



Fifth Judicial District of Pennsylvania

# ANNUAL 2013 REPORT

*Pittsburgh, County of Allegheny,  
Pennsylvania*







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**DONNA JO MCDANIEL**  
PRESIDENT JUDGE 2009-2013



**JEFFREY A. MANNING**  
PRESIDENT JUDGE

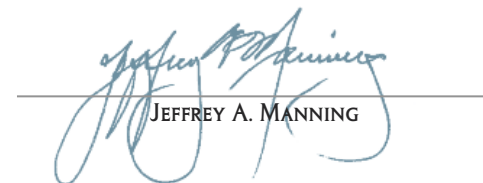
It has been my honor to serve as President Judge of the Fifth Judicial District of Pennsylvania from 2009 through 2013. As one of the largest court systems in the state, serving one of the most populous counties, the court has been presented with many challenges. Over the past five years, we have addressed unique and dynamic issues by developing innovative responses, implemented by dedicated and passionate judges and staff. Some of our accomplishments include:

- Creation of the Phoenix Docket, an expedited disposition program that reduces the time from arrest to disposition in less complex criminal cases by up to 150 days;
- Established a comprehensive criminal case review process involving justice system stakeholders to identify areas for improvement in the criminal justice case flow process;
- Creation of a DUI Alternative to Jail program;
- Development and implementation of two Adult Probation Day Reporting Centers located in the community where clients can access multiple resources, including education/employment assistance, community service coordination, and other support services;
- Adoption of a multi-year Strategic Plan identifying short and long-term goals and objectives for the court;
- Implementation of the first Sex Offender Court program in Pennsylvania providing intensive supervision, improved case processing, and enhanced victim services; and
- Formation of the Allegheny County Juvenile Justice Commission, whose work included an assessment of the Allegheny County juvenile justice system and the issuance of recommendations to strengthen and sustain the county's commitment to the principles of balanced and restorative justice.

  
DONNA JO MCDANIEL

As the newly elected President Judge of the Fifth Judicial District of Pennsylvania, I am pleased to have this opportunity to introduce, with my predecessor, Judge Donna Jo McDaniel, the District's 2013 Annual Report. In Allegheny County, in 70 locations, over 1,200 court personnel, 42 judges of the Court of Common Pleas, and 46 magisterial district judges comprise a critical and complex enterprise for the administration of justice. During my tenure as President Judge, I am committed to serving as a champion for the independence, transparency, and accountability of the judicial branch of government.

This annual report reflects the goals of the Fifth Judicial District to effectuate improved case management with evidence-based criteria, implement uniform practices that provide predictability for court users, enhance skills of a professional workforce that is dedicated to public service, and advance strategic relationships with the other branches of government and the general public. It is my intention to build on this foundation to promote a more comprehensive appreciation of the court's operations and priorities to ensure that fiscal responsibility is exercised without sacrificing beneficial court services, that court-occupied facilities are adequate, secure, and accessible, and that our processes are procedurally fair, timely, and impartial to guarantee public trust and confidence in the justice system.

  
JEFFREY A. MANNING

## BOARD OF JUDGES



### FIRST ROW

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

### SECOND ROW

Christine A. Ward  
Ronald W. Folino  
Kevin G. Sasinoski  
Joseph K. Williams, III  
Arnold I. Klein  
Paul E. Cozza  
Timothy Patrick O'Reilly  
Judith L. A. Friedman  
Alexander P. Bicket

### THIRD ROW

Gerard M. Bigley  
Alan D. Hertzberg  
Paul F. Luty, Jr.  
Michael E. McCarthy  
Dwayne D. Woodruff  
Kathleen A. Durkin  
Michael F. Marmo  
Philip A. Ignelzi

### FOURTH ROW

John A. Zottola  
Kathryn M. Hens-Greco  
Cathleen Bubash  
Beth A. Lazzara  
Thomas E. Flaherty  
Jill E. Rangos  
William F. Ward

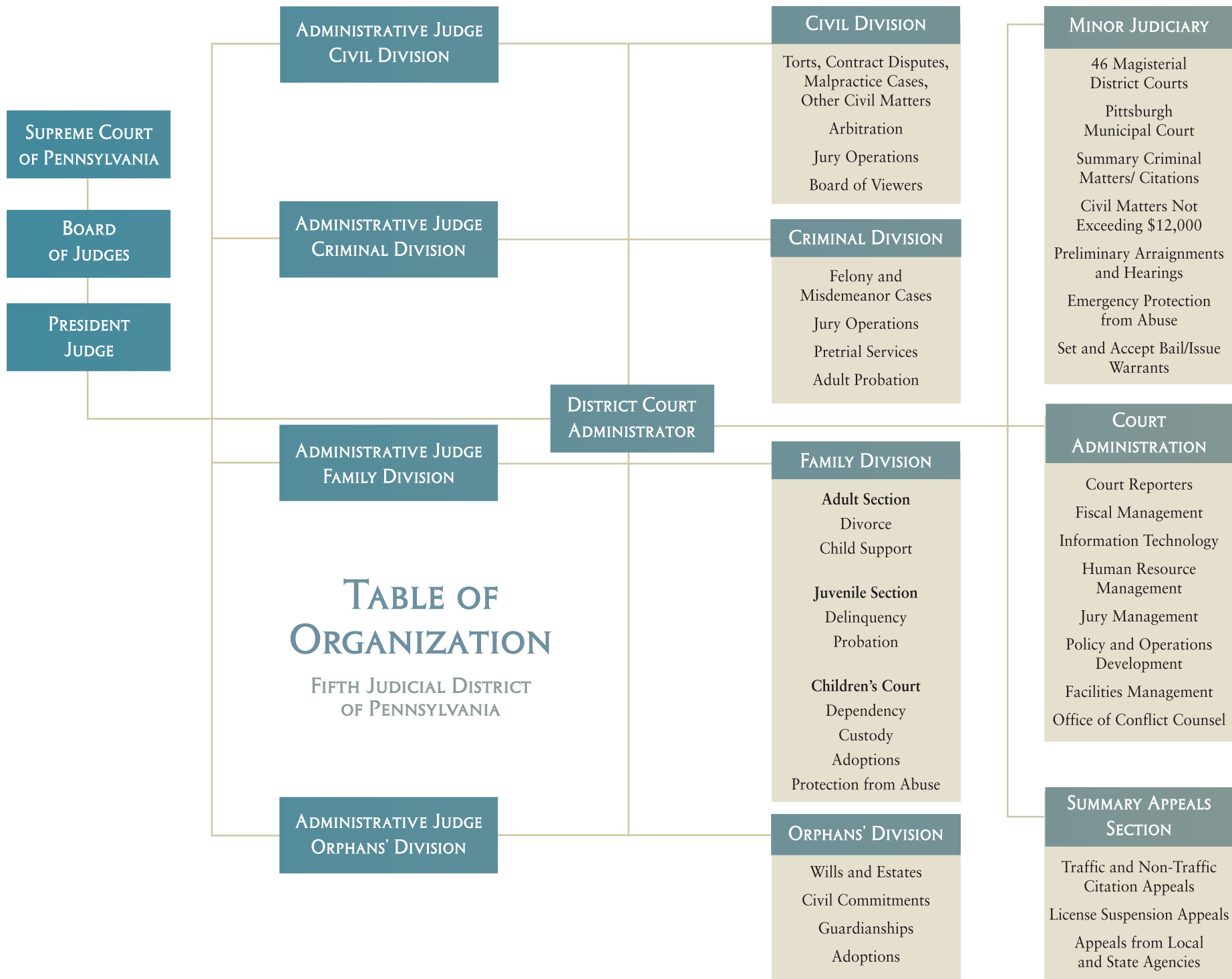
### FIFTH ROW

Robert J. Colville  
Randal B. Todd  
Anthony M. Mariani  
Donald E. Machen  
Lester G. Nauhaus  
Donald R. Walko, Jr.  
Edward J. Borkowski  
R. Stanton Wettick, Jr.

### NOT PICTURED

Kelly Eileen Bigley  
David R. Cashman  
Guido A. DeAngelis  
Michael A. Della Vecchia  
Kim D. Eaton  
Susan Evashavik DiLucente  
Robert C. Gallo  
Joseph M. James  
Robert A. Kelly  
Frank J. Lucchino  
Lee J. Mazur  
John T. McVay, Jr.  
Kathleen R. Mulligan





# HIGHLIGHTS AND ACCOMPLISHMENTS

## NEWLY ELECTED JUDGES BEGIN TERMS IN COURT OF COMMON PLEAS



Hon. Paul E. Cozza

General Election. Prior to his service as special master from 2009 to 2012 on the Board of Viewers, Judge Cozza maintained a private legal practice focused on personal injury civil litigation and criminal defense for 21 years. Judge Cozza earned his law degree in 1990 from the Duquesne University School of Law.



Judge Eleanor L. Bush takes the oath of office for the Court of Common Pleas administered by President Judge Jeffrey A. Manning.

**Judge Paul E. Cozza**, who has served in the Family Division of the Fifth Judicial District since his appointment to the bench in June 2012 by Governor Tom Corbett, was elected to serve a ten-year term in the November 2013

Prior to being elected to the Common Pleas bench, **Judge Eleanor L. Bush** devoted her career to serving children and families. She formerly served as a legal training division manager for the Pennsylvania Statewide Adoption & Permanency Network, as a consultant with the American Bar

Association Center on Children and the Law in Washington, D.C., as legal director for KidsVoice, as staff attorney and acting co-director of the Juvenile Law Center in Philadelphia, and as assistant counsel for the Pennsylvania Department of Education in Harrisburg. Judge Bush earned her law degree from Yale University in 1998. Her extensive experience working with social service and legal personnel in the area of child welfare will benefit children and families as she begins her judicial term serving in the Family Division of the Fifth Judicial District.



The Honorable Jennifer Satler takes the oath of office while her husband, George, holds the Bible.

a private criminal defense practice, served as an arbitrator in the Civil Division of the Court of Common Pleas, and as a crisis counselor with Pittsburgh Action Against Rape. Judge Satler was actively involved in educating others in the law and served as a mock trial team coach for undergraduate and law school students, and as an adjunct professor teaching trial advocacy and trial theory and practice with the University of Pittsburgh School of Law.



After taking the oath of office, Judge Mark V. Tranquilli is congratulated by his mentor, Judge Edward J. Borkowski.

In November 2013, **Judge Mark V. Tranquilli** won election to serve a ten-year term in the Fifth Judicial District-Court of Common Pleas. Prior to his election, he was employed as an assistant district attorney with the Allegheny County District Attorney's Office in 1994, and worked in the general trial unit until he was promoted to the robbery unit in 2008. In 2000, he was one of two assistants selected to assist in a newly created homicide unit, prosecuting complex and high-profile cases. He was subsequently promoted to supervisor of the unit. Judge Tranquilli teaches as an adjunct professor at the University of Pittsburgh School of Law. He earned his law degree from the University of Pittsburgh in 1992.

**Judge Jennifer Satler** began her legal career with the Allegheny County Public Defender's Office in 2001 after graduating from the University of Pittsburgh School of Law. Prior to being elected to the Common Pleas bench in the November 2013 election, she maintained



### NATIONAL COUNCIL OF JEWISH WOMEN CHILDREN'S ROOMS

On May 17, 2013, President Judge Donna Jo McDaniel and Family Division Administrative Judge Kim Berkeley Clark presented the National Council of Jewish Women (NCJW), Pittsburgh Section, with a plaque in recognition of outstanding dedication and service to children and their families in the operation of the Children's Rooms in the courts. Hilary Spatz, President of the NCJW, and Lynette Lederman, Director of the Children's Rooms, were pleased to accept the plaque on behalf of the NCJW. Founded in 1979, the Children's Rooms, located in the Family Law Center, the Allegheny County Courthouse, and Pittsburgh Municipal Court, offer a safe, secure, educational, and fun environment for children, free-of-charge, to anyone having business with the court. The presentation coincided with a "Memorial Day Picnic in the Courtyard" sponsored by the court's Criminal Division.



