cases.

Allegheny County homeowners facing mortgage foreclosure with respect to owner-occupied premises continue to avail themselves of the Allegheny County Residential Mortgage Foreclosure Diversion Program. The program often enables eligible homeowners to modify their mortgages allowing them to retain possession of their homes and, if successfully completed, avoid foreclosure. Judges James, McCarthy, and Ward hear these cases. Overall 1,370 conciliations were conducted in 2012 on cases diverted to the program from 2009 through 2012, resulting in 611 loans being reinstated (633 of the conciliated cases were diverted to the program in 2012). For details regarding the Residential Mortgage Foreclosure Diversion Program, visit the court's website at [www.alleghencourts.us/civil/foreclosure.aspx](http://www.alleghencourts.us/civil/foreclosure.aspx).

Statutory appeals, heard by Civil Division judges, include appeals from local and state agency decisions. In 2012, 199 statutory appeals were filed.

### 2012 Civil Statutory Appeals

Appeal Type	New Cases Filed	Cases Disposed
Administrative Agency	12	4
Civil Service	2	2
Health Department	2	2
Housing Authority	73	63
Land Use	20	8
Liquor Control Board	7	4
Local Agency	27	4
Office of Open Records	11	8
School Board	2	1
Water Authority	18	16
Zoning Board	25	8
<b>Total</b>	<b>199</b>	<b>120</b>

On April 5, 2012, the Board of Judges adopted amended Allegheny County Civil and Family Court Local Rule 205.4 – Electronic Filing of Legal Papers in Allegheny County. The rule will become effective in February 2013 and makes electronic filing of certain documents mandatory.

### DOCKETED CASES

TORT (does not include mass tort)	CASES FILED
Intentional	46
Malicious Prosecution	3
Motor Vehicle	1,421
Nuisance	4
Premises Liability	330
Product Liability (does not include mass tort)	64
Slander/Libel/Defamation	20
Other	912
Asbestos	66
Tobacco	0
Toxic Tort – DES	0
Toxic Tort – Implant	0
Toxic Waste	2
Dental	12
Legal	24
Medical	283
Other Professional	23
<b>CONTRACT (does not include judgments)</b>	
Buyer Plaintiff	120
Debt Collection: Credit Card	2,319
Debt Collection: Other	1,542
Employment Dispute: Discrimination	9
Employment Dispute: Other	28
Other	1,495
<b>REAL PROPERTY</b>	
Ejectment	284
Eminent Domain/Condemnation	92
Ground Rent	0
Landlord/Tenant Dispute	1,256
Mortgage Foreclosure: Residential	2,695
Mortgage Foreclosure: Commercial	74
Partition of Real Property	15
Quiet Title	215
<b>CIVIL APPEALS – Administrative Agencies</b>	
Board of Elections	1
Department of Transportation	277
Zoning Board	24
Statutory Appeal – Other	145
<b>MISCELLANEOUS</b>	
Common Law/Statutory Arbitration	8
Declaratory Judgment	79
Mandamus	15
Non-Domestic Relations Restraining Order	0
Quo Warranto	1
Replevin	38



Judge Alan D. Hertzberg and staff, Shawna N. Strom-Halaburka and Dianne Killmeyer.

Education of students and lawyers continues to be a high priority for Civil Division judges and the court. Judge Alan D. Hertzberg, on behalf of the American Association for Justice, presided over a regional mock trial competition in March 2012 which involved law school students from Washington, D.C., Rhode Island, Pennsylvania, and the east coast. Judge Christine A. Ward served as a judge for the University of Pittsburgh School of Law Health Law Clinic Mock Trial competition in November 2012. In addition to volunteering their time and expertise to organizations, charitable institutions, and the community, Civil Division judges served as presenters and panelists in numerous continuing education seminars including:

Pennsylvania Bar Institute – *“Pennsylvania’s Right to Know Law: Four Years and Still Evolving”* – Administrative Judge W. Terrence O’Brien;

National Business Institute – *“What Civil Judges Want You to Know”* – Judges Robert J. Colville, Alan D. Hertzberg, Paul F. Luty, Jr., and Christine A. Ward;

Pennsylvania Defense Institute – *“Ethics in Tort Litigation”* – Judge Ronald W. Folino;

Pennsylvania Association of Justice – *“What’s It Worth?”* – Judge Michael A. Della Vecchia; and

Women’s Bar Association of Western Pennsylvania – *“Professionalism and Ethics In Settlement Negotiations”* – Administrative Judge W. Terrence O’Brien.

**Judge Judith L.A. Friedman** concluded her judicial commission at the end of December 2012. The approval of Judge Friedman’s application for senior judge status was approved by the Supreme Court of Pennsylvania effective January 1, 2013.

First elected in 1985, Judge Friedman was initially assigned to the Criminal Division.

She won two subsequent retention bids in 1995 and 2005 and served the majority of her

judicial career in the Civil Division, where she will remain as a senior judge. Judge Friedman received her undergraduate degree from Mount Holyoke College and her J.D. from the University of Pittsburgh School of Law.



### **Honorable Bernard J. McGowan**

December 18, 1929 – February 20, 2012

Judge Bernard J. McGowan began his judicial career by winning election to the Common Pleas bench in 1975. He won retention for two additional 10-year terms in 1985 and 1995.

After serving approximately two years in the Criminal Division, Judge McGowan was transferred to the Civil Division, where he oversaw Calendar Control for approximately 20 years.

He was assigned to the Orphans’ Court Division as a senior judge in 1999 and was reassigned to the Civil Division in 2003 where he completed his judicial career. Judge McGowan received his A.B. from the University of Pittsburgh in 1951. After graduating from the University of Pittsburgh’s Law School in 1954, he was admitted to the Allegheny County Bar.





## ARBITRATION

Compulsory Arbitration, employed by the Fifth Judicial District of Pennsylvania for over 50 years, offers a cost effective way for litigants appealing minor judiciary decisions and those filing claims under \$25,000 to efficiently proceed through the judicial process.

In 2012, 8,302 new cases were filed comprised of 7,043 cases which include, but are not limited to, contract, lemon law, personal injury, credit collection, and medical malpractice matters and 1,259 Landlord Tenant actions. Additionally, 255 cases were transferred by court order from the General Docket. In 2012, 57 fewer Arbitration boards were summoned than in 2011 due to a lesser number of new cases being filed and through conscious efforts to reduce costs.

The court has recently observed a marked increase in *pro se* (self-represented) litigants. Although clerks often assist *pro se* litigants with administrative matters, they may not offer legal advice or counseling. In an effort to address issues arising as a result of this increase, the Civil Division of the court has partnered with the Allegheny County Bar Association (ACBA) Civil Litigation Section, the Allegheny County Bar Foundation Pro Bono Center, Duquesne University and the University of Pittsburgh Law Schools, and the Neighborhood Legal Services Association to develop a *Landlord-Tenant Pro Se Assistance Project*. This project, expected to be implemented in 2013, is designed to allow income qualifying *pro se* landlord-tenant litigants the opportunity to obtain free legal advice to properly perfect their district court appeals. Experienced lawyers, who are members of the ACBA, will supervise law school students as the students provide legal assistance to *pro se* litigants.

In May, 2012, a well-attended Continuing Legal Education (CLE) seminar was conducted by experienced arbitrators who provided an overview of rules and procedures, examined the role and responsibilities of arbitrators, and presented information regarding potential ethical dilemmas and how to avoid them. The CLE, videotaped for future viewing, was attended by private attorneys and attorneys employed by the Fifth Judicial District who may be called upon to serve as arbitrators.



### ARBITRATION CASES

	2010	2011	2012
Pending on January 1			
(Includes cases filed in previous years)	3,686	3,466	2,413
New Cases Filed	13,193	10,339	8,302
Transferred from Civil Division	198	150	255
<b>Total</b>	<b>17,077</b>	<b>13,955</b>	<b>10,970</b>
Awards by Boards	2,594	2,402	2,035
Settlements, Non-Pros., Etc.	10,839	10,033	6,266
Trial List Cases			
Disposed by Judge	1,082	1,007	841
<b>Total</b>	<b>14,515</b>	<b>13,442</b>	<b>9,142</b>
Appeals Filed	694	716	611
Rate of Appeals	26.75%	29.81%	30.02%

### ARBITRATION BOARDS

	2010	2011	2012
Number of Arbitration Boards Summoned	618	542	485
Number of Arbitrators Summoned	1,854	1,626	1,455
Arbitrator's Fee Per Day	\$150	\$150	\$150
Total Arbitrators' Fees	\$278,100	\$243,900	\$218,250
Less Non-Recoverable Appeals Fees	\$80,515	\$80,280	\$70,720
<b>Total Costs</b>	<b>\$197,585</b>	<b>\$163,620</b>	<b>\$147,530</b>
Average Cost per Case	\$76.17	\$68.12	\$72.50

# BOARD OF VIEWERS

The Board of Viewers of Allegheny County is a seven member, court-appointed Board comprised of Lay Masters and attorney Special Masters, whose function is to hear and adjudicate cases involving eminent domain and real estate tax assessment appeals. The jurisdiction of the Board of Viewers is found in Pennsylvania statutes and administrative orders of the Court of Common Pleas of Allegheny County. Together, the Lay and Special Masters bring years of collective experience in the areas of law, real estate development and operations, and court administration.