President Judge Donna Jo McDaniel and Administrative Judge Kim Berkeley Clark present National Council of Jewish Women representatives with a plaque in recognition of outstanding dedication and service. L-R: President Judge Donna Jo McDaniel, Hilary Spatz, Lynette Lederman, Andrea Glickman, Misi Bielich, and Administrative Judge Kim Berkeley Clark.

### MID-ATLANTIC BLACK LAW STUDENTS ASSOCIATION

The Mid-Atlantic Black Law Students Association (MABLSA), which promotes the educational, professional, political, and social needs and goals of black law students, held its 45th Annual Convention in Pittsburgh, Pennsylvania at the William Penn Omni Hotel February 13-17, 2013. More than 200 law students, sponsors, local practitioners, and alumni participated. In support of this professional, educational event, and in support of the MABLSA organization, Common Pleas Court Judges of the Fifth Judicial District volunteered their personal time and presided over regional rounds of the National Thurgood Marshall Mock Trial and Frederick Douglass Moot Court competitions that took place during the convention. "The participants were well prepared and articulate," stated Judge Kathleen A. Durkin. "I was quite impressed with their arguments and the moot court competition as a whole."





Judge Donna Jo McDaniel administers the oath of office to newly-elected President Judge Jeffrey A. Manning on December 24, 2013.

## JUDGE JEFFREY A. MANNING ELECTED PRESIDENT JUDGE

By unanimous vote of the Board of Judges in December 2013, the Honorable Jeffrey A. Manning was elected to serve a five-year term as President Judge of the Fifth Judicial District of Pennsylvania. Prior to his presidential election, Judge Manning served as Administrative Judge of the Criminal Division of the Court of Common Pleas from 2009 through 2013. Appointed to the bench in 1988 by then Governor Robert P. Casey, Judge Manning won election in 1989 and was retained for two consecutive 10-year terms in 1999 and 2009. He has been a member of the Board of Governors of the Allegheny County Bar Association for 21 years and was the 2002 recipient of the Amram Award for “outstanding contribution to the legal profession, the bar association, and the community.” Prior to serving as a judicial officer, Judge Manning was employed as an Allegheny County Assistant District Attorney, Assistant United States Attorney, and First Assistant United States Attorney.

## STRATEGIC PLAN

Following implementation of the Fifth Judicial District’s Strategic Plan in 2012, seven strategic focus area teams, whose efforts were overseen by Implementation Manager Claire C. Capristo, Esq., met throughout 2012-2013 to examine and document recommendations to address priority projects identified in the plan to achieve the long-range goals and objectives of the court. Progress reports and accomplishments of focus teams were assessed by a Leadership Team including President Judge Donna Jo McDaniel, Administrative Judges Jeffrey A. Manning, W. Terrence O’Brien, Kathryn M. Hens-Greco, and Lawrence J. O’Toole, and District Court Administrator Claire C. Capristo, Esq. In June 2013, all team members were convened to recognize successes. Brief reports were presented by focus team leaders and divisional project managers, and new tasks were solicited and assigned for 2013-2014. Completed projects include:

- Evaluations of all court occupied facilities maintained in a facilities database;
- Recommendations for use of CourTools and cost benefit analysis;
- Formulation of time standards and model continuance policy for each division;
- Recommendations for increased functionality of the court website;
- A comprehensive analysis of salary compression issues;
- Identification of court-wide training priorities; and
- Cost analysis of Information Technology infrastructure.



Strategic Focus Area #6: Strong Workforce and Work Environment

L-R: Christopher Shanley, Eileen Morrow, Carol Eddins, Kathleen Patterson, Angharad Stock, Esq., Judge Jeffrey A. Manning, Laura Nevells, Judge Christine A. Ward, Charles Kennedy. (Missing from photo: Magisterial District Judge Leonard J. HRomyak)



# 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.  
DISTRICT COURT ADMINISTRATOR



RUSSELL CARLINO  
ADMINISTRATOR, JUVENILE PROBATION



SEAN F. COLLINS  
DIRECTOR, INFORMATION TECHNOLOGY



CHRISTOPHER CONNORS, ESQ.  
CHIEF DEPUTY COURT ADMINISTRATOR



LISA HERBERT, ESQ.  
DEPUTY COURT ADMINISTRATOR



LINDSAY HILDENBRAND  
DIRECTOR, JURY OPERATIONS



CHARLES KENNEDY  
MANAGER, COURT HUMAN RESOURCES



MICHELLE H. LALLY, ESQ.  
CHAIR, BOARD OF VIEWERS



THOMAS M. MCCAFFREY  
ADMINISTRATOR, CRIMINAL DIVISION



MICHELE POULOS  
MANAGER, FISCAL AFFAIRS



PATRICK W. QUINN, ESQ.  
ADMINISTRATOR, FAMILY DIVISION



JANICE RADOVICK-DEAN  
DIRECTOR, PRETRIAL SERVICES



DANIEL REILLY  
MANAGER, FACILITIES



JO LYNNE ROSS  
MANAGER, OFFICE OF COURT REPORTERS



RONALD SEYKO  
DIRECTOR, ADULT PROBATION



PAUL W. STEFANO, ESQ.  
ADMINISTRATOR,  
ORPHANS' COURT DIVISION



ANGHARAD GRIMES STOCK, ESQ.  
ADMINISTRATOR,  
PITTSBURGH MUNICIPAL COURT



CYNTHIA K. STOLTZ, ESQ.  
ADMINISTRATOR, CHILDREN'S COURT



MATTHEW E. ZOCCOLE  
DEPUTY ADMINISTRATOR,  
MAGISTERIAL DISTRICT COURTS



L-R: Lindsay Hildenbrand, Director-Jury Operations,  
Brian Quigley, Assistant Director-Jury Operations,  
and Angel Sposito, Voir Dire Clerk.

The Department of Jury Operations consists of the Office of Jury Management (OJM), the Civil Jury Assignment Room, and the Criminal Jury Assignment Room.

The OJM oversees and coordinates jury operations and is responsible for ensuring fair and consistent application of relevant statutes and rules. The office initializes and processes the mailing and return of juror questionnaires and summons and responds to inquiries from the public and court staff regarding jury service.

Prospective jurors are randomly summoned from a master list constructed from the combination of Allegheny County's voter registration list and a list of licensed drivers who reside in Allegheny County. Jurors may either return questionnaires by U.S. Mail or complete them online via the Fifth Judicial District website. Improvements in processes and procedures and the implementation of a new computer system resulted in more efficient utilization of summoned jurors and a corresponding decrease in overall expenses for juror fees, mileage reimbursement costs, and administrative expenses.

Civil and Criminal Assignment Room staff welcome prospective jurors who report for service and employ a computerized check-in process. The Assignment Rooms operate using a one-day, one-trial juror service system. If a juror is not selected for a trial on the date he or she is summoned, service is considered complete. If a juror is selected, service continues for the duration of the trial. In 2013, 120 juries were selected and sent to the courtroom in civil cases, and 189 juries were selected and sent to the courtroom in criminal cases.

The OJM would like to recognize the dedication and long service of three OJM employees who retired in 2013:

Maureen Bryant (33 years)

Arlene Kinnee (38 years)

Maryann Cesnales (19 years)



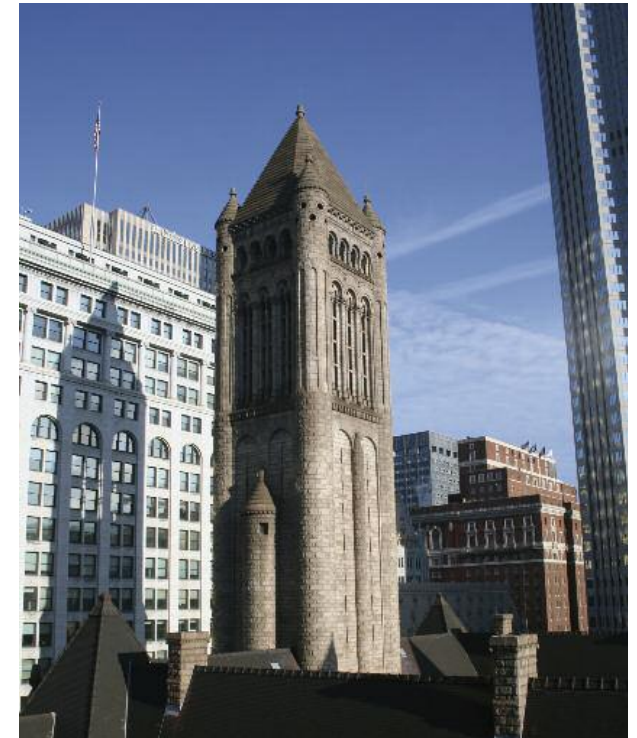
**Christopher H. Connors, Esq.**, was appointed as Chief Deputy Court Administrator for the Fifth Judicial District of Pennsylvania, effective March 11, 2013. Prior to his employment with the court, Mr. Connors served for eight years as First Assistant District Attorney and Chief of Staff of the Allegheny County District Attorney's Office. He joined that office as an assistant district attorney in 1988. Before joining the District Attorney's Office, Mr. Connors practiced law with the firm of Drinker, Biddle & Reath in Philadelphia, Pennsylvania, where he specialized in the area of federal taxation of business enterprises. He also worked as a mechanical engineer for IBM Corporation. He received his B.S.M.E. with Highest Distinction from the Pennsylvania State University in 1980 and his J.D. *magna cum laude* from the Duquesne University School of Law in 1986.

**Michele Poulos** was appointed Manager of Court Fiscal Affairs, effective February 25, 2013, following her serving as Acting Manager from December 2012 to February 2013. She initially joined the court as the Assistant Manager of Court Fiscal Affairs in 2008 after working as an Auditor and Accountant with the Allegheny County Controller's Office from 1996 to 2008. Ms. Poulos earned a Bachelor's Degree in Business-Accounting at the University of Pittsburgh-Johnstown campus in 1996.

Following 14 years of dedicated service to the Fifth Judicial District of Pennsylvania as Manager of Court Fiscal Affairs, **Gerard Tyskiewicz** accepted the position of Director of Administrative Services with Allegheny County in December 2012. Professional accomplishments throughout his tenure with the District included implementation of numerous cost reduction and containment initiatives of court services. Prior to serving as Manager of Court Fiscal Affairs, Mr. Tyskiewicz was employed as Manager of Operations (1998-1999) and Chief Contracts Administrator (1988-1998) for the Allegheny County Controller's Office. Mr. Tyskiewicz earned his Bachelor of Arts in Public Administration at Edinboro University of Pennsylvania (1979) and participated in Continuing Accounting Education at Point Park University and Allegheny County Community College (1986-1988).

**Rebecca Planinsek** retired in April 2013 after nearly 21 years of employment with the Fifth Judicial District of Pennsylvania. Ms. Planinsek's career with the court began in 1992 as a secretarial supervisor in the Court Administrative Office; she was transferred to the position of administrative assistant in 1995. Her primary projects included assisting in the production of the court's annual report, assembling court calendar information, managing interpreter requests and assignments, directing student tours on behalf of the court, and coordinating newly-elected judges' oath ceremonies.