The Board of Viewers saw a year of considerable change in 2012. Lay Master William B. McGrady, who brought years of real estate and urban redevelopment experience to his position, passed on after more than 25 years of service. Special Master Paul E. Cozza was nominated by Governor Thomas Corbett to a vacant seat on the Court of Common Pleas of Allegheny County and took office in August 2012. The Board positions of Judge Cozza and William McGrady were filled by Attorney Helen M. Lynch, former Common Pleas Court Criminal Division Administrator, and Attorney Stephen M. Farino, law clerk to Common Pleas Court senior judges and private practitioner with years of experience in a variety of real estate matters.

Allegheny County certified new real estate assessment values for all properties effective in 2013. Judge R. Stanton Wettick, Jr., in collaboration with members of the Board of Property Assessment Appeals and Review (BPAAR), the Department of Court Records, and the Board of Viewers, developed measures to raise awareness with property owners of tax appeal processes and procedures and introduced an improved system enabling the sharing of tax assessment appeal information among these same entities. As a result of the reassessments, the Board saw a dramatic increase in the number of appeals filed. By the close of 2012, there were more than 5,000 cases awaiting transfer to the Board and assignment to panels for conciliation/hearing in 2013.

Members of the Board conciliated and adjudicated 5,308 property tax assessment appeals involving both commercial and residential properties in 2012. Assignment of residential and commercial appeals is made to two-member panels, making certain that no panel hears cases from



Board of Viewers  
Secretary Joseph Barrett  
and Board Members  
Carmen V. DeChellis and  
Michelle Zappala Peck, Esq.

communities/school districts in which they reside. Approximately 98 percent of all tax assessment appeals were successfully conciliated and negotiated to a mutually acceptable conclusion by the Masters.

In instances where a negotiated resolution cannot be achieved, the Special and Lay Masters of the Board hear cases as a court of record where transcripts of testimony are taken and Rules of Evidence and Civil Procedure are observed. Approximately 2 percent of cases assigned to the Board in 2012 resulted in a full evidentiary hearing at which testimony was presented and a Masters' Report and Recommendations were submitted to the court.

An equally important function of the Board is the adjudication of disputes involving the use of eminent domain. Eminent domain, the taking of private property by a government agency for a public purpose, requires that the government pay just compensation for the property taken. Lay and Special Masters, after visiting the property in question, convene a hearing at which both parties present testimony, and which may include expert real estate and personal property appraisers, engineers, construction managers, arborists, and transportation designers. Decisions and awards from the Board of Viewers are appealable de novo to the Court of Common Pleas, and a jury trial may be requested. In 2012, the Board processed a total of 64 eminent domain cases.

Initiatives for 2013 include enhancement of the Board of Viewers information on the Fifth Judicial District website.

## BOARD OF VIEWERS

Eminent Domain (New Petitions/Views/Hearings involving water and sewer line cases, partial and total takings, and private roads)	64
Tax Appeals (Conciliations/Hearings/Settlements/Masters Reports involving residential and commercial real estate tax assessments appealed from the BPAAR decisions)	5,308
<b>Total</b>	<b>5,372</b>







# Orphans' Court Division



The mission of the **ORPHANS' COURT DIVISION** is to provide accessible, courteous, prompt, and efficient court services to all litigants and 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.  
Lawrence J. O'Toole**  
Administrative Judge



**Hon.  
Lester G. Nauhaus**



**Hon.  
John A. Zottola**



Senior Judge

**Hon. Frank J. Lucchino**  
Senior Judge



# ORPHANS' COURT DIVISION

An electronic filing (e-filing) system was implemented in the Orphans' Court Division in July 2012. Pursuant to Allegheny County Orphans' Court Rule No. 3.7, petitions, motions, and pleadings may be filed by using either the e-filing system or by filing hard copies with the Department of Court Records. Court staff will monitor e-filing usage by attorneys and litigants to ascertain the accuracy and reliability of the system and will elicit feedback from e-filers prior to making recommendations to Orphans' Court Administrative Judge Lawrence J. O'Toole on whether e-filing should be mandatory.

Contemporaneously with the start of the e-filing system, the court approved on-line public access to case records that are presently open to the public - all Orphans' Court Division case records excluding adoption and civil commitment records and cases that are sealed by court order. The e-filing system and on-line public access are the results of a collaborative effort among Orphans' Court judges and staff, the Probate and Trust Section of the Allegheny County Bar Association, and the Wills/Orphans' Court Division of the Department of Court Records.

In an effort to continually improve court accessibility to attorneys, litigants, and the public, an ad hoc committee consisting of court staff and attorneys was formed to develop an Orphans' Court Division Practice Manual. The manual will include division procedures and practices, internal operating procedures not contained in local court rules, and sample forms and petitions. Once completed, the manual will be available on the court's website, <http://www.alleghencourts.us/orphans/default.aspx>.

Adoptions dropped from 136 in 2011 to 119 in 2012, although foreign re-adoptions continued to increase, contrary to the national trend. Adoption search requests, which also continue to increase, now constitute a greater percentage of the Adoption staff's workload. It is anticipated the increase in search requests and the appointment of search agents will continue as more people become aware of the implementation of Act 101 of 2010 which authorizes voluntary open adoptions in Pennsylvania and permits the release of adoption records to persons other than the adoptee.

## ADOPTIONS

	Scheduled	Decreed	Withdrawn/ Dismissed
Adoptions	101	102	1
Confirm Consents	57	55	0
Involuntary Terminations	40	41	1
Confirm Consents w/Involuntary Terminations	1	1	0
<b>Total</b>	<b>199</b>	<b>199</b>	<b>2</b>

### Orders of Court

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

Combined Decrees and Orders	707
Persons Adopted (some petitions include siblings)	119
Adult Adoptee Search Requests	99
Orders Signed Appointing Search Agents	51
Birthparent Requests to Place Waivers in File	10

**508**

## NON-RELATIVE ADOPTIONS

### Adoption Placement by Agencies

#### Allegheny County Agencies

Bethany Christian Services	13
Genesis of Pittsburgh, Inc.	0
The Children's Home of Pittsburgh	17
Catholic Charities of the Diocese of Pittsburgh	0
Three Rivers Adoption Council	1

#### Agencies Outside Allegheny County

13

### Adoption Placement by Non-Agencies

Co-Parent Adoptions	9
Adult Adoption – No Intermediary	2
<b>Total Non-Relative Adoptions</b>	<b>55</b>

## RELATIVE ADOPTIONS

Step-Parent	42
Other Relative	11
U.S.A. Re-Adoptions	11
<b>Total Relative Adoptions</b>	<b>64</b>

**Total Persons Adopted 119**

**Total Orders Signed on Petitions to Register Foreign Adoption Decrees 11**

The Civil Commitment Department initiated the development of an e-filing system exclusively for involuntary civil commitment cases. This system, which is being designed in cooperation with the Allegheny County Office of Behavioral Health and the Department of Court Records, is modeled in part on the system currently utilized in Philadelphia County. In 2012, the Civil Commitment Department processed 5,226 petitions for involuntary commitment. The e-filing system is being designed to provide superior search and tracking abilities and to save time and costs associated with the current paper-based system.

The number of accounts filed with the Audit Department has remained constant at approximately 500 per year, however, there has been a shift from decedent's estates to more accounts being filed by agents under power of attorney and accounts involving insolvent estates. In 2012, nearly 800 agreements were reviewed by the audit supervisor to insure that the rights of minors and incapacitated persons are properly handled in accordance with statutory and court rules. The audit supervisor also continues to work closely with the Attorney General's Office in monitoring estates and trusts involving charitable interests.

The Orphans' Division welcomed several new staff members in 2012. Hugh Mulvey was hired in January 2012 as Motions Coordinator following nearly 32 years of employment with the Register of Wills Office, now the Department of Court Records, as a probate clerk and supervisor. Mark Reardon, hired in March 2012 as Adoption Supervisor, was previously employed as a law clerk to Judge Frank J. Lucchino and as a private practice attorney.

The Orphans' Division suffered a major loss in December 2012 with the untimely death of investigator Krista Chverchko who was a member of the Guardianship Department from December 17, 2007 through December 16, 2012. Krista, an exemplary employee and a valuable member of the court's professional staff, will be greatly missed.