**Elaine Rjabak** retired in 2013. She began her career with Allegheny County in 1980 as a supervisory clerk in the Allegheny County Law Library. She was transferred to the position of administrative assistant in the Fifth Judicial District Court Administrative Office in 1999, a position she held until her retirement. Ms. Rjabak assisted in multiple projects including the production of the court's annual report, managing and ordering legal publications and resources for Common Pleas and Magisterial District Court Judges, and assisting in providing temporary secretarial coverage for Common Pleas judges.





## CIVIL DIVISION

TO SERVE CITIZENS THROUGH  
THE PROMPT, COURTEOUS, AND  
IMPARTIAL DISPENSATION OF  
JUSTICE BY ADJUDICATING CASES  
IN A TIMELY MANNER USING  
EFFICIENT CASE MANAGEMENT  
TECHNIQUES, ADHERING TO  
HIGH STANDARDS, AND BEING  
RESPONSIBLE STEWARDS  
OF PUBLIC FUNDS.





HON. W. TERRENCE O'BRIEN  
ADMINISTRATIVE JUDGE



HON. ROBERT J. COLVILLE



HON. MICHAEL A. DELLA VECCHIA



HON. RONALD W. FOLINO



HON. ALAN D. HERTZBERG



HON. JOSEPH M. JAMES



HON. PAUL F. LUTTY, JR.



HON. MICHAEL E. MCCARTHY



HON. CHRISTINE A. WARD



HON. JUDITH L. A. FRIEDMAN  
SENIOR JUDGE



HON. TIMOTHY PATRICK O'REILLY  
SENIOR JUDGE



HON. R. STANTON WETTICK, JR.  
SENIOR JUDGE

The Civil Division, served by eight commissioned judges as well as by Senior Judges Timothy Patrick O'Reilly, R. Stanton Wettick, Jr., Judith L. A. Friedman, and Joseph M. James, adjudicated cases on a wide range of issues in 2013. Judge Joseph M. James was granted senior judge status in July 2013.

In addition to customary workloads of presiding over conciliations, arguments, and jury and non-jury trials, Civil Division judges were also assigned to hear specific docket matters as follows:

Judge Robert J. Colville	Expedited asbestos cases and Allegheny County drink tax cases
Judge Michael A. Della Vecchia	Backlogged asbestos cases and eminent domain cases
Judge Judith L. A. Friedman	Housing Authority appeals
Judge Ronald W. Folino	Calendar Control Judge
Judge Alan D. Hertzberg	Housing Authority appeals and prisoner litigation
Judge Joseph M. James	Residential Mortgage Foreclosure Program, Zoning Board appeals, and construction litigation
Judge Michael E. McCarthy	Structured settlements
Judge W. Terrence O'Brien	Pennsylvania Office of Open Record appeals
Judge Timothy Patrick O'Reilly	Pennsylvania Liquor Control Board cases
Judge Christine A. Ward	Commerce and complex litigation cases and construction litigation
Judge R. Stanton Wettick, Jr.	Commerce and complex litigation, class action and toxic substance cases, Water Authority appeals, and general and special motions related to arbitration cases

The Civil Division continued to implement the same policies and practices that have proven to be successful in recent years while exploring new approaches to improve procedures for expediting and resolving cases. The following matters were processed by Civil Division judges in 2013:

■ 577 cases appeared on the General Argument List. This number includes arguments on motions for Summary Judgment and Judgment on the Pleadings; 465 cases were adjudicated; 112 cases were relisted for hearing.

■ 1,306 cases were scheduled for pre-trial conciliation, with the following results:

Settled	556
Transferred to Arbitration	24
Stricken from Issue	1
Transferred to Bankruptcy Court	9
Transferred to Another Division/Section	2
Relisted by the Calendar Control Judge	197
Summary Judgment Granted	6
Scheduled for Jury/Non-Jury Trial	511
<b>TOTAL</b>	<b>1,306</b>

After conclusion of pre-trial proceedings, 625 cases were called for trial (297 jury and 328 non-jury) resulting in the following dispositions:

Jury Verdicts	83
Non-Jury Verdicts	255
Settled Prior to Trial	223
Continued	31
Transferred to Federal Bankruptcy Court	4
Non-Suits	5
Other	24
<b>TOTAL</b>	<b>625</b>





Judge Ronald W. Folino was appointed by the Supreme Court of Pennsylvania to serve as Administrative Judge of the Civil Division, effective January 2, 2014. This appointment succeeds that of Judge W. Terrence O'Brien who served as Administrative Judge from 2011 through 2013.

Calendar Control Judge Ronald W. Folino continued to preside over all conciliations and motions relating to cases that were placed on a published trial list. The following matters were processed by Judge Ronald W. Folino in 2013:

Cases conciliated from the trial list	121
Uncontested motions	840
Contested motions presented	633
Arbitration cases continued	92

A consistently high number of matters were processed through motions court in 2013, including preliminary objections, preliminary injunctions, name changes, title transfers, petitions to open/strike judgment, *in forma pauperis* requests, motions for alternative service, sheriff's hearings, drug act cases, landlord tenant hearings, and non-jury trials pursuant to Pa.R.C.P. 1303.

## DOCKETED CASES

### TORT (DOES NOT INCLUDE MASS TORT)

	Filed
Intentional	51
Malicious Prosecution	14
Motor Vehicle	1,398
Nuisance	7
Premises Liability	287
Product Liability (does not include mass tort)	58
Slander/Libel/Defamation	22
Other	995
Asbestos	65
Tobacco	0
Toxic Tort – DES	1
Toxic Tort – Implant	0
Toxic Waste	1
Dental	4
Legal	23
Medical	295
Other Professional	20

### CONTRACT (DOES NOT INCLUDE JUDGMENTS)

Buyer Plaintiff	61
Debt Collection: Credit Card	1,631
Debt Collection: Other	1,667
Employment Dispute: Discrimination	12
Employment Dispute: Other	26
Other	1,433

### REAL PROPERTY

	Filed
Ejectment	328
Eminent Domain/Condemnation	101
Ground Rent	0
Landlord/Tenant Dispute	1,355
Mortgage Foreclosure: Residential	2,639
Mortgage Foreclosure: Commercial	70
Partition of Real Property	16
Quiet Title	183

### CIVIL APPEALS – ADMINISTRATIVE AGENCIES

Board of Elections	20
Zoning Board	28
Statutory Appeal – Other	159

### MISCELLANEOUS

Common Law/Statutory Arbitration	13
Declaratory Judgment	58
Mandamus	13
Non-Domestic Relations Restraining Order	0
Quo Warranto	0
Replevin	45

During 2013, judges in motions court issued 7,507 orders and heard and adjudicated 560 preliminary objections, 52 preliminary injunctions, 285 non-jury Pa.R.C.P. 1303 hearings, and 533 miscellaneous hearings.

Under the leadership of Judge Ronald W. Folino, Local Rule 220.1, regarding the *voir dire* process, was amended. The new rule, effective December 17, 2012 and implemented in January 2013, directs Assignment Room clerks to instruct prospective jurors that they are not to form conclusions based upon *voir dire* statement(s) made by an attorney at the time of *voir dire*; nor are the jurors to consider *voir dire* statements as actual evidence. This amended rule helps to ensure that all litigants receive a fair trial based solely on the evidence introduced at trial and the jury instructions of the trial judge.

Under the direction of Judge Ronald W. Folino, law clerk Catrina A. Rogers, Esq., produced a video that is viewed by prospective jurors prior to the start of the jury selection process to inform them of the following matters:

- The types of cases that are adjudicated by Civil Division judges and a detailed step-by-step explanation of the juror selection process including the purpose of questionnaires, the pooling process, the interview process, and the lawyers' ability to strike jurors from a panel;
- The rights and duties of a juror, including what an individual may and may not do if selected to sit as a juror; and
- The pay rates for jurors and where a juror can find reasonable parking and restaurants in downtown Pittsburgh.

Video presenters include Judges Ronald W. Folino, W. Terrence O'Brien, and Christine A. Ward, and Pennsylvania Supreme Court Justices Max Baer and Debra McCloskey Todd.

Judge Joseph M. James implemented the Residential Mortgage Foreclosure Program in 2008 with many stakeholders in Allegheny County, including Sheriff William P. Mullen. This mediation program diverts owner-occupied residential foreclosure actions into homeowner counseling and conciliation between homeowners and lenders. In 2013, 639 cases were conciliated in the Civil Division under this program. Thirty-five (35) percent of homes have been saved from foreclosure since its implementation.

Following a long career of distinguished service to the Commonwealth and the citizens of Allegheny County, Judge Joseph M. James's application for senior judge status was approved by the Supreme Court of Pennsylvania, effective July 1, 2013. His judicial career began in 1987 with a gubernatorial appointment by former Governor Robert P. Casey and confirmation by the Pennsylvania Senate. He won election to the bench that same year and won retention for two subsequent 10-year terms in 1997 and 2007. Initially assigned to the Criminal Division, Judge James was transferred to the Civil Division in 1993. He served as Administrative Judge of the Civil Division from 2000 to 2003 when he was elected by his peers to a five-year term as president judge. Judge James is a former member of the Judicial Inquiry and Review Board, the Executive Board of the Pennsylvania Conference of State Trial Judges, and the State Trial Judges' Ethics Advisory Board. He is a member of the Allegheny County Bar Association, the Pennsylvania Conference of State Trial Judges, the Judicial Council of Pennsylvania, served as a Judge of the Court of Judicial Discipline, and is an adjunct professor at the Duquesne University School of Law. Judge James earned his undergraduate degree (1970) at the University of Pittsburgh and his law degree (1973) at the University of Pittsburgh School of Law.



Judge Joseph M. James

We wish to acknowledge the retirement of Judicial Secretaries Kelly Gaydos (33 years of service) and Gwen Davis (39 years of service), who retired in June and December 2013, respectively. Tip Staff Ray Bender (12 years of service) retired in September 2013.



## ARBITRATION

The goals of the Compulsory Arbitration section of the Civil Division include increasing public access to the court, lowering court costs, and effectively utilizing judicial resources. These goals are achieved by enlisting panels of arbitrators, comprised of three court-approved attorneys per panel, to adjudicate cases not in excess of the jurisdictional limit of \$35,000. The Arbitration rules provide for concise pleadings, limitations on discovery requests, and relaxed rules of evidence which facilitate fair and prompt resolution of claims within a short period of time after filing suit.

In 2013, Allegheny County Local Rule of Civil Procedure 1301 was amended to increase the jurisdictional limit of Arbitration from \$25,000 to \$35,000. It is anticipated this change will increase the number of cases filed and disposed of through the Arbitration process.

Of the 7,496 new cases filed in 2013, 6,146 represent contract, personal injury, credit collection, lemon law, and medical malpractice cases, and 1,350 represent landlord-tenant actions. In addition, 198 cases were transferred from the General Docket to Arbitration. Four Hundred Fifty-Eight (458) Arbitration boards heard 1,837 cases in 2013. The appeal rate remained low at 32.55 percent.