Krista M. Chverchko  
July 28, 1981 – December 16, 2012



Orphans' Court Coordinator Michele DeAngelo

## ESTATES

### Audit Hearing of Accounts

Accounts Filed by Executor, Administrators, Trustees, and Guardians	486
Small Estates (\$25,000 or less)	231
Decrees of Distribution	496
Contested Hearings*	479

\*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

Exceptions Heard by the Court En Banc	0
Opinions Filed by the Court	5
Pretrial Conferences Docketed	178
Return Days Scheduled	101

### Petitions Filed

Additional Bonds	58
Appointment of Guardians of the Person and Estates of Minors	36
Approval of Settlement of Minors' Claims	407
Lifting of Suspension of Distribution	18
Sale of Real Estate	58
Petitions for citation against fiduciaries to file accounts or to show cause why they should not be removed, etc.	86
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	220
Miscellaneous Petitions	576
<b>Total Petitions Filed</b>	<b>1,459</b>

## GUARDIANSHIP - INCAPACITATED PERSONS

New Petitions Filed	275
Emergency Guardians Appointed	13
Permanent Guardians Appointed	164
Successor Guardians Appointed	12
Guardians Discharged	4
Petitions Withdrawn or Dismissed	44
Electro-Convulsive Therapy Petitions	32
Adjudication of Full Capacity	2
Petitions for Review	17
Contested Hearings	31
Total Number of Hearings	212
Bonds Approved	37
Safe Deposit Box Inventories	4
Court-Appointed Counsel	34
Independent Medical Evaluations	3
Petitions for Allowance/Ratification Presented	511
Annual Report of Guardians Filed	1,564
Final Report of Guardians (Person/Estate) Filed	92
Guardians of the Person of a Minor Filed	19

## CIVIL COMMITMENT DEPARTMENT

### Prior to Judicial review

Discharged	209	
Withdrawn	145	
Voluntary Admission	67	421

**By Mental Health Review Officer** 4,723

### By Judges

Petition for Review	35	
Electro-Convulsive Therapy	32	
Expungement	15	82

**Total Petitions Presented** 5,226

### HEARINGS BY TYPE UNDER MENTAL HEALTH PROCEDURES ACT

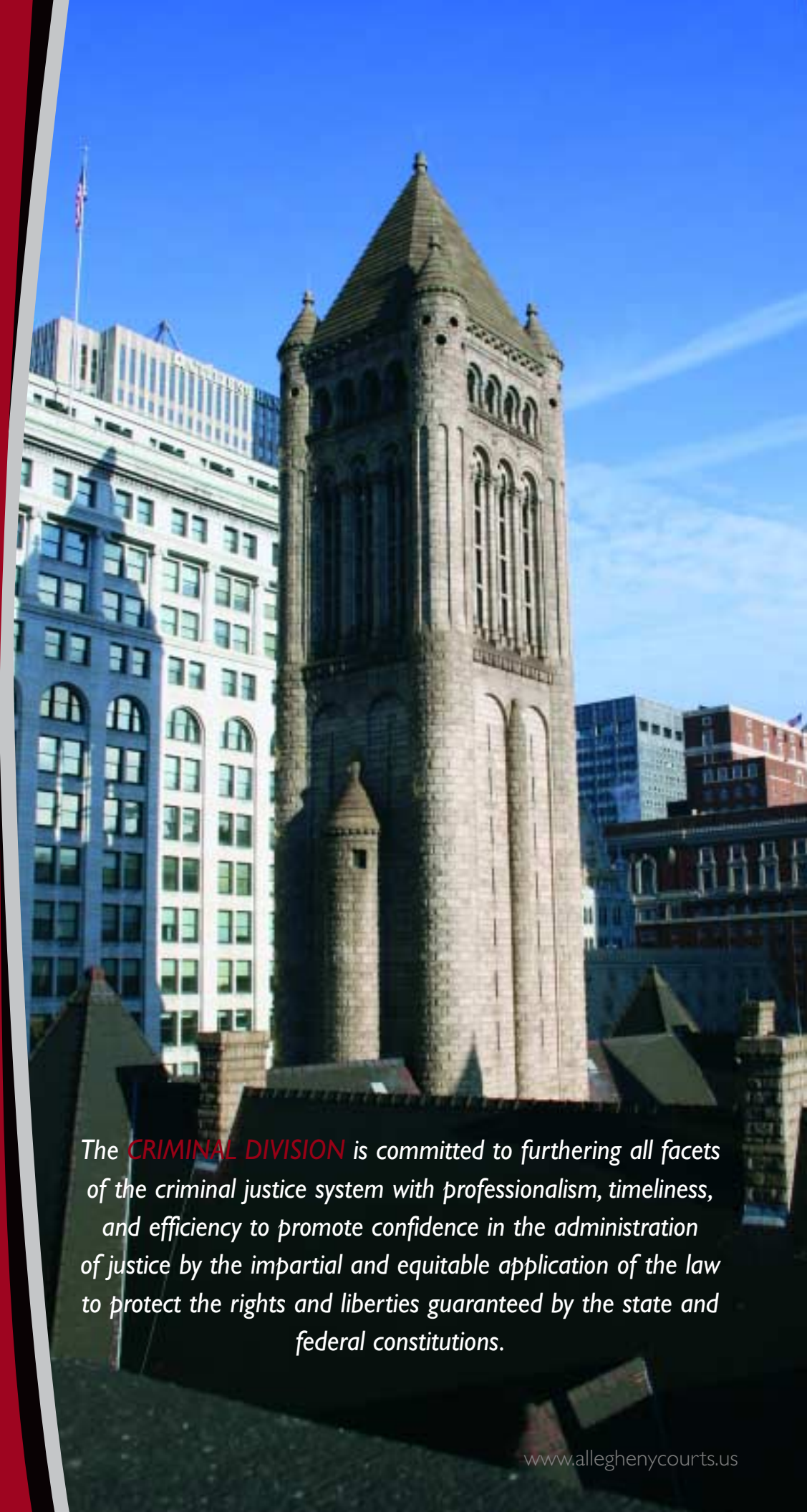
303	Up to 20 Days Civil Commitment	2,892
304-B	Up to 90 Days Civil Commitment	1,094
304-C	Up to 90 Days Civil Commitment	101
305	Up to 180 Days Civil Commitment	581
306	Transfer Civil Commitment – location transfer between facilities	18
306-2	Up to 180 Days Civil Commitment	32
304-G2	Up to 365 Days Criminal Commitment	4
402/405	Up to 60 Days Criminal Commitment	0
406	Long Term Civil Commitment	1
ECT	Electro-Convulsive Therapy	32
EXP	Expungement	15
REVV	Judicial Review of Mental Health Review Officer Decision	35

**Total Hearings** 4,805





# Criminal Division



The **CRIMINAL DIVISION** is committed to furthering all facets of the criminal justice system with professionalism, 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**  
President Judge



**Hon.  
Thomas E. Flaherty**



**Hon.  
Jill E. Rangos**



**Hon.  
Jeffrey A. Manning**  
Administrative Judge



**Hon.  
Philip A. Ignelzi**



**Hon.  
Kevin G. Sasinowski**



**Hon.  
Kelly Eileen Bigley**



**Hon.  
Beth A. Lazzara**



**Hon.  
Randal B. Todd**



**Hon.  
Edward J. Borkowski**



**Hon.  
Donald E. Machen**



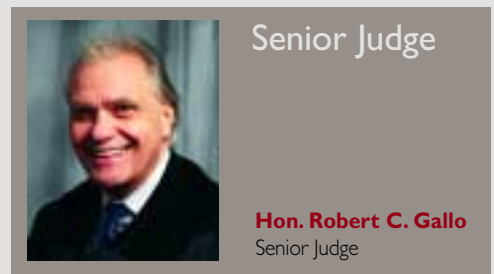
**Hon.  
Joseph K. Williams, III**



**Hon.  
David R. Cashman**



**Hon.  
Anthony M. Mariani**



Senior Judge

**Hon. Robert C. Gallo**  
Senior Judge



**Hon.  
Kathleen A. Durkin**

In 2012, fifteen commissioned judges served in the Criminal Division of the Fifth Judicial District under the direction of Administrative Judge Jeffrey A. Manning. The division experienced the following judicial and administrative changes in 2012:

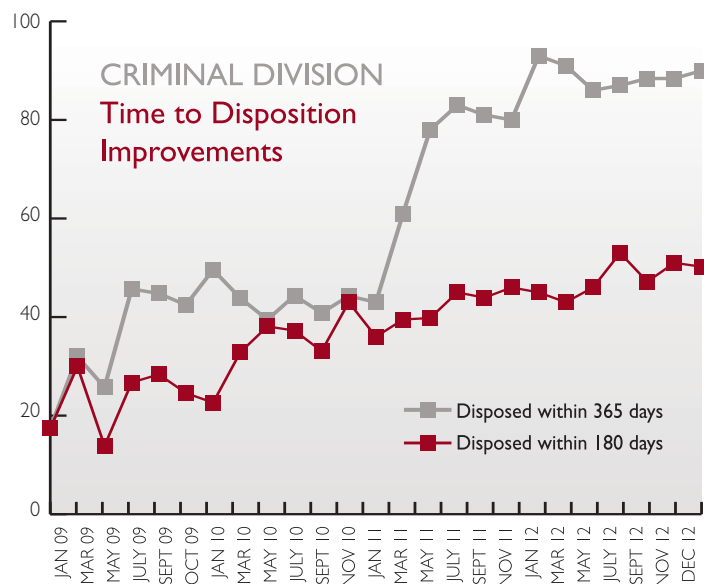
- Judges Philip A. Ignelzi and Kelly Eileen Bigley were transferred from the Family to the Criminal Division.
- After serving eight years as Criminal Division Administrator, Helen M. Lynch, Esquire was elected to the Allegheny County Board of Viewers in October 2012.
- Thomas M. McCaffrey's appointment as Criminal Division Administrator was approved by the Administrative Office of Pennsylvania Courts, effective December 3, 2012. He has 32 years of service with the court and formerly served as Director of the Allegheny County Adult Probation Department and Director of Pretrial Services.

In July 2012, Judge Manning announced the adoption and implementation of a handbook governing constable operations in Allegheny County. The new policies and procedures, which became effective September 10, 2012, address code of conduct, warrant services, prisoner custody, and transport and payment processing, among other matters, and were developed to insure increased accountability and efficiency of constable services throughout the Fifth Judicial District.