As the number of landlord-tenant cases has markedly increased, the court has seen a surge in both the number of tenants seeking to file late appeals and/or stays of eviction and the number of pro-se litigants. In order to address the issues arising from these increases, the Civil Division partnered with the Allegheny County Bar Association Civil Litigation Section, the Allegheny County Bar Foundation Pro Bono Center, Duquesne University and University of Pittsburgh School of Law, and Neighborhood Legal Services Association (NLSA) to develop a Landlord-Tenant Pro Bono Project. During the Project's first phase, volunteer attorneys attended continuing legal education training related to landlord-tenant appeals. In June 2013, the court utilized space, located within the Arbitration offices, for pro bono staff attorneys and law student interns to meet with, advise, and assist income qualifying tenants in drafting appeals and motions requesting permission to file late appeals. At the request of project stakeholders, a new court notice was developed to provide specific appeal instructions to tenants, as well as telephone numbers for both NLSA and the Landlord-Tenant Pro Bono Project. This notice is provided to all litigants in landlord-tenant cases along with the judgment from the magisterial district court.

ARBITRATION CASES	2011	2012	2013
Pending on January 1 <i>(includes cases filed in previous years)</i>	3,466	2,413	1,767
New Cases Filed	10,339	8,302	7,496
Transferred from Civil Division	150	255	198
<b>Total</b>	<b>13,955</b>	<b>10,970</b>	<b>9,461</b>
Awards by Boards	2,402	2,035	1,837
Settlements, Non-Pros., Etc.	10,033	6,266	5,301
Trial List Cases Disposed by Judge	1,007	841	794
<b>Total</b>	<b>13,422</b>	<b>9,142</b>	<b>7,932</b>
Appeals Filed	716	611	598
Rate of Appeals	29.81 %	30.02 %	32.55 %

ARBITRATION BOARDS	2011	2012	2013
Number of Arbitration Boards Summoned	542	485	458
Number of Arbitrators Summoned	1,626	1,455	1,374
Arbitrator's Fee Per Day	\$ 150	\$ 150	\$ 150
Total Arbitrators' Fees	\$243,900	\$218,250	\$206,100
Less Non-Recoverable Appeals Fees	\$80,280	\$70,720	\$68,730
<b>Total Costs</b>	<b>\$ 163,620</b>	<b>\$ 147,530</b>	<b>\$ 137,370</b>
Average Cost per Case	\$68.12	\$72.50	\$74.78



## BOARD OF VIEWERS

The Allegheny County Board of Viewers, comprised of seven Lay Masters and attorney Special Masters, resolved 7,507 real estate tax assessment appeals involving residential and commercial properties in Allegheny County in 2013. This figure represents a significant increase of approximately 2,000 cases, a direct result of the court-ordered countywide property reassessment in 2012.

In collaboration with Judge R. Stanton Wettick, Jr., the Office of the County Solicitor, and the Board of Property Assessment Appeals and Review, the Board of Viewers streamlined the appeal process to accelerate conciliations and hearings involving commercial properties whose assessed value was in excess of \$1,000,000. This expedited process enabled school districts to more closely approximate their revenue bases and plan budgets, while enabling large commercial property owners to adjust rents and plan for investment in the maintenance of their properties. In addition, appeals of assessments on residential properties were heard. In more than 95 percent of cases, appeals were resolved through the conciliation process supervised by the Special and Lay Masters.

At the time of conciliation, residential and commercial property owners and taxing bodies are given an opportunity to present supporting documents which become evidence at hearing. Most residential property owners continue to appear *pro se*, (without an attorney), and the Lay and Special Masters are careful to make certain litigants understand the process and participate appropriately. In instances where efforts to resolve disputes through conciliation are unsuccessful, hearings ensue, and Masters' reports are written with recommendations to the court. The cases that resulted in hearings involved both residential appeals and large commercial properties. The rate of objections to Masters' reports filed to the court in 2013 continued to be less than one percent.

The Board of Viewers continued to hear eminent domain cases in 2013, including partial and total taking of private property by government agencies where damages were awarded to the impacted property owners. Cases heard included a private property roadway, CSX railroad, and a local manufacturing plant; projects involving the widening of existing roadways, and water line issues. The Board of Viewers processed a total of 63 eminent domain cases in 2013. These cases received full hearing by the Board Members, often in multi-day hearings, involving expert testimony from real estate appraisers, personal property evaluators, and other relevant experts in the fields where the damages were claimed.

### BOARD OF VIEWERS

Eminent Domain (New Petitions/Views/Hearings involving water and sewer line cases, partial and total takings, and private roads)	63
Tax Appeals (Conciliations/Hearings/Settlements/Masters Reports involving residential and commercial real estate tax assessments appealed from the BPAAR decisions)	7,507
<b>Total</b>	<b>7,570</b>



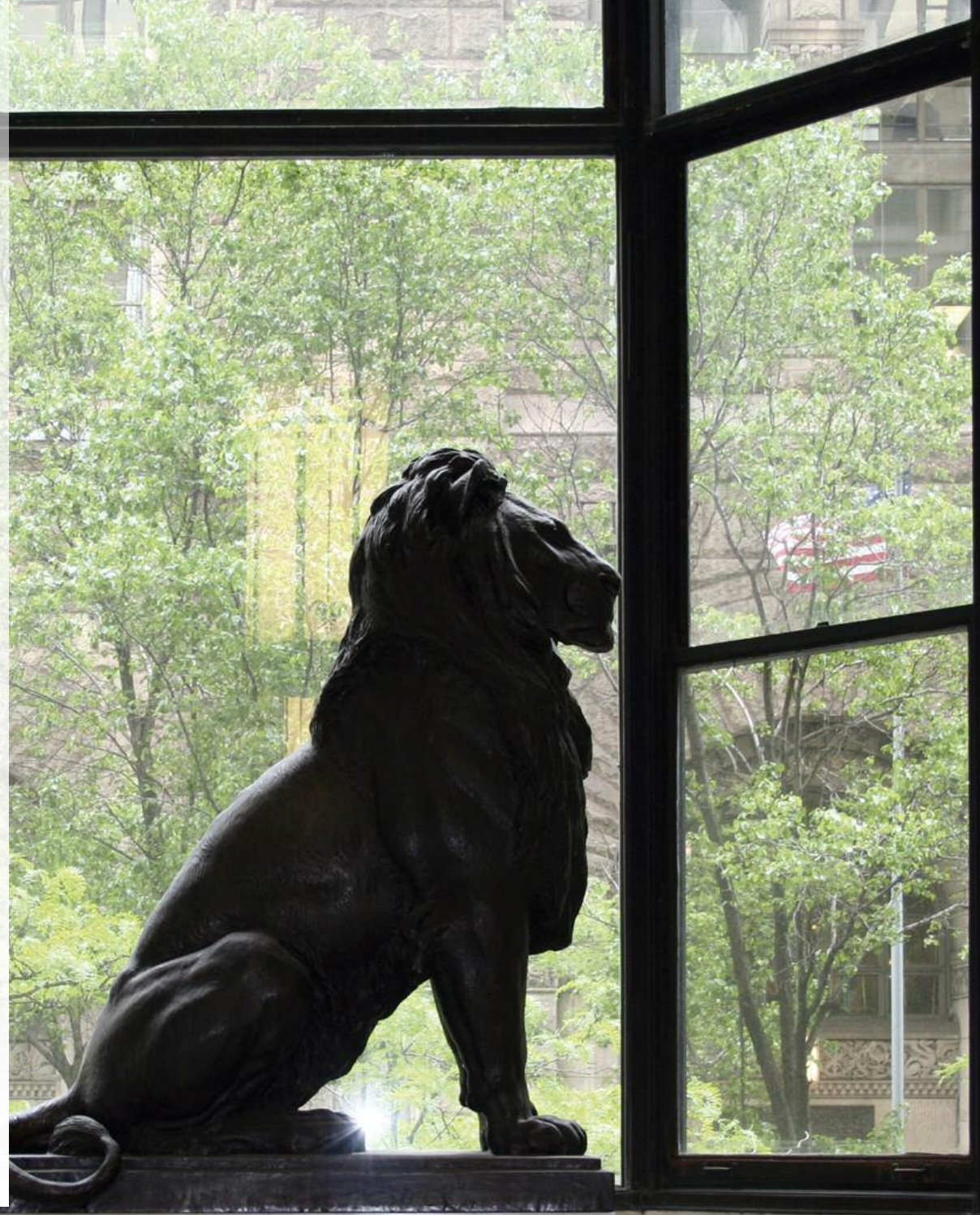






## ORPHANS' COURT DIVISION

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



HON. LAWRENCE J. O'TOOLE  
ADMINISTRATIVE JUDGE



HON. LESTER G. NAUHAUS



HON. JOHN A. ZOTTOLA



HON. FRANK J. LUCCHINO  
SENIOR JUDGE

Orphans' Court staff continued to work with the Department of Court Records, Wills/Orphans' Court Division, and the Allegheny County Office of Behavioral Health to create and implement an electronic filing (e-filing) system exclusively for involuntary civil commitment cases. In 2013, 5,454 petitions were filed, and hearings were held at more than 20 sites throughout Allegheny County. The e-filing system, designed to provide superior search, tracking, and monitoring functions, will replace the current paper-based system which is labor intensive and expensive to maintain. It is anticipated the e-filing system will be implemented in the second quarter of 2014 and will be mandatory for all court users. Access to the civil commitment e-filing system will be restricted to authorized users approved by the court to comply with the confidentiality provisions of the Mental Health Procedures Act, 50 P.S. 7101, et. seq.

Development of the Orphans' Court Division Practice Manual continued in 2013. An ad hoc committee, involving court staff and attorneys from the Probate and Trust Section of the Allegheny County Bar Association (ACBA), prepared a draft manual detailing established practices in the division (estates, adoptions, guardianships, motions) and outlining processes and procedures not contained in court rules. The manual will also include sample forms and petitions and contact information for division employees. A final draft of the manual will be presented to the administrative judge by the end of 2014, and upon approval, the manual will be posted to the Fifth Judicial District website and will be distributed through the Probate and Trust Section of the ACBA. Together with the e-filing system and online access to court records, the manual will make division business and practices more easily accessible to attorneys, *pro se* litigants, and the general public.

Administrative staff of the Orphans' division is working to improve the delivery of services to *pro se* litigants and attorneys. The e-filing system that was implemented in 2012 has continued to attract more first time users. Consideration is being given to making the use of the e-filing system mandatory.

## GUARDIANSHIP - INCAPACITATED PERSONS

New Petitions Filed	322
Emergency Guardians Appointed	24
Permanent Guardians Appointed	194
Successor Guardians Appointed	21
Guardians Discharged	3
Petitions Withdrawn or Dismissed	40
Electro-Convulsive Therapy Petitions	36
Adjudication of Full Capacity	0
Petitions for Review	13
Contested Hearings	42
Total Number of Hearings	201
Bonds Approved	48
Safe Deposit Box Inventories	6
Court-Appointed Counsel	40
Independent Medical Evaluations	3
Petitions for Allowance/Ratification Presented	522
Annual Report of Guardians Filed	1,604
Final Report of Guardians (Person/Estate) Filed	128
New Petitions-Guardian of the Person of a Minor	16

## CIVIL COMMITMENTS

### Petitions Presented

#### Prior to Judicial review:

Discharged	238
Withdrawn	182
Voluntary Admission	68

Total

488

#### By Mental Health Review Officer:

4,755

#### By Judges:

Petition for Review	33
Electro-Convulsive Therapy	35
Expungement	15

83

#### Miscellaneous Petitions

128

### Total Petitions Presented

5,454

## HEARINGS BY TYPE UNDER MENTAL HEALTH PROCEDURES ACT

303	Up to 20 Days Civil Commitment	3,068
304-B	Up to 90 Days Civil Commitment	1,077
304-C	Up to 90 Days Civil Commitment	109
305	Up to 180 Days Civil Commitment	579
306	Transfer Civil Commitment – location transfer between facilities	14
306-2	Up to 180 Days Civil Commitment	34
304-G2	Up to 365 Days Criminal Commitment	0
402/405	Up to 60 Days Criminal Commitment	0
406	Long Term Civil Commitment	2
ECT	Electro-Convulsive Therapy	35
EXP	Expungement	15
REVV	Judicial Review of Mental Health Review Officer Decision	33
Total Hearings		4,966

Three hundred twenty-two (322) new cases were filed in the Guardianship Department in 2013. The department's current database contains over 3,200 active cases. Department investigators closely monitor all cases to insure compliance with court rules and statutory requirements, including the filing of inventories and annual reports by guardians of the estate and/or person of incapacitated persons. Cases involving non-compliance are reviewed by the department supervisor and, if necessary, are referred to a judicial officer for further proceedings. The department has developed an effective working relationship with the Allegheny County District Attorney and other county and state agencies to address suspected financial abuse and/or exploitation.