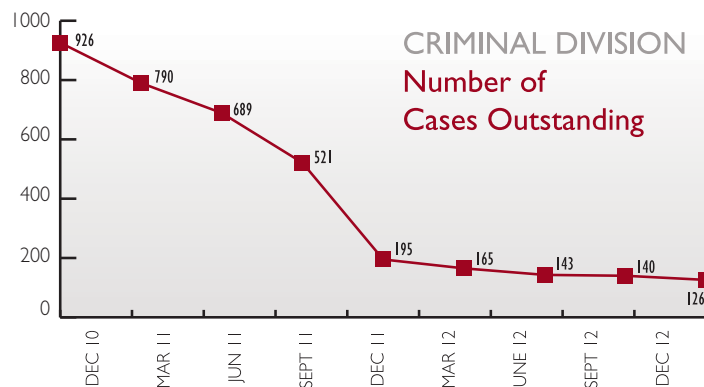
On October 16, 2012, following nominations by victim service organizations and the District Attorney's Office, President Judge Donna Jo McDaniel was presented with the Governor's Pathfinder Award in recognition for her long-standing commitment to victim's rights and the positive advancements she has made in the criminal justice system. The presentation took place in the Allegheny County Courthouse courtyard and coincided with Domestic Violence Awareness month.

Eleven Veterans Court graduates were recognized and applauded at a special ceremony on November 8, 2012. Keynote speakers included Rocky Bleier, former Pittsburgh Steeler running back and veteran of the Vietnam War; and Juliehera Destefano, who produced and directed *Journey to Normal: Women of War Come Home*, a documentary portraying the strength and resiliency of women in uniform, scheduled for release in the Spring 2013. Attendees responded positively to Mr. Bleier's comments that in boot camp soldiers are taught to "never leave a fallen comrade behind" and that the Veterans Court program embodies the same principle.

Criminal Court judges adjudicated a total of 19,186 criminal cases in 2012, including 139 jury trials, 406 non-jury trials, and 12,520 pleas. The Expedited Disposition Program (EDP Court) processed 1,675 guilty pleas, and cases processed through the Phoenix Docket numbered 3,788. Senior Judge Robert C. Gallo adjudicated 2,753 Accelerated Rehabilitative Disposition (ARD) cases as well as 2,994 summary appeals. In 2012, 50 percent of the Criminal Division caseload was adjudicated within 180 days, and 90 percent within 365 days. These rates are dramatically improved from a rate of 17 percent, respectively, in each of these categories since January 2009.



In 2012, the Criminal Division continued to reduce the number of cases aged over 720 days. A high percentage of remaining aged cases were initially being processed in the ARD program, but were subsequently removed, thereby extending the amount of time necessary to process the case to disposition.



Problem-solving court programs continued a positive trend in the disposition of cases while providing intensive supervision of convicted offenders. While a large percentage of criminal court resources are expended in support of the intensive post-adjudication supervision efforts for problem-solving court programs, the reduction in recidivism favorably impacts the communities of Allegheny County.

## PROBLEM-SOLVING COURTS

AS OF DECEMBER 31, 2012

	Offenders Adjudicated in 2012	Offenders on Judicial Supervision
DUI ( <i>Driving Under the Influence</i> ) Court	104	222
Drug Court	148	189
Prostitution (PRIDE)	111	93
Domestic Violence Court	241	171
Veterans Court	48	74
Mental Health Court	110	374
Sex Offender Court	186	86
<b>Total</b>	<b>948</b>	<b>1,209</b>

Increased use of videoconferencing resulted in 2,520 bond forfeiture and bail modification proceedings being processed at motions court, approximately 19 state intermediate punishment hearings being conducted with the Departments of Correction at Camp Hill and Muncy, and over 1,600 Expedited Disposition Program (EDP) pleas being conducted at the Allegheny County Jail. Use of videoconferencing to conduct court proceedings significantly reduces costs and eliminates safety risks associated with transferring inmates to court.

In 2012, the Court Arraignment Office processed 15,344 defendants at the formal arraignment stage. Approximately 750 warrants were issued in 2012 for defendants who failed to appear for formal arraignment. Defendants who are not fingerprinted prior to formal arraignment are directed by the Court Arraignment Office to the Identification Unit to complete this process. In 2012, 720 defendants were fingerprinted the same date as their formal arraignment, eliminating delays in the courts' calendar. To increase court efficiency and provide additional access to the court, the Arraignment Office expanded business hours by opening at 8:00 a.m. and remaining open from 12:00 to 1:00 p.m. each day.

Two hundred forty-five (245) juries were selected in 2012. Several high profile cases were scheduled in 2012, necessitating more than the usual number of prospective jurors being summoned. Communication between courtroom and jury assignment room staff regarding the status of pending jury trials has improved, reducing wait time. Through the generosity of jurors, donated fees in the amount \$52,000 were used to benefit children in foster care and to purchase winter coats for children in need through Project Warm Up.

The Criminal Division sponsored three Continuing Legal Education (CLE) seminars in 2012. In March 2012, a seminar sponsored by the Office of the District Attorney and conducted by Chief Trial Deputy Daniel Fitzsimmons was offered entitled "*Cell Phone Records and Evidence.*" Janice Radovick-Dean, Director of Pretrial Services; Brian Dunbar, Manager-Allegheny County Adult Probation; and Chris Shanley, Supervisor of Pretrial Services' Alcohol Highway Safety Program offered a court-sponsored CLE introduction to the "*DUI Alternative to Jail Program.*"

The second seminar presented in June 2012 titled, "*Understanding Sex Offenders and Sexual Assault Cases,*" was presented by representatives of Pittsburgh Action Against Rape, the Center for Victims of Violent Crime, and Mercy Behavioral Health. This CLE program provided an overview of the trauma experienced by victims of sexual assaults, the vicarious trauma professionals in the field may experience, and an overview of treatment programs for sex offenders.

A third seminar, held in December 2012 and entitled "*DUI Court 101,*" was led by Judge Kevin G. Sasinowski and Assistant District Attorney Larry Mitchell. Information regarding the Drug and Alcohol Diversion Program was also presented by Judge Joseph K. Williams, III and Penelope Howe, Coordinator of the Drug and Alcohol Assessment Program at the Allegheny County Jail.

Approximately 75 children participated in the Criminal Division's "Take Our Daughters and Sons to Work Day" on April 26, 2012. Judge Beth A. Lazzara moderated a mock trial titled "*The Three Pigs and the Big Bad Wolf,*" where the children were selected to play various roles as case participants. Children also heard a presentation by Judge Robert C. Gallo, viewed a K-9 demonstration and a child safety program by the Allegheny County Sheriff's Office, and toured the Allegheny County Jail Museum. The children enjoyed a cookout in the Courthouse courtyard and a visit from the Pittsburgh Pirate Parrot.



Criminal Division employees recognized for multiple years of service. Seated L-R: Christina Bovier-Wilkins, Keith Duffy, Denise Colberg-Duffy, Karen Cirrincione, Sarah Manning, Margaret Cangelier, Lorna Shea. Standing L-R: Harry Lorenzi, George Nichols, Linn Domhoff, Charles Feldmeier, Robert Jackson, Jean Toner, Michele Kearney, Christa Buchewicz

In May 2012, fifteen employees were recognized for multiple years of employment with the court: Christina Bovier-Wilkins, Christa Buchewicz, Charles Feldmeier, James Finnerty, Robert Jackson, Michele Kearney, Sarah Manning, George Nichols, Suzanne Richard (5); Linn Domhoff and Lorna Shea (10); William Kiraly (15); Karen Cirrincione and Stephanie Ewing (25); Denise Colberg-Duffy (30). Employees whose service exceeds 30 years included: Keith Duffy (32); Alberta Stoughton and Jean Toner (39); and Margaret Cangelier (41).

Carol Moss retired in August 2012 after nearly 34 years of employment with the court. Ms. Moss began her career with the court as a tipstaff for former Common Pleas Court Judge John O'Brien and later served as a Minute Clerk for Judges James Clark, Kathleen Durkin, Cheryl Allen, Jill Rangos, and Raymond Novak.



Administrative Judge Jeffrey A. Manning and Carol Moss celebrate Carol's 34 years of court service.

In conclusion, the Criminal Division of the Fifth Judicial District continued to perform in accordance with the standards of its mission.

## CRIMINAL REPORT

### FILINGS AND DISPOSITIONS

Cases Pending at End of Year 2011	8,077
New Cases Filed in 2012	16,838
Cases Reopened During 2012	2,764
Cases Available for Disposition in Year 2012	27,679

### CASES DISPOSED IN 2012

Inactive-Bench Warrants, Incompetency Determinations, and Interlocutory Appeals	2,432
Transfers to Juvenile Court, Magisterial District Judge, Family Court, Administrative Closures, Consolidations, Remands to Lower Court	18
Dismissed, Withdrawn, Nolle Prossed, Speedy Trial, and Satisfaction Agreements	1,014
Diversory Programs	
Accelerated Rehabilitative Disposition (ARD)	2,657
Guilty Plea	12,520
Non-Jury Trial	406
Jury Trial	139
Cases Disposed in 2012	19,186

### AGE OF PENDING CASES (DAYS)

1 to 60	2,600
61 to 120	2,405
121 to 180	1,304
181 to 240	770
241 to 360	768
361 +	624
<b>Pending Cases Total</b>	<b>8,471</b>