Five hundred thirty-eight (538) accounts were filed by personal representatives, trustees, guardians and/or agents, and 232 small estate petitions were filed in 2013, all of which were reviewed by Guardianship Department audit examiners. It is anticipated that small estate petitions will increase substantially in 2014, as the statutory limits for these petitions was increased from \$25,000 to \$50,000, effective September 2, 2013. Nine hundred sixty-three (963) estate settlement agreements were also reviewed to insure that no "at risk distributions" were made to minors and incapacitated persons, and that their respective interests were protected in accordance with statutory and court rules.

Petitions for adoption decreased from 114 in 2012 to 104 in 2013, and requests for the appointment of search agents declined from 195 to 146. Termination of parental rights petitions increased from 94 in 2012 to 106 in 2013.



Civil Commitment Department staff L-R:  
Gina Capozoli,  
Daniel Buzard, Esq., Supervisor,  
and Jennifer Busia.



## ESTATES

### Audit Hearing of Accounts

Accounts Filed by Executor, Administrators, Trustees, and Guardians	538
Small Estates (\$25,000 or less)	232
Decrees of Distribution	541
Contested Hearings *	375

\* 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	19
Pretrial Conferences Docketed	138
Return Days Scheduled	197

## PETITIONS FILED

Additional Bonds	60
Appointment of Guardians of the Person and Estates of Minors	8
Approval of Settlement of Minors' Claims	414
Lifting of Suspension of Distribution	19
Sale of Real Estate	56
Petitions for citation against fiduciaries to file accounts or to show cause why they should not be removed, etc.	110
Petitions filed by the 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	68
Miscellaneous Petitions	717
<b>Total Petitions Filed</b>	<b>1,452</b>



Leacy Brown, Adoption Department Clerk - Orphans' Court



Nancy Lawton, Adoption Department Investigator - Orphans' Court

## ADOPTIONS

	Scheduled	Decreed	Withdrawn/ Dismissed
Adoptions	99	96	0
Confirm Consents	68	64	0
Involuntary Terminations	38	40	1
Confirm Consents w/ Involuntary Terminations	0	0	0
<b>Total</b>	<b>205</b>	<b>200</b>	<b>1</b>
Orders of Court <i>(Includes orders on petitions presented, continuances, amendments, allowance of service by publication, acceptance of jurisdiction, allowance of interrogatories, appointments of search agents)</i>			453
Combined Decrees and Orders			653
Persons Adopted <i>(some petitions include siblings)</i>			102
Adult Adoptee Search Requests			65
Orders Signed Appointing Search Agents			50
Birthparent Requests to Place Waivers in File			6
Orders Signed on Petitions to Register Foreign Relative Adoption Decrees			15

## NON-RELATIVE ADOPTIONS

Adoption Placement by Agencies	Total
Bethany Christian Services	6
Genesis of Pittsburgh, Inc.	5
The Children's Home of Pittsburgh	12
Catholic Charities	0
Three Rivers Adoption Council	1
Department of Community Based Svcs. <i>(Lexington, Kentucky)</i>	1
	25

### Adoption Placement by Non-Agencies

Attorney	1
Parent	4
All Other	1
	6

## RELATIVE ADOPTIONS

Step-Parent	40
Co-Parent Adoptions	11
Other Relative	13
U.S.A. Re-Adoptions	7
<b>Total Persons Adopted</b>	<b>102</b>



## 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.





HON. DONNA JO MCDANIEL  
PRESIDENT JUDGE



HON. JEFFREY A. MANNING  
ADMINISTRATIVE JUDGE



HON. KELLY EILEEN BIGLEY



HON. EDWARD J. BORKOWSKI



HON. DAVID R. CASHMAN



HON. KATHLEEN A. DURKIN



HON. THOMAS E. FLAHERTY



HON. PHILIP A. IGNELZI



HON. BETH A. LAZZARA



HON. DONALD E. MACHEN



HON. ANTHONY M. MARIANI



HON. JILL E. RANGOS



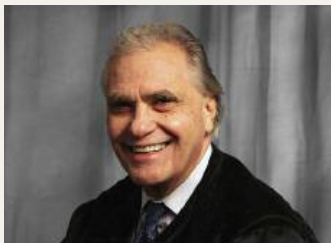
HON. KEVIN G. SASINOSKI



HON. RANDAL B. TODD



HON. JOSEPH K. WILLIAMS, III



HON. ROBERT C. GALLO  
SENIOR JUDGE

During his fifth year as Administrative Judge of the Criminal Division, fifteen commissioned judges served under the leadership of Judge Jeffrey A. Manning. Judge Manning was unanimously elected by his peers on December 13, 2013 to serve as President Judge of the Fifth Judicial District for a five-year term. The Supreme Court of Pennsylvania appointed Judge David R. Cashman to serve as the new Administrative Judge, effective January 2, 2014.



President Judge Jeffrey A. Manning administers the oath of office to Judge David R. Cashman, who was appointed administrative judge of the Criminal Division, effective January 2, 2014.

The Criminal Division experienced an increase in the number of cases filed, with 17,712 cases filed in 2013. In 2012, 16,838 cases were filed. Efficiencies within the division continued to improve with 6,180 cases being adjudicated among two expedited disposition programs. The Expedited Disposition Plea Program (EDP Court) resulted in 1,714 cases being adjudicated on the same day as the preliminary hearing. Cases adjudicated through the Phoenix Docket, a program designed to expedite the disposition of uncomplicated cases, totaled 4,466. In 2013, 50 percent of the overall caseload was adjudicated within 180 days, and 90 percent within 365 days. Senior Judge Robert C. Gallo presided over 3,050 Accelerated Rehabilitative Disposition (ARD) cases and 3,136 summary appeals.

Seven problem-solving court programs provide a means to address and reduce recidivism through intensive judicial oversight and a team-oriented therapeutic and accountability approach. The court welcomed Carolina Almarante-Terrero as the Problem-Solving Courts/Resource Coordinator in February 2013. She previously worked in the Office of Data Analysis, Research and Evaluation under the Allegheny County Department of Human Services and was involved with various groups in the criminal justice field developing methods to improve program practices.

PROBLEM-SOLVING COURTS	Number of Program Participants at Close of 2013
DUI Court	228
Drug Court	174
Prostitution (PRIDE)	59
Domestic Violence Court	143
Veterans Court	53
Mental Health Court	236
Sex Offender Court	147
<b>TOTAL</b>	<b>1,040</b>

The Problem-Solving Adult and Juvenile Courts Information System (PAJCIS) was implemented by the Administrative Office of Pennsylvania Courts (AOPC) in 2013. This web-based database tailored for problem solving courts offers easy accessibility to capture and analyze data needed by judicial districts evaluating their local problem-solving court programs and by the AOPC when assessing the effectiveness and impact of these courts statewide. Training sessions on PAJCIS were conducted by AOPC staff and Carolina Almarante-Terrero, and through the close partnership of the District Attorney's Office, the Department of Human Services, Justice Related Services, Veteran Justice Outreach, and Adult Probation, Allegheny County participated in the first phase of the PAJCIS implementation in June 2013. The second stage of implementation will allow for real-time data transfer from Allegheny County's court and probation case management systems into PAJCIS and is anticipated in 2015.



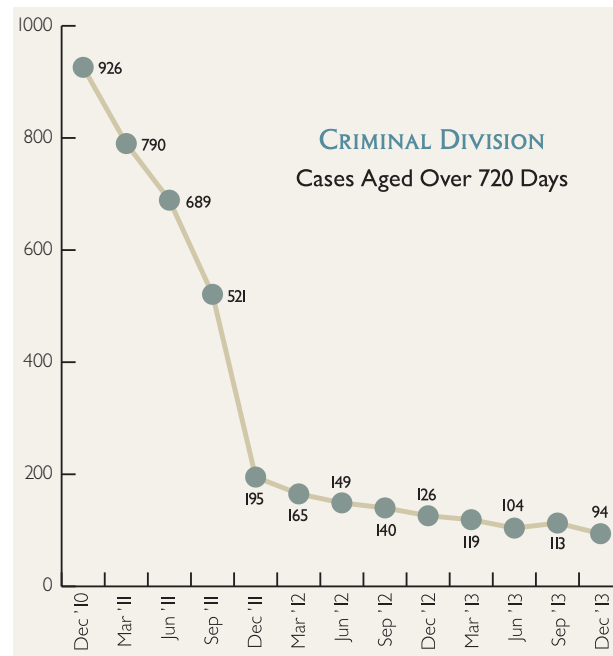


Military Police Company B, North Versailles, PA, participated in the Veterans Court graduation ceremony that took place on November 7, 2013.

The fourth annual Veterans Court graduation ceremony took place on November 7, 2013. Criminal Division Manager and U.S. Army Reserve Major Harry Lorenzi introduced Judge John A. Zottola, supervising judge of the Veterans Court program. Keynote speakers included Rocky Bleier, a Vietnam War veteran and four-time Superbowl champion, who said that Veterans Court is a “new beginning” for those returning home from their wartime experiences. Tammy Ryan, an award-winning playwright and author of *Soldier’s Heart*, spoke about the struggles facing women in the military. Remarks and presentations were offered by James Odenheimer of the Blue Knights Law Enforcement Motorcycle Club and Al Mercer, Executive Director of the Veterans Leadership Program of Western Pennsylvania. Judge William F. Ward gave special recognition to the peer mentors and the student attorneys from Duquesne University School of Law Veterans Court Clinic. The class of 20 graduates was the largest group to successfully complete the program since inception and included the first female veteran.

Judge John A. Zottola was awarded the Louis J. Presenza Distinguished Service Award during the 2013 Pennsylvania Association of Drug Court Conference in recognition of his dedication and commitment to the field of problem-solving courts. This unique award is presented to individuals who demonstrate extraordinary leadership and support in the problem-solving court field in Pennsylvania.

The Criminal Division continued to reduce the number of aged cases resulting in only 94 cases aged over 720 days at the conclusion of 2013. Ongoing efforts to address the processing of cases revoked from Accelerated Rehabilitative Disposition (ARD) have greatly impacted the number of aged cases over the past year. Efforts to improve the efficiency of the ARD revocation process will continue through 2014.



Court efficiencies were further expanded by the assignment of two Allegheny County Jail records department corrections officers to serve as court liaisons. Processing court orders directly from the courthouse on a daily basis resulted in nearly “real time” data entry of judicial orders regarding confinement and halted the practice of physically delivering orders from the courthouse to the jail. Timeliness in transporting convicted offenders to state correctional facilities has improved due to a higher level of communication and coordination between the court and the jail.

In association with the Allegheny County Bar Association, Criminal Division judges participated in Leadership Pittsburgh’s *Justice and Human Services Day* on March 6, 2013 by addressing approximately 30 Pittsburgh Leadership visitors. Judge Edward J. Borkowski offered insight regarding his personal court experiences, while Judge Kevin G. Sasinoski presented information related to DUI Court. Leadership Pittsburgh participants observed a non-jury trial before Judge Beth A. Lazzara and Sex Offender Court proceedings before President Judge Donna Jo McDaniel.

Judge Beth A. Lazzara, who presides over Mental Health Court (MHC), initiated the use of videoconferencing between the court and the Allegheny County Jail for conducting MHC review hearings for incarcerated program participants. In the first five months of initiating this procedure, 206 videoconference review hearings were conducted. The success of this program will lead to the expansion of videoconferencing for the other problem-solving court programs. Videoconferencing within the Criminal Division was utilized in 2,547 bond forfeitures and bail modification proceedings at motions court, and 14 state intermediate punishment hearings conducted with the Department of Corrections at State Correctional Institutions at Camp Hill and Muncy. The number of Expedited Disposition Program pleas (EDP) conducted at the Allegheny County Jail and Pittsburgh Municipal Court via videoconferencing totaled over 1,714 cases. Videoconferencing reduces the cost of transporting defendants to court and results in more efficient case processing.

Through the generous donations of jurors, the court made contributions on jurors' behalf in the amount of \$3,292 to *Operation Warm, Inc.*, a program that provides new winter coats to children in need, and \$6,264 to the Department of Human Services for foster children in need. The Juror Donation Project was established in 1992. Donated fees are allocated to benefit jurors through repairs and renovations to jury assignment and deliberation rooms and to present annual donations for children in need.

## CRIMINAL REPORT

### Filings and Dispositions

Cases Pending at End of Year 2012	8,256
New Cases Received in 2013	16,202
Cases Reopened During 2013	2,712

<b>Cases Available for Disposition in Year 2013</b>	<b>27,170</b>
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### Cases Disposed in 2013

Transfers to Juvenile Court, Magisterial District Judge, Family Court, Administrative Closures, Consolidations, Remands, Inactive-Bench Warrants, Incompetency Determinations, and Interlocutory Appeals	3,406
Dismissed, Withdrawn, Nolle Prossed and Deceased Defendants	1,059
Satisfaction Agreements (Rule 586)	147
Speedy Trial (Rule 600)	3
Diversionary Programs	
Accelerated Rehabilitative Disposition (ARD)	3,050
Guilty Plea	12,663
Non-Jury Trial	397
Jury Trial	96

<b>Total Cases Disposed in 2013</b>	<b>20,821</b>
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### Age of Pending Cases (Days)

1 to 60	2,541
61 to 120	2,460
121 to 180	1,275
181 to 360	1,419
361 to 719	467
720 +	94

<b>Pending Cases Total</b>	<b>8,256</b>
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The Criminal Division sponsored three two-hour continuing legal education (CLE) seminars in 2013, the first of which was held in June on *Justice Related Services 101*. Presenter Michael R. Nock, Program Manager of the Allegheny County Department of Human Services-Office of Behavioral Health, provided a summary of the eligibility criteria and referral process to Justice Related Services (JRS), a program that offers support to adults with mental illness who are involved in the criminal justice system. The second CLE, *Sentencing Alternatives for Offenders: Program Options for Jail Inmates*, held in September 2013, was presented by Judge Kevin G. Sasinoski, who provided a synopsis of the coordination of services between judges, attorneys, jail personnel, and program providers. Representatives from Renewal, Inc., The Program for Offenders, Inc. (ACTA), The Goodwill Center, and Pyramid Healthcare, Inc., gave an overview of their programs. Ronald J. Seyko, Director of Allegheny County Adult Probation, sponsored the third CLE event in November 2013 on *Interstate Compact for Adult Offender Supervision*. Presenters Margaret Thompson, Director of Interstate Probation Services, and Al Robinson, Deputy Chief Counsel, Pennsylvania Board of Probation and Parole, provided the framework and rules for the transfer of probation between states, specifically, the eligibility criteria, mandatory versus discretionary requests, and waiver of extradition and supervision requirements under the compact agreement.

Sixteen Criminal Division staff members were recognized for multiple years of employment with the court: Patricia Redman, Michele Ross, Andrew Rothey, and Maureen Sullivan (5); Mark Bonincontro and Dana Halloran (10); Maureen Boyle and Margaret Moore (20); Wendy Hayes, Mary Hegner, and Jackie O'Brien (25). Employees whose service exceeds 30 years included Denise Duffy and Keith Duffy (30+); Jean Toner and Alberta Stoughton (40); and Margaret Cangelier (42).



Criminal Division employees were recognized for multiple years of service.

1st row L-R: Judge Kathleen A. Durkin, Jean Toner, Wendy Hayes, and Maureen Boyle. 2nd row L-R: Mary Hegner, Michele Moss, Judge Thomas E. Flaherty, Judge Lester G. Nauhaus, Judge Joseph K. Williams, III, Keith Duffy, Denise Duffy, and Alberta Stoughton. 3rd row L-R: Thomas McCaffrey, Judge Kevin G. Sasinoski, Mark Bonincontro, Andrew Rothey, and Harry Lorenzi.

Criminal Division employees participated in a "clothing drive" to benefit the National Council of Jewish Women's Children's Rooms in the Courts. This drive was a big success, and the items collected were distributed between Children's Rooms located in the Courthouse, the Family Law Center, and Pittsburgh Municipal Court.

OFFENSES		CONFINEMENT		PROBATION	INTERMEDIATE PUNISHMENT PROGRAM	
	Cases	State	County	County	State	County
Crimes Against Persons						
Criminal Homicide	43	39	3	1	0	0
Robbery	200	102	69	28	1	0
Rape	16	14	2	0	0	0
Involuntary Deviate Sexual Intercourse	11	10	1	0	0	
Indecent Assault	43	7	11	25	0	0
Other Sexual Offenses	41	8	14	19	0	0
Aggravated Assault	180	46	51	80	0	3
Aggravated Assault - REAP	66	0	3	62	0	1
Simple Assault	637	9	91	528	0	9
Corruption of Minors	31	1	9	21	0	0
Homicide by Vehicle	2	0	1	1	0	0
Crimes Against Property						
Arson	10	1	5	4	0	0
Burglary	292	65	67	133	0	27
Forgery	84	2	17	63	0	2
Theft	1,013	38	155	787	0	33
Retail Theft	756	3	107	636	1	9
Identity Theft	16	2	2	12	0	0
Bad Checks	52	0	3	49	0	0
Drug and Alcohol Offenses						
DUI-1st Offense	1,085	2	474	61	0	548
DUI-2nd Offense	905	4	81	0	0	820
DUI-3rd Offense	189	17	26	0	1	145
DUI-4th or Subsequent Offense	4	1	3	0	0	0
DUI §3731	7	0	7	0	0	0
Boating Under The Influence	3	0	1	0	0	2
Narcotics	2,633	166	259	2,121	1	86
Crimes Against Public Peace						
Criminal Mischief	8	0	1	7	0	0
Criminal Trespass	130	2	39	82	0	7
Prostitution	8	0	0	8	0	0
Miscellaneous Offenses						
Terroristic Threats	151	2	21	125	0	3
Risking a Catastrophe	1	0	0	1	0	0
Carjacking	5	0	1	4	0	0
Escape	75	4	29	42	0	0
Stalking and Harassment	66	2	13	51	0	0
Firearms Violations	387	101	86	170	0	30
Other Felonies	332	30	65	216	0	21
Other Misdemeanors	1,013	9	99	890	0	15
Total	10,495	687	1,816	6,227	4	1,761



## CRIMINAL DIVISION

### ADULT PROBATION

**ADULT PROBATION AND PAROLE  
IS CHARGED BY THE COURT OF  
COMMON PLEAS WITH THE  
RESPONSIBILITY OF PROVIDING  
EFFECTIVE, COMMUNITY-BASED  
ALTERNATIVES TO INCARCERATION,  
IMPROVING PUBLIC SAFETY,  
PARTNERING WITH COMMUNITY  
AND LAW ENFORCEMENT  
RESOURCES, AND PROMOTING  
POSITIVE BEHAVIORAL CHANGE  
FROM OFFENDERS.**

Adult Probation and Parole continued to make important advancements that support its mission 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 the end of 2013, the Adult Probation and Parole Department had 27,090 offenders assigned to 130 probation officers. Of this total, 25,697 offenders were being supervised on probation, parole, Intermediate Punishment, ARD, and Probation Without Verdict orders. The remaining 1,393 were being supervised as a condition of bail.

In 2013, the Pennsylvania Board of Probation and Parole (PBPP) conducted an audit of the department regarding compliance with the Board's rigorous performance-based standards for probation and parole agencies. After reviewing policies and procedures, meeting with staff, and visiting several office sites, the auditor concluded that Allegheny County Adult Probation and Parole was 100 percent compliant with the expected standards of performance.

In addition to supervising offenders on county probation, parole, and Intermediate Punishment, Adult Probation and Parole contributed to the success of the problem-solving courts. Problem-solving courts are instrumental in holding offenders accountable for their behavior, while promoting offenders' successful, crime-free adjustment in the community. The seven problem-solving court programs include Drug Court, DUI Court, Mental Health Court, Veterans Court, Domestic Violence Court, Pride Court, and Sex Offender Court. As of December 31, 2013, offenders supervised by probation officers through the seven programs totaled 1,021.

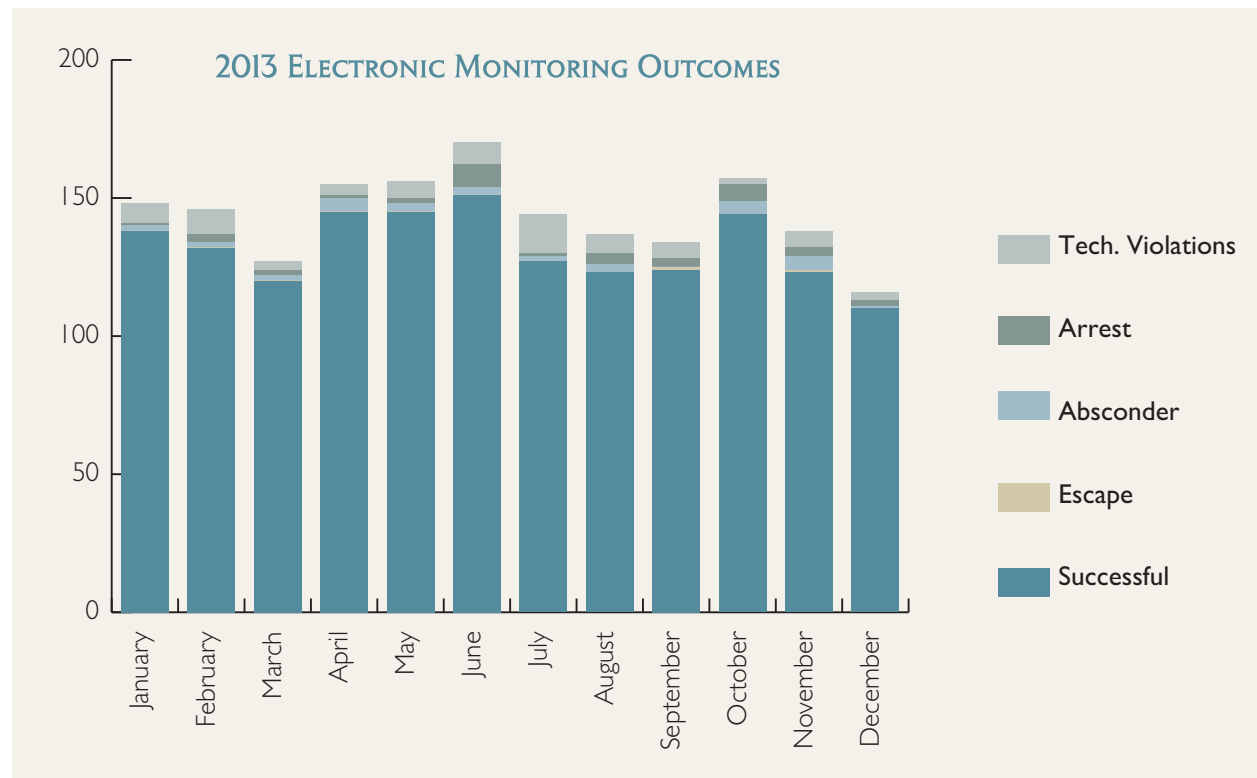


The Allegheny County DUI Court received accreditation by the Supreme Court of Pennsylvania in November 2013. Pictured: Supreme Court Justice Debra McCloskey Todd and Judge Kevin G. Sasinoski.