OFFENSES	Cases	CONFINEMENT		PROBATION	INTERMEDIATE PUNISHMENT PROGRAM	
		State	County	County	State	County
<b>CRIMES AGAINST PERSONS</b>						
Criminal Homicide	67	59	3	3	0	1
Robbery	203	100	52	31	1	1
Kidnapping	1	0	0	0	0	1
Rape	19	17	2	0	0	0
Involuntary Deviate Sexual Intercourse	14	13	1	0	0	0
Indecent Assault	54	7	11	32	0	2
Other Sexual Offenses	26	3	2	8	0	5
Aggravated Assault	145	41	43	36	0	0
Aggravated Assault - REAP	82	1	8	46	0	3
Simple Assault	585	7	63	475	0	10
Corruption of Minors	41	1	6	28	0	0
Homicide by Vehicle	9	7	2	0	0	0
<b>CRIMES AGAINST PROPERTY</b>						
Arson	9	3	6	0	0	0
Burglary	311	73	96	102	1	14
Forgery	70	2	12	46	0	4
Theft	955	31	139	693	2	68
Retail Theft	576	1	122	435	0	1
Identity Theft	20	0	5	13	0	2
Bad Checks	36	0	1	33	0	2
<b>DRUG AND ALCOHOL OFFENSES</b>						
DUI-1st Offense	1,089	3	420	66	0	600
DUI-2nd Offense	844	5	55	0	0	784
DUI-3rd Offense	184	22	15	0	4	143
DUI-4th or Subsequent Offense	5	4	0	0	1	0
DUI §3731	11	0	8	0	0	3
Boating Under The Influence	0	0	0	0	0	0
Narcotics	2,362	186	249	1,718	6	94
<b>CRIMES AGAINST PUBLIC PEACE</b>						
Criminal Mischief	8	0	1	5	0	2
Criminal Trespass	44	0	13	28	0	2
Prostitution-Felony	6	0	3	1	0	2
<b>MISCELLANEOUS OFFENSES</b>						
Terroristic Threats	141	2	33	89	0	2
Risking a Catastrophe	14	1	2	9	0	0
Carjacking	4	3	0	1	0	0
Escape	81	6	27	38	0	0
Stalking and Harassment	42	2	35	35	0	0
Firearms Violations	383	95	77	149	0	24
Other Felonies	329	26	79	158	0	21
Other Misdemeanors	685	3	81	806	0	18
<b>Total</b>	<b>9,455</b>	<b>724</b>	<b>1,672</b>	<b>5,084</b>	<b>15</b>	<b>1,809</b>

**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.

At year-end 2012, the Adult Probation and Parole Department was supervising 28,041 offenders assigned to 125 probation officers. Of this total, 25,415 offenders were being supervised on probation, parole, Intermediate Punishment, Accelerated Rehabilitative Disposition, and Probation Without Verdict orders; the remaining 2,626 were being supervised as a condition of bail.

Adult Probation and Parole continued to make significant advancements in providing effective community-based alternatives to incarceration, improving public safety, partnering with community and law enforcement resources, and promoting positive behavioral change.

Additionally, the department continued its transition to a more responsive workforce through the Mobile Probation Officer (MPO) initiative. As of the end of 2012, four of five community-based field offices have been transitioned to MPO. The MPO style of supervision is closely tied to the Probation Department's risk assessment and evidence-based supervision practices. MPO permits probation officers to work on a daily basis in the community allowing for regular interaction with offenders, their families, treatment providers, and other community resources. Through this approach, probation officers have a positive impact on changing thinking and behavior patterns of offenders, thereby improving public safety.

At the close of 2012, 1,209 offenders were being supervised through problem-solving court programs, including Drug Court, DUI Court, Mental Health Court, Veterans Court, Domestic Violence Court, Pride Court, and Sex Offender Court. These proven programs promote accountability, treatment, and a crime-free adjustment for offenders integrating back into the community.



## CASELOAD AS OF DECEMBER 31, 2012

Probation	18,328
Parole	1,096
Intermediate Punishment	1,555
Accelerated Rehabilitative Disposition (ARD)	4,083
Probation without Verdict	353
<b>TOTAL</b>	<b>25,415</b>

## PROBATIONERS BY OFFENSE GRADE AND RACE

Misdemeanor	14,392
Felony	9,742
Other	1,281
Caucasian	14,968
African-American	10,046
Native Indian	0
Asian	84
Hispanic	50
Race Unknown	267

## CASELOAD PER PROBATION OFFICER

McKeesport Community Based Office	124
North Side Community Based Office	167
Central Community Based Office	127
South Hills Community Based Office	116
Wilkinsburg Community Based Office	82
Electronic Monitoring	22
High Impact Unit	112
Forensic Unit (Mental Health)	135
Domestic Violence Unit	85
Sex Offender Unit	70
DUI (Driving Under the Influence) Unit	220
Minimal Supervision Unit	1,893
Intermediate Supervision Unit	410
Inter-State   Inter-County Unit   State	444   515   3,517

Drug Court Team Staff.

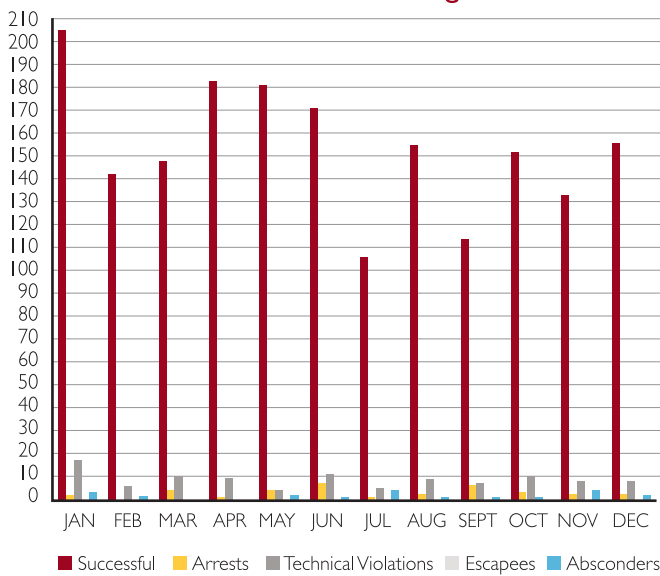
Seated L-R: Jola Blecher, Carol Gigliotti.

Standing L-R: Joel Santoro, Sue Just, Rachel Newman, Emily Porter, Dan Sommers, Joe Rose, Michelle McDowell, Steve Esswein.

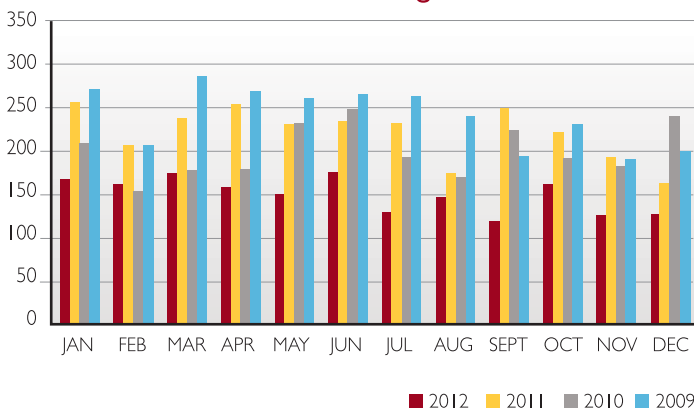
June 2012 marked the one-year anniversary of Sex Offender Court (SOC) operations in Allegheny County, the first program of its kind in the Commonwealth of Pennsylvania. Through collaboration with dedicated SOC judges, the District Attorney's Office, Adult Probation and Parole, law enforcement agencies, and community treatment providers, the goals of protecting victims and the community while holding offenders accountable for their actions are being met.

A total of 1,809 offenders were placed on Electronic Monitoring (EM) through county Intermediate Punishment sentences and other court orders in 2012. An average of 829 offenders were under EM supervision each month. Of the 1,984 offenders whose EM supervision terminated in 2012, 34 were arrested during the year, representing a 1.7 percent recidivism rate for 2012.

### 2012 Electronic Monitoring Outcomes



### Total Intake Cases at Electronic Monitoring Per Month



Adult Probation and Parole operates two Day Reporting Centers (DRCs) located in the eastern and south side sections of the City of Pittsburgh. Throughout 2012, 1,344 offenders participated in DRC comprehensive services which include drug and alcohol testing and evaluations, adult education, job search, and life skills programs. The value of the DRC model was recognized by a Pittsburgh City Council Proclamation issued in October 2012 honoring the DRC-South program and staff for their work with offenders.



Pittsburgh City Council honored the Day Reporting Center South staff with a proclamation for their work in rehabilitating offenders. Pictured: Adult Probation Manager Frank Scherer and Supervisor Nicole Ballard.

In January 2012, applying funds from the Second Chance Act grant program, Adult Probation and Parole established a unit of five probation officers dedicated to providing reentry supervision and services for sentenced offenders released from the Allegheny County Jail. During the year, 258 medium and high-risk offenders were enrolled in this reentry program.

Adult Probation and Parole received a Pennsylvania Commission on Crime and Delinquency (PCCD) Byrne Justice Assistance Grant in July 2012 to enhance collaboration between Adult Probation and Parole and local, state, and federal law enforcement agencies in the gathering and sharing of gang intelligence information. This project increases officer and community safety, improves offender compliance with community supervision, and allows for coordinated gang suppression and interdiction strategies. The grant provides for a probation officer to serve as a liaison to offenders involved in gang activity in the community. Thus far, there have been three gang suppression and interdiction details with local law enforcement agencies in Allegheny County. These operations resulted in the arrest of nine offenders, including a fugitive wanted on an interstate felony warrant, and the confiscation of four assault rifles, ammunition, an unregistered handgun, a significant amount of narcotics, and United States currency linked to drug trafficking. Adult Probation and Parole has strengthened its professional relationships with other law enforcement agencies through this initiative.

Additionally, Adult Probation and Parole secured grant funding from PCCD to provide 66 field probation officers with new bullet resistant vests.

**CRIMINAL DIVISION PRETRIAL SERVICES** aims to provide accurate and timely information to assist the court in making informed decisions regarding bond, competency, and treatment; and 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.

Allegheny County Pretrial Services, recognized locally and nationally as a model program, continues to refine and expand services to the community and criminal justice partners.

The Pretrial Services management team presented at various conferences, in-house trainings, and at national forums throughout 2012. Pretrial Services Director Janice Radovick-Dean and Adult Probation Director Thomas McCaffrey were guest speakers at the National Association for Court Management conference held in Orlando, Florida in July 2012. Their presentation highlighted evidence-informed practices in Allegheny County.

Pretrial Services' risk assessment tool, locally validated in 2007, was revalidated in 2012 following an independent consultant's review funded by the Bureau of Justice Assistance and the Pretrial Justice Institute. Data gathering and analysis for the study spanned nearly seven months, and the final validation report was completed in December 2012. Pretrial Services is currently reviewing the report and anticipates implementing changes within the risk-scoring tool in 2013.



Pretrial Services collaborated with the District Attorney's Office to present a driving under the influence mock trial for students of Keystone Oaks Junior-Senior High School in May 2012. Magisterial District Judge Blaise P. Larotonda officiated while Attorneys Becky Auld and Heather Kelly served as defense counsel and assistant district attorney. Members of the Mt. Lebanon Police Department volunteered their time for this educational presentation.

A process to interview incarcerated defendants via videoconferencing was developed in 2012 and will be operational in early 2013. Pretrial Services' staff will have the capacity to interview inmates and prepare risk assessment information for magisterial district judges and common pleas judges, eliminating the cost and safety risks associated with transferring inmates to court. Additionally, videoconferencing will expand the number of defendants who undergo the pretrial risk assessment for bail determinations, again resulting in cost savings.

Pretrial Services' Alcohol Highway Safety Program and Adult Probation continue to collaborate on the operation and oversight of the DUI Alternative to Jail Program. In 2012, 779 offenders were sentenced to the program; 546 successfully completed the program; and an additional 140 defendants are scheduled to complete the program in the first quarter of 2013. The primary goal of the program is to reduce recidivism by exposing first conviction DUI offenders to four days of intensive treatment and programs through cognitive approaches focused on changing behavior. This program is operating at no cost to taxpayers and is supported by user fees.

Pretrial Services continued its collaboration with the Pittsburgh Steelers, the Pittsburgh Penguins, KDKA, and Comcast to promote alcohol and drug awareness and community safety through its Alcohol Highway Safety Program (AHSP). In 2012, additional alliances were developed with the Pittsburgh Pirates, the University of Pittsburgh, the *City Paper* and "Road Radio," a multimedia program geared toward educating middle school students regarding the dangers of drugs and alcohol. Due to the overwhelming positive response from school administrators, parents, and students, Pretrial Services will expand the number of programs offered in 2013.



Accelerated Rehabilitative Disposition (ARD), a pretrial diversion program for first-time, non-violent offenders, allows defendants the opportunity to have criminal charges against them dismissed and their criminal arrest record expunged provided they successfully complete court ordered stipulations and remain arrest-free for the probation period. ARD is a joint effort between the Allegheny County District Attorney's Office and Pretrial Services. Pretrial Service officers are responsible for supervising, monitoring court condition compliance, and submission of violation reports for program participants. In 2012, 2,753 offenders were placed on ARD probation, a decrease from 3,946 in 2011. Of the offenders entering the ARD program in 2012, 90 percent were charged with DUI; 10 percent were charged with offenses other than DUI.

Pretrial Services' Bail Unit continues to provide comprehensive, efficient services to the court. Twelve Bail Unit investigators, stationed in the Allegheny County Jail, provide investigative services 24/7 to both magisterial district judges and common pleas judges by gathering information for bail determinations. Inmate interviews are conducted with every defendant brought in on new charges or bench warrants. The Bail Unit completed 16,691 new investigations and 2,153 bench warrant failure to appear investigations in 2012.

The Bail Court Liaison Unit receives and administers administrative bond review requests from attorneys, presents recommendations to the motions judge on bail modifications/forfeitures, and processes "walk in" cases when a defendant appears at the Pretrial Services office to surrender on a bench warrant. This unit, comprised of three bail investigators and one administrative assistant, presented 2,935 bond forfeiture recommendations in 2012, advocated for 660 bond modifications, and processed 904 walk-in reinstatements. Walk-in reinstatements involve individuals with active failure to appear warrants who turn themselves in to Pretrial Services and appear before the motions judge for a hearing, potentially avoiding incarceration.

## PRETRIAL BAIL UNIT

New Investigations Complete (Risk Assessments)	16,691
Bail Modifications Recommended	660
Defendants Supervised	2,626
Defendants placed on Pretrial Electronic Monitoring	74
Pretrial Electronic Monitoring Fees Collected	\$30,811

Seventy-four defendants were supervised through pretrial electronic monitoring in 2012 which saved 9,404 jail days.

Pretrial Services' Behavior Assessment Unit (BAU) psychiatrists completed 1,796 competency evaluations in 2012, a 29 percent increase over the 1,395 evaluations completed in 2011 and recommended 152 involuntary commitments to Torrance State Hospital. BAU social workers also completed 158 social histories associated with these mental health evaluations.

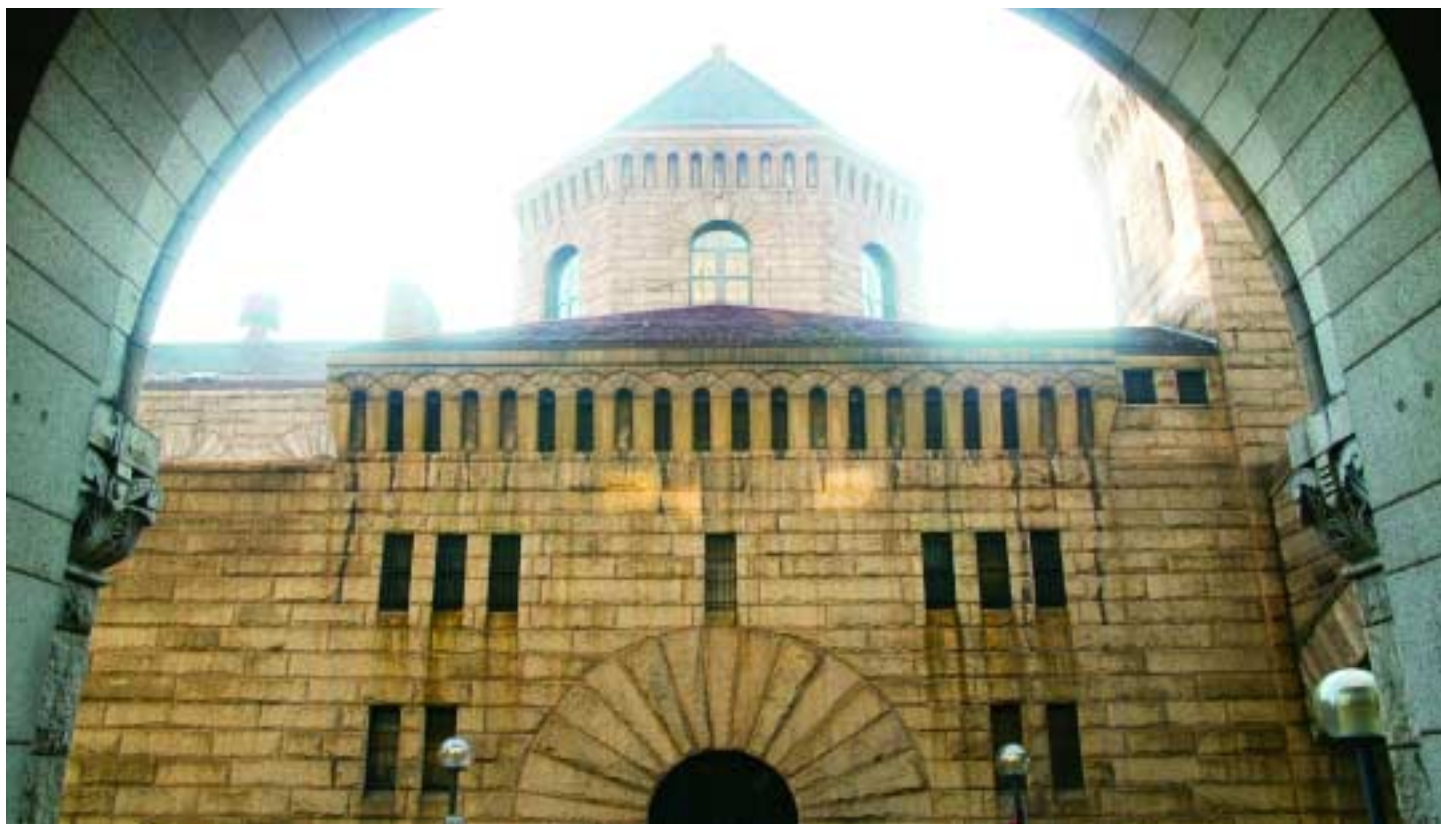


Pretrial Services Alcohol Highway Safety Program again hosted the Law Enforcement Conference with Allegheny County Health Department, West Penn AAA, and Pennsylvania Department of Transportation in April 2012. Pretrial Services Director Janice Radovick-Dean provided opening remarks.