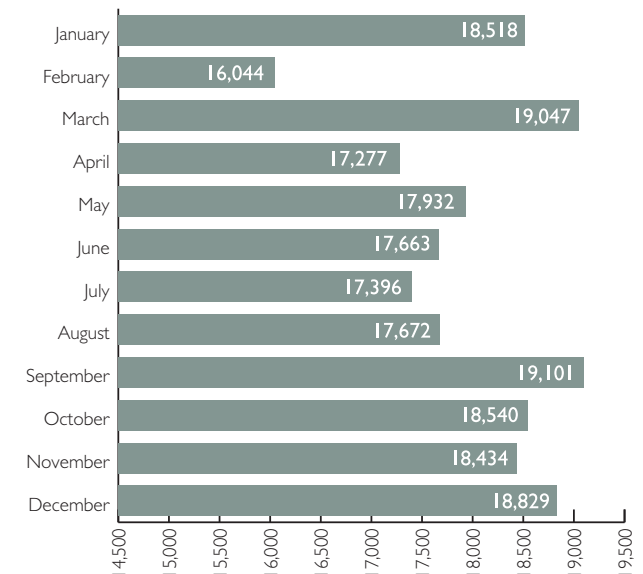
Allegheny County's DUI Court received accreditation by the Supreme Court of Pennsylvania in 2013. The DUI court program became one of only seven in Pennsylvania (and the only stand-alone DUI court) to achieve this recognition based on its adherence to nationally recognized best practices designed to reduce recidivism and promote the successful rehabilitation of offenders. The court program team includes Judge Kevin G. Sasinoski, who presides over DUI Court, five probation officers, an assistant district attorney, a paralegal, an attorney from the public defender's office, and a representative for treatment providers.

The Electronic Monitoring (EM) Unit has been in operation since 1998. Offenders assigned to the EM Unit through County Intermediate Punishment sentences and other court orders averaged 749 per month, with 1,748 new offenders assigned to EM in 2013. The number of offenders supervised on EM each day corresponds with an equal number of “jail days saved” due to the corresponding reduction in the daily population at the Allegheny County Jail. EM saved a total of 216,453 jail days in 2013. There were 1,728 EM supervision cases closed in 2013, with only 36 offenders of this group arrested while on EM, which placed recidivism at a very low 2 percent for the year.

Adult Probation and Parole operates two Day Reporting Centers (DRCs) that are located in the eastern and south side sections of the city of Pittsburgh. The DRCs provide both probation and social services for offenders and operate from noon until 8:00 p.m. to accommodate participants’ work and school schedules. In the fall of 2013, the Department of Human Services made available \$300,000 in block grant funds for 12 months of services provided at the DRCs. These funds enhance and expand drug and alcohol testing and assessment, adult education, job preparation, employment search, and life skill opportunities. Additional services include short-term emergency housing and housing assistance resources. This model of supervision and service delivery is supported by research that indicates DRC programs decrease the likelihood of recidivism.



### JAIL DAYS SAVED



Offender reentry to the community following a jail sentence has been a priority for the past several years. With the assistance of two Second Chance Act (SCA) grants, the Adult Probation and Parole Department established a unit of five probation officers dedicated to providing reentry supervision and services for offenders paroled from the Allegheny County Jail. Evaluation findings by the Urban Institute of the SCA reentry models in Allegheny County between 2009 and 2013 indicate that the SCA programs reduce the likelihood of and prolong the time to re-arrest compared to a matched group who did not participate in SCA. Additional findings revealed that SCA had strong program implementation fidelity and received consistently high marks from participants and family members. Although the SCA grants have expired, reentry efforts have continued. In partnership with the Allegheny County Jail Collaborative, an enhanced reentry model has been instituted that focuses on the early identification of up to 400 medium and high-risk offenders who are enrolled at the jail in programming designed to address crime-causing behaviors. Five reentry probation officers are teamed with community workers for the coordination



of supervision and rehabilitative services for offenders with the greatest needs who are released from jail. Linkage to structured supervision and programming at the DRCs and through community service providers are critical components of this reentry model.

In 2009, Allegheny County was selected as a site of a Bureau of Justice Assistance “Justice Reinvestment Initiative.” This initiative allowed the Fifth Judicial District to analyze the drivers of the criminal justice system population, including the process and timing by which risk assessments are conducted. Although the screening and risk tools used throughout the criminal justice system are validated, assessments administered multiple times by different system partners (e.g. jail, probation, alternative housing providers), are not shared between agencies and have a financial cost per assessment. To address this issue, a plan was developed to implement a single, validated, no-cost assessment tool to support the entire criminal justice system. In 2013, the Probation and Parole Department and the Allegheny County Jail moved closer toward validating a new risk/needs assessment for offenders. The assessment, validated on the Allegheny County offender population for accuracy in predicting risks for committing crimes, will save the court the expense of paying a private provider for the same service. The savings can then be reinvested in criminal justice system initiatives. The final version of the assessment was completed, and computer testing was conducted throughout December 2013. Data collection with the new risk/needs tool should begin in 2014.

The Adult Probation and Parole Department arranged for a continuing legal education (CLE) seminar on *Interstate Compact for Adult Offender Supervision* that took place in November 2013. Training was presented by Margaret Thompson, Director of Interstate Services and Al Robinson, Deputy Chief Counsel for Pennsylvania Board of Probation and Parole, on the

## ADULT PROBATION CONTINUED

framework and rules for the transfer of supervision between states, specifically the eligibility criteria, mandatory versus discretionary requests, waiver of extradition, and supervision requirements under the compact.



Margaret Thompson, Director of Interstate Services for the PA Probation and Parole Board, presents at a continuing legal education seminar, *Interstate Compact for Adult Offender Supervision*, in November 2013.

Adult Probation and Parole is in its second year of collaboration with the Sheriff's Office regarding gang intervention strategies. This project, supported by a Byrne Justice Assistance Grant, enhances collaboration among law enforcement agencies in the gathering and sharing of gang intelligence, allowing for coordinated gang suppression and interdiction strategies over the two-year period of the grant. In 2013, there were eight gang suppression and interdiction operations conducted. The Adult Probation and Parole Department also teamed with the Pittsburgh Police during the Pittsburgh Marathon and many other law enforcement and warrant apprehension details. Probation officers also assisted other county law enforcement agencies in these types of activities throughout the year.

### CASELOAD AS OF DECEMBER 31, 2013

Probation	19,196
Parole	1,227
Intermediate Punishment	931
Accelerated Rehabilitative Disposition (ARD)	3,925
Probation without Verdict	418

**TOTAL** 25,697

### Probationers By Offense Grade and Race

Misdemeanor	14,612
Felony	10,026
Other	1,059
Caucasian	15,587
African-American	9,621
Native Indian	6
Asian	84
Hispanic	17
Race Unknown	382

### Caseload Per Probation Officer

McKeesport Community Based Office	115
North Side Community Based Office	130
Central Community Based Office	74
South Hills Community Based Office	120
Wilkesburg Community Based Office	83
Electronic Monitoring	46
High Impact Unit	125
Forensic Unit (Mental Health)	112
Domestic Violence Unit	86
Sex Offender Unit	74
DUI (Driving Under the Influence) Unit	198
Minimal Supervision Unit	1,095
Intermediate Supervision Unit	476
Inter-State   Inter-County Unit   State	487   545   3,424

## RONALD J. SEYKO

Ronald Seyko was appointed Director of Adult Probation in December 2012, a position involving the supervision of approximately 180 employees and over 25,000 offenders. He began his career with the Fifth Judicial District in 1979 as Coordinator of the Community Home Detention Project and subsequently received promotions to Juvenile Probation Officer (1981), Training Supervisor (1993), Manager of the Electronic Monitoring Department (2007), and Deputy Director of Adult Probation (2008). Mr. Seyko has been active on the National Institute of Corrections Curriculum Planning Committee, the National Institute of Corrections Urban Chiefs Network, the Allegheny County Criminal Justice Advisory Board, the County Chief Adult Probation and Parole Officers Association of Pennsylvania, the American Probation and Parole Association, and the National Association for Court Management. He received his Bachelor of Science Degree in Individual and Family Studies from Penn State University in 1979 and a Master of Science Degree in Administration of Justice from the Shippensburg University of Pennsylvania in 1984.



L-R: Ronald J. Seyko, Director-Adult Probation, and Francis J. Scherer, Deputy Director-Adult Probation.

## FRANCIS J. SCHERER

Francis “Frank” Scherer began his career with the Fifth Judicial District in 1989 as an Adult Probation Caseworker followed by promotions to Corrections Counselor, Probation Officer, Supervisor, Manager, and most recently, Deputy Director of Adult Probation in December 2012. During his tenure with the court, Mr. Scherer collaborated with the Allegheny County District Attorney’s Office to establish Allegheny County’s first DUI Court. He is a member of the PA DUI Association, the PA Association of Drug Court Professionals, the County Chief Adult Probation and Parole Officers Association of Pennsylvania, the National Association of Drug Court Professionals, and the American Probation and Parole Association. Mr. Scherer holds a Bachelor of Arts Degree in Criminal Justice with a minor in History from Edinboro University of Pennsylvania and a Master of Science Degree in Public Policy from California University of Pennsylvania.



## CRIMINAL DIVISION PRETRIAL SERVICES

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.

Organizational values set acceptable norms for behavior within an organization. Organizational values underlying Pretrial Services' interactions with judicial officers, court staff, attorneys, and the public include the following:

- The fundamental belief in the presumption of innocence;
- Fair, flexible, and consistent interaction with defendants;
- Community accountability and integrity;
- Enhance public safety through conditional release options and supervision;
- Proactive and innovative approach in administering services;
- Service to the court is performed with the highest professional and ethical standards; and
- The belief that people have the ability to become law-abiding citizens.

Pretrial Services' management team participated in numerous in-house presentations and national forums spotlighting practices and innovative approaches for improving the criminal justice process. Training conducted by Pretrial staff with magisterial district judges has improved understanding of pretrial functions and collaboration with the minor judiciary.