## BOND FORFEITURES PRESENTED IN MOTIONS COURT

	Preliminary Hearing	Formal Arraignment	Pretrial Conference	Trial	Sentencing	ARD	TOTAL
<b>2012</b>	901	642	373	981	1	37	2,935
<b>2011</b>	748	619	394	1,038	1	44	2,844
<b>2010</b>	824	723	461	1,092	1	41	3,142
<b>2009</b>	736	876	574	787	2	59	3,034

# SUMMARY APPEALS



The Summary Appeals branch of the Fifth Judicial District serves a hybrid function. Judge Robert C. Gallo presides over appeals arising from summary criminal convictions as well as civil statutory appeals of decisions by local and state administrative agencies. Civil Division judges also preside over civil statutory appeals.

A large percentage of civil statutory appeals arise from PennDOT driver license suspensions. Additional appeals include, but are not limited to, legal issues arising from decisions of government agencies such as civil service, land use, zoning, the Liquor Control Board, school boards, and the Health Department.

The majority of summary criminal appeals arise under the Pennsylvania Vehicle Code. Additionally, appeals also include cases of disorderly conduct, defiant trespass, obstructing traffic, harassment, retail theft, public drunkenness, and underage drinking. Appeals involving dog-licensing provisions and truancy are also heard by the Summary Appeals branch.

The Summary Appeals branch conducts hearings on every appeal and is responsible for the disposition of all ancillary matters related to the appeal.

## SUMMARY APPEALS – CASE DISPOSITIONS

Case Type	New Cases Filed 2011	Cases Disposed 2011	New Cases Filed 2012	Cases Disposed 2012
Criminal Summary Convictions	3,170	3,073	3,091	2,994
Motor Vehicle Code Suspensions	1,111	948	1,110	961
Pittsburgh Parking Authority	10	9	6	5
In Forma Pauperis	1,338	1,338	1,218	1,218
Nunc Pro Tunc Appeals	548	548	669	669
<b>Total</b>	<b>6,177</b>	<b>5,916</b>	<b>6,094</b>	<b>5,847</b>







# MAGISTERIAL DISTRICT COURTS

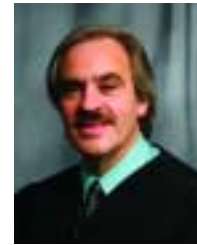
*MAGISTERIAL DISTRICT COURTS provide a forum for fair and equal access to judicial services that promotes the expeditious resolution of public and private disputes through community-based locations throughout Allegheny County.*



**Hon.  
Robert Barner**  
05-2-11



**Hon.  
Pat A. Capolupo**  
05-2-16



**Hon.  
Ron N. Costa, Sr.**  
05-2-31



**Hon.  
David J. Barton**  
05-2-17



**Hon.  
Thomas P. Caulfield**  
05-2-08



**Hon.  
Robert P. Dzvonic**  
05-2-03



**Hon.  
Carolyn S. Bengel**  
05-2-05



**Hon.  
Anthony Ceoffe**  
05-3-10



**Hon.  
Robert L. Ford**  
05-3-02



**Hon.  
Suzanne Blaschak**  
05-3-04



**Hon.  
Mary Ann Cercone**  
05-3-06



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



**Hon.  
John N. Bova**  
05-2-18



**Hon.  
Kevin E. Cooper**  
05-3-12



**Hon.  
Jeffrey L. Herbst**  
05-2-07



**Hon.  
Kim M. Hoots**  
05-2-10



**Hon.  
Armand A. Martin**  
05-3-09



**Hon.  
Mary P. Murray**  
05-2-25



**Hon.  
Leonard J. HRomyak**  
05-2-06



**Hon.  
Randy C. Martini**  
05-3-13



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



**Hon.  
Dennis R. Joyce**  
05-2-23



**Hon.  
Hugh F. McGough**  
05-2-35



**Hon.  
Richard G. Opiela**  
05-2-02



**Hon.  
Richard G. King**  
05-3-14



**Hon.  
Maureen McGraw-  
Desmet**  
05-2-21



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



**Hon.  
Elissa M. Lang**  
05-2-04



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



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



**Hon.  
Blaise P. Larotonda**  
05-2-19



**Hon.  
James A. Motznik**  
05-2-38



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

# MAGISTERIAL DISTRICT COURTS *Continued*



**Hon.  
Eugene N. Ricciardi**  
05-2-27



**Hon.  
David J. Sosovicka**  
05-3-03



## Senior Judges

**Hon.  
Edward Burnett**  
Senior Judge  
*retired at end of 2012*



**Hon.  
Derwin Rushing**  
05-2-40



**Hon.  
Carla Swearingen**  
05-2-43



**Hon.  
Elaine M. McGraw**  
Senior Judge



**Hon.  
Anthony W. Saveikis**  
05-3-17



**Hon.  
Thomas Torkowsky**  
05-2-15



**Hon.  
Edward A. Tibbs**  
Senior Judge



**Hon.  
Beth Scagline Mills**  
05-2-26



**Hon.  
Robert C. Wyda**  
05-2-20



**Hon.  
Regis C. Welsh, Jr.**  
Senior Judge



**Hon.  
Scott H. Schricker**  
05-2-47



**Hon.  
Linda I. Zucco**  
05-2-32



**Hon.  
Eugene Zielmanski**  
Senior Judge



**Hon.  
Tara L. Smith**  
05-2-01



**Hon.  
Gary M. Zyra**  
05-2-22



The Magisterial District Courts are community based courts with jurisdiction over summary criminal cases, traffic citations, non-traffic citations, civil matters up to \$12,000, criminal preliminary arraignments and hearings, setting bail, and issuing arrest and search warrants. Magisterial District Judges also hear Emergency Relief from Abuse petitions under the Protection From Abuse Act and perform marriage ceremonies. There are currently 46 Magisterial District Courts in Allegheny County. With over 266,000 cases filed countywide in 2012, it is the primary goal of judges and staff to provide efficient access and justice to the citizens of Allegheny County.

2012 was the first full year that the new statewide Magisterial District Judge System (MDJS) case management system was utilized. With consistent support from the Administrative Office of Pennsylvania Courts, judges and staff achieved a nearly seamless transition from the legacy computer system to a new program. The MDJS allows for more efficient and consistent processing of cases in accordance with court rules and exchanges information statewide with other courts and justice partners. The MDJS also provides more flexibility for court personnel to access court related documents, print reports for performance measurement, and ultimately manage the large volume of case filings. All 46 courts were also equipped and staff trained to utilize a videoconference system to conduct hearings, eliminating the need to transport defendants from correctional institutions to court facilities.

Magisterial District Judge Richard D. Olasz (Court 05-2-14), was moved to a new facility located at 2629 Skyline Drive, Pittsburgh, PA 15122 in early 2012. The new court was designed to closely comply with facility guidelines established by the Administrative Office of Pennsylvania Courts and to provide a court that is safe and efficient. Magisterial District Judges Regis C. Welsh, Jr. (Court 05-2-46) and Nathan N. Firestone (Court 05-2-35), both of whom retired in 2011, were granted senior judge status effective January 2012.



Pittsburgh Municipal Court Administrator Angharad Grimes Stock, Esq., addresses Magisterial District Court Judges and court managers at a training and education session held in March 2012.

President Judge Donna Jo McDaniel and Court Administration hosted the first annual Magisterial District Judge Training and Education Session in March 2012. The event provided an opportunity for all Magisterial District Judges to discuss various court programs, initiatives, and emerging issues impacting the courts. Topics included the Neighborhood Reclamation and Revitalization Act/ Abandoned and Blighted Property Conservation Act, information technology, problem solving courts, Adult Probation, Pretrial Services, and alternative adjudication programs. The second annual training and education session is scheduled for April 2013.

In September 2012, the Constable Advisory Committee implemented a Constable Handbook. Under the direction of Criminal Division Administrative Judge Jeffrey A. Manning and chaired by Magisterial District Judge Richard G. Opiela, a committee was appointed in 2009 with the primary responsibility of drafting a uniform manual for constables who provide services to Magisterial District Courts. Implementation of the handbook represents ongoing efforts to improve consistency, efficiency, and accountability of constables.

**< NOT PICTURED:**

**Hon. Nathan Firestone**  
Senior Judge

**Hon. Charles A. McLaughlin, Jr.**  
Senior Judge

**Hon. William K. Wagner**  
05-2-12

**Hon. Richard H. Zoller**  
Senior Judge

**Hon. Nancy L. Longo**  
Senior Judge

# MAGISTERIAL DISTRICT COURTS *Continued*

## FILINGS BY MAGISTERIAL DISTRICT COURT

COURT	CRIMINAL	PRIVATE SUMMARY	TRAFFIC	NON-TRAFFIC	CIVIL	LANDLORD/ TENANT	TOTAL
05-0-03	12,783	187	36,128	10,277	-	-	59,375
05-2-01	612	28	4,979	742	239	275	6,875
05-2-02	843	438	3,334	601	381	139	5,736
05-2-03	672	380	3,605	841	368	203	6,069
05-2-04	379	48	2,892	825	297	130	4,571
05-2-05	450	162	3,697	1,042	301	242	5,894
05-2-06	676	315	2,167	912	532	595	5,197
05-2-07	468	352	2,816	794	402	343	5,175
05-2-08	589	359	4,834	962	212	308	7,264
05-2-10	714	138	4,282	1,203	204	683	7,224
05-2-11	600	399	5,981	796	397	366	8,539
05-2-12	307	229	3,402	342	425	82	4,787
05-2-13	829	69	1,538	2,614	411	782	6,243
05-2-14	1,148	585	2,777	1,128	423	323	6,384
05-2-15	664	249	3,337	1,261	294	235	6,040
05-2-16	525	120	4,146	442	356	211	5,800
05-2-17	379	86	4,019	398	245	233	5,360
05-2-18	927	32	3,416	862	249	342	5,828
05-2-19	476	15	4,113	1,122	281	166	6,173
05-2-20	493	231	2,097	661	327	71	3,880
05-2-21	367	473	3,998	619	332	68	5,857
05-2-22	533	71	1,690	497	235	92	3,118
05-2-23	467	84	2,877	959	264	172	4,823
05-2-25	822	107	3,256	934	349	228	5,696
05-2-26	195	107	597	337	276	91	1,603
05-2-27	-	57	2,163	845	300	351	3,716
05-2-28	-	224	251	676	281	816	2,248
05-2-31	-	234	32	348	343	716	1,673
05-2-32	366	200	2,227	391	316	167	3,667
05-2-35	-	171	1,023	336	248	165	1,943
05-2-36	193	35	3	146	208	212	797
05-2-38	-	39	71	494	283	279	1,166
05-2-40	-	34	195	663	228	626	1,746
05-2-42	-	61	30	990	256	859	2,196
05-2-43	473	277	2,787	283	331	337	4,488
05-2-47	856	318	3,328	1,515	335	600	6,952
05-3-02	356	12	5,350	400	192	32	6,342
05-3-03	398	109	4,401	470	194	31	5,603
05-3-04	398	186	5,805	373	355	60	7,177
05-3-05	148	16	569	234	223	113	1,303
05-3-06	1,007	173	1,258	1,050	300	530	4,318
05-3-09	584	767	1,552	1,367	616	209	5,095
05-3-10	-	37	42	105	122	140	446
05-3-12	-	86	21	750	226	496	1,579
05-3-13	-	74	1,399	369	194	273	2,309
05-3-14	389	357	919	917	373	586	3,541
05-3-17	266	200	3,313	627	328	151	4,885
<b>TOTAL</b>	<b>32,352</b>	<b>8,931</b>	<b>152,717</b>	<b>44,520</b>	<b>14,052</b>	<b>14,129</b>	<b>266,701</b>

# PITTSBURGH MUNICIPAL COURT

***PITTSBURGH MUNICIPAL COURT** promotes public trust and confidence in the judicial system by providing quality service to the public and law enforcement agencies in an impartial, efficient, and effective manner.*

Pittsburgh Municipal Court (PMC) spent much of 2012 transitioning to the new Magisterial District Judge Computer System (MDJS). Initial training on the new system occurred in 2011, with advanced training provided by the Administrative Office of Pennsylvania Courts (AOPC) in 2012. Training on the MDJS application allowed PMC staff to effectively utilize the new system, thereby providing more efficient services to the public.

The MDJS payment application features have been remarkably successful. Participants may now merge multiple payment plans, thereby reducing paperwork and streamlining the payment process. The MDJS tracks payments and satisfies the oldest case first making the settlement of court financial obligations more convenient for the defendant and less time consuming for court staff to process.

A second successful application developed by the AOPC is the ePay online case payment system. Through ePay, participants may satisfy court financial obligations using credit and debit cards via the Internet at <http://ujportal.pacourts.us>, resulting in more efficient use of court resources. PMC has collected \$304,196.92 through the ePay application.

PMC continues to utilize the services of nCourt, a private company that provides the public with the ability to pay traffic and non-traffic court financial obligations via the Internet and the telephone. The nCourt website, [www.pittsburghpatix.com](http://www.pittsburghpatix.com), is available 24 hours a day, 7 days a week. In 2012, the nCourt service processed 3,707 citations and collected \$353,952.21 in fines, fees, and costs.

The Arraignment Division of PMC conducts business 24 hours a day, 365 days a year, with Magisterial District Judges from all district courts presiding on a rotating basis. In 2012, the Arraignment Division utilized videoconferencing to conduct 17,340 preliminary arraignments for individuals in the Allegheny County Jail, 63 arraignments for individuals housed in correctional facilities throughout Pennsylvania, and 140 bail hearings involving defendants arrested in Allegheny County for charges filed in another Pennsylvania judicial district.



In addition to conducting preliminary arraignments, the Arraignment Division:

- Records and files criminal complaints;
- Oversees the issuance of arrest and search warrants (1,157 in 2012) for Magisterial District Courts during non-business hours and for the City of Pittsburgh during all hours;
- Processes Emergency Protection from Abuse (PFA) Petitions in the evenings (Monday through Friday), and 24 hours a day on weekends and holidays. Two Thousand Five Hundred Forty-One (2,541) Emergency Protection from Abuse Petitions were processed in 2012;
- Collects and disburses bail and collateral on Summary, Criminal, and Family Division cases. In 2012, this division collected \$1,452,763.96, which primarily represents bail on criminal cases, but also collateral on traffic and non-traffic cases and Department of Court Records' fees. The division also processes the posting of bail by bail bondsman; and
- Ninety-three (93) marriage ceremonies were performed by Magisterial District Court Judges assigned to the Arraignment Division in 2012.



Total City of Pittsburgh case filings at PMC decreased slightly in 2012 due to the number of traffic filings decreasing by 2,084. However, all other filings slightly increased. Of the 59,375 cases filed at PMC, 12,783 were criminal, 10,277 were non-traffic, 36,128 were traffic, and 187 were private criminal complaints. The Criminal Division disposed of 9,186 cases in 2012. The Expedited Disposition Plea (EDP) Program disposed of 1,532 cases. The EDP guilty pleas are conducted via videoconferencing between the Court of Common Pleas Criminal Division and PMC.

PMC Criminal Division continues to use the on-line calendar and postponement request system, which is available for public viewing through the Fifth Judicial District website, <http://www.alleghencourts.us/pmc/calendar.asp>. The public may search for a case by date, defendant, or Official Tracking Number (OTN); Attorneys may create an account and electronically request postponements. This system processed 562 postponement requests in 2012.

The Traffic and Non-Traffic divisions of PMC substantially increased the use of videoconferencing involving incarcerated defendants by conducting approximately 200 proceedings with defendants housed in correctional facilities throughout Pennsylvania. The increase in the use of videoconferencing is the result of collaborative efforts among correctional facilities and PMC.

The use of videoconferencing has been fully expanded to all Magisterial District Courts in the Fifth Judicial District. Court Administration, in conjunction with the Allegheny County Jail, developed an online calendar system for Magisterial District Courts to schedule proceedings more efficiently.

The implementation of the new MDJS, additional technological solutions, and ongoing training aid PMC in utilizing resources efficiently to effectively serve the public.

## PITTSBURGH MUNICIPAL COURT

MAGISTERIAL DISTRICT JUDGE	COURT NUMBER	SESSIONS ASSIGNED	PMC CASES <sup>1</sup>	MDJ COURT FILINGS IN 2012	TOTAL FILINGS PER MDJ <sup>2</sup>
Hon. Eugene N. Ricciardi	05-2-27	65	2,805	3,716	6,521
Hon. Oscar J. Petite, Jr.	05-2-28	106	4,574	2,248	6,822
Hon. Ron N. Costa, Sr.	05-2-31	114	4,919	1,673	6,592
Hon. Hugh McGough	05-2-35	106	4,574	1,943	6,517
Hon. James J. Hanley, Jr.	05-2-36	150	6,472	797	7,269
Hon. James A. Motznik	05-2-38	126	5,437	1,166	6,603
Hon. Derwin Rushing	05-2-40	117	5,049	1,746	6,795
Hon. Robert P. Ravenstahl, Jr.	05-2-42	110	4,747	2,196	6,943
Hon. Anthony Ceoffe	05-3-10	180	7,767	446	8,213
Hon. Kevin E. Cooper	05-3-12	120	5,178	1,579	6,757
Hon. Randy C. Martini	05-3-13	109	4,703	2,309	7,012
Hon. Richard G. King	05-3-14	58	2,503	3,541	6,044
Hon. Carla Swearingen <sup>3</sup>	05-2-43	15	647	4,488	5,135
<b>Total</b>		<b>1,376</b>	<b>59,375</b>	<b>27,848</b>	<b>87,223</b>

<sup>1</sup> Equals Yearly Sessions Assigned x 43.15 Cases Per Session

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

<sup>3</sup> Magisterial District Judge Carla Swearingen sits in a Friday rotation only because the majority of filings in her district are from Robinson Township.

### PMC collected \$4,023,952 in fines, fees, and collateral for traffic and non-traffic citations in 2012.

Distributions required by state law include the following:

County of Allegheny	Commonwealth of Pennsylvania	City of Pittsburgh
\$669,124	\$1,891,609	\$1,463,219





**Fifth Judicial District of Pennsylvania  
County of Allegheny**

300 FRICK BUILDING, 437 GRANT STREET  
PITTSBURGH, PENNSYLVANIA 15219-6000

412-350-5410

412-350-3930 fax

[www.alleghencourts.us](http://www.alleghencourts.us)