### PRETRIAL BAIL/COURT UNITS

New Investigations Completed (Risk Assessments)	17,248
Bail Modifications Recommended	990
Walk-in Reinstatements	890

Pretrial Services' Alcohol Highway Safety Program and Adult Probation continue to collaborate on the oversight of the DUI Alternative to Jail Program. In 2013, 613 offenders were sentenced to the program, with 623 successfully completing during the year, saving 2,472 "jail days." The primary goal of this program, which is supported by user fees, is to reduce recidivism by exposing first conviction DUI offenders to four days of intensive treatment and programming through cognitive approaches focused on changing behavior.



Pretrial Services contracted with Road Radio USA in 2013 to expand preventative education efforts in Allegheny County schools. Road Radio conducts assemblies using loud pop music, extravagant lighting effects, and a news broadcast format to engage students and inform them about the dangers of alcohol and drinking and driving.

In June 2013, Pretrial Services sponsored a law enforcement seminar in conjunction with the Pennsylvania DUI Association. This one-day training offered all police departments in Allegheny County the opportunity to attend an educational session which highlighted DUI court case processes and procedures and provided legal updates in this area of the law.

In 2013, 3,050 offenders were placed on Accelerated Rehabilitative Disposition (ARD), a pretrial diversion program for first-time, non-violent offenders. Of this number, 2,662 were DUI cases and 388 were non-DUI cases. ARD offenders completed 31,800 hours of community service throughout Allegheny County in 2013.

Ninety (90) percent of offenders successfully completed ARD in 2013, resulting in dismissal and expungement of charges. There were 1,245 violation reports submitted to the court in 2013, including technical and new conviction violations. In 261 cases, ARD probation was terminated prior to the end of the probation period where offenders completed all court ordered stipulations early.

Twelve Bail Unit investigators provide 24/7 investigative services to magisterial district judges and common pleas judges in gathering information for bail determinations. Inmate interviews, totaling 17,248 in 2013, are conducted with every defendant brought into the Allegheny County Jail on new charges and/or bench warrants.

The Bail Court Liaison Unit, comprised of three investigators and one administrative assistant, presented 2,844 bond forfeiture cases, recommended 990 bond modifications, and processed 890 walk-in reinstatements in 2013. Individuals with active failure to appear warrants who voluntarily turn themselves in to Pretrial Services have a hearing before the motions judge and may potentially avoid incarceration.

The Pretrial Supervision Unit supervised 4,700 defendants over the course of 2013. This supervision consists of low, phone in, and medium supervision levels. Pretrial supervision officers remind defendants of their hearing dates, verify address and telephone numbers, and enforce all bail conditions when contact is made at any level of supervision. Defendants who violate bail conditions are scheduled before the motions judge for a bail hearing to address violations. Defendants who are compliant may have bail conditions removed or reporting restrictions reduced.

Pretrial electronic monitoring, a supervision option used for high risk pretrial defendants, served 128 defendants in 2013 and saved 18,003 jail days. Defendants sentenced to Pretrial electronic monitoring paid \$41,162 in fees resulting in a cost avoidance to the Allegheny County Jail of approximately \$1,224,000.

Pretrial Behavior Assessment Unit (BAU) psychiatrists completed 1,635 competency evaluations in 2013, and the BAU social worker completed 166 social histories to assist in commitment decisions. There were 138 recommendations for involuntary commitments submitted to the court. Of this number, 133 individuals were committed to Torrance State Hospital.



Pretrial Service employees assembled in December 2013 to celebrate Barry Crable's retirement after more than 24 years of service.

Standing L-R: Christopher Shanley, Timothy Ocharzak, Anthony Riccelli, Lyndsay Black, Thomas McCaffrey, Janice Radovick-Dean, Andrew Vercelli, Michael Stephenson, Colleen Sypolt, Keri Stupka, and Shane Scott. Seated L-R: Marilyn Lahood, Gearldean Young, Barry Crable, and Debra Jefferson.

#### PRETRIAL SUPERVISION UNIT

Defendants Supervised	4,572
Defendants Placed on Pretrial Electronic Monitoring	128
Pretrial Electronic Monitoring Fees Collected	\$41,162

#### BOND FORFEITURES PRESENTED IN MOTIONS COURT

	PRELIMINARY HEARING	FORMAL ARRAIGNMENT	PRETRIAL CONFERENCE	TRIAL	SENTENCING	ARD	TOTAL
2013	1,003	701	335	907	0	50	2,996
2012	901	642	373	981	1	37	2,935
2011	748	619	394	1,038	1	44	2,844
2010	824	723	461	1,092	1	41	3,142





## FAMILY DIVISION

THE MISSION OF THE FAMILY DIVISION IS TO RESOLVE FAMILY LEGAL ISSUES IN A USER-FRIENDLY FORUM WHICH MAXIMIZES ACCESS TO THE COURT AND BEST ADDRESSES THE IMPORTANT AND UNIQUE NEEDS OF CHILDREN AND FAMILIES.

## FAMILY DIVISION



HON. KIM BERKELEY CLARK  
ADMINISTRATIVE JUDGE



HON. ALEXANDER P. BICKET



HON. CATHLEEN BUBASH



HON. PAUL E. COZZA



HON. GUIDO A. DEANGELIS



HON. KIM D. EATON



HON. SUSAN EVASHAVIK DILUCENTE



HON. KATHRYN M. HENS-GRECO



HON. ARNOLD I. KLEIN



HON. MICHAEL F. MARMO



HON. JOHN T. MCVAY, JR.



HON. KATHLEEN R. MULLIGAN



HON. DONALD R. WALKO, JR.



HON. WILLIAM F. WARD



HON. DWAYNE D. WOODRUFF



HON. GERARD M. BIGLEY  
SENIOR JUDGE



HON. ROBERT A. KELLY  
SENIOR JUDGE



HON. LEE J. MAZUR  
SENIOR JUDGE



## FAMILY DIVISION ADULT SECTION

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.

Judge Kim Berkeley Clark was appointed Administrative Judge of the Family Division by the Supreme Court of Pennsylvania effective April 18, 2013. Judge Clark previously served as Administrative Judge from 2006 through mid-January 2011. Combined with her fifteen plus years on the Common Pleas bench, Judge Clark brings substantial experience to her role.

Under Judge Clark's leadership, fifteen commissioned judges and three senior judges assigned to the Family Division continue to refine and enhance the development of the one judge/one family concept previously initiated during the tenure of former Administrative Judges David N. Wecht and Kathryn M. Hens-Greco. Family Division judges are now assigned either Adult cases (divorce, equitable distribution, custody, and support) or Juvenile cases (dependency, delinquency, and adoption). If a particular family has both Adult and Juvenile matters pending before the court, the same judge will hear all matters involving that family. Protection From Abuse (PFA) matters are adjudicated by all judges of the Family Division.

The establishment and enforcement of child and spousal support and alimony *pendente lite* constitutes a substantial percentage of the Family Division-Adult Section workload. In 2013, the Adult Section continued to effectively adjudicate its heavy volume of cases, as demonstrated in the accompanying statistical charts, while continuing to develop, improve, and implement initiatives.

Following the successful opening of the community based office in the South Hills area of Allegheny County in 2011, a second regional office is scheduled to open in March 2014 in Penn Hills at 12000 Frankstown Avenue. Litigants who wish to file for support, modify an existing order, or obtain information about their case may do so at the regional offices. Support conferences and hearings are scheduled and conducted at the South Hills office. Similar services will be duplicated at the Frankstown Avenue location in 2014.

The employment search program, which aids delinquent support obligors in finding and maintaining work, continued to be successful in 2013. The employment specialist unit worked with over 3,200 individuals in exploring employment and training opportunities. As 2013 came to a close, over 360 individuals in the program had been steadily employed, while follow-up services were provided to almost 1,800 obligors.

In a continuing effort to improve litigant access to the court, the Adult Section fine-tuned the client option to file a support complaint via U.S. Mail. Prior to implementation of this procedure in 2012, clients were required to appear in person to file for support. In 2013, a total of 122 mail-in support complaints were processed. The court anticipates this number will increase as the service becomes more widely known.

The Administrative Enforcement-Intergovernmental Initiative (AEI) was implemented in 2012, and the Adult Section continued to refine this project in 2013. This electronic process, conducted in conjunction with financial institutions outside of Pennsylvania, enables the court to electronically identify bank accounts of delinquent obligors in other states and then freeze and seize monetary assets to satisfy delinquent support obligations. The implementation of an automated electronic process for "in-state" banks and financial institutions was commenced in September 2013 and resulted in the collection of over \$839,000 in 2013.

In an effort to assist the Office of Children, Youth and Families (CYF), an agreement was reached with the Adult Section to use the Pennsylvania Child Support Enforcement System (PACSES) automated locate resources to identify and locate a child's parent(s) or relative(s). Until recently, the state was not able to permit the use of PACSES by non-IV-D agencies for this purpose. The Code of Federal Regulations (45 CFR 302, 303, and 307) was amended to ensure safeguarding of child support information, while expanding authorized use to State and Federal Parent Locator Services to include non-IV-D agencies. An interagency committee was convened, a protocol was developed, and an electronic referral system was created to streamline the process. Locate information is now gathered from the automated locate interfaces in PACSES and provided to CYF.

#### FAMILY DIVISION – DIVORCE

<b>Divorce – Original Filings</b>	<b>2012</b>	<b>2013</b>
Complaints Filed	2,868	2,753
<b>Divorce – Judicial</b>		
Contested	296	302
<b>Divorce – Hearing Officer/Master</b>		
Contested	144	128
Uncontested	0	5
<b>Total</b>	<b>144</b>	<b>133</b>
<b>Divorce – Professional Staff</b>		
Uncontested	2,119	2,093



Proceeds collected from the sale of "Cooking Collections," a book comprised of recipes submitted by Family Division – Adult staff, were donated to the Children's Room, operated by the National Council of Jewish Women.

Pictured L-R: Patrick W. Quinn, Esq., Administrator, Family Division – Adult, Judge Kathryn M. Hens-Greco, Christina Evans, Children's Room Director Misi Bielich, Kirsti Bauer, Geraldine Redic, Esq., Deputy Administrator, Family Division – Adult, and Aura Dean.

The Adult Section continued to refine its file imaging system which was first initiated in the latter half of 2012. This system enables the court to greatly reduce the use of paper files in support matters by scanning all case documents which are then stored in an electronic case file accessible to judges, court staff, litigants, and attorneys. This process has enabled the court to become greener, reduce costs associated with paper and file storage, and increase staff efficiency. In 2013, seven full-time hearing officers conducted 7,214 hearings utilizing electronic case files.

#### FAMILY DIVISION – CHILD SUPPORT

<b>Support – Original Filings</b>	<b>2012</b>	<b>2013</b>
Complaints Added (PACSES)	9,110	8,529
<b>Support – Secondary Filings</b>		
Modifications	10,884	10,475
Contempt Hearings	15,116	15,456
<b>Total</b>	<b>26,000</b>	<b>25,931</b>
<b>Support – Judicial</b>		
Support Contempt Hearings	592	244*
Exceptions	135	140
<b>Total</b>	<b>727</b>	<b>384</b>
<b>Support – Hearing Officer</b>		
Hearing Officer Hearings	4,521	4,403
Hearing Master Complex Support	225	210
<b>Total</b>	<b>4,746</b>	<b>4,613</b>
<b>Support – Professional Staff</b>		
Screening	14,051	13,424
Conciliations	15,746	14,486
Contempt Hearings	15,116	15,456
<b>Total</b>	<b>44,913</b>	<b>43,366</b>

\* Judicial Support contempt stats reflect the period of January through May 2013. A new system to record these statistics will be implemented in 2014.



# FAMILY DIVISION JUVENILE SECTION

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.



Russell Carlino was named Chief Probation Officer of the Year and John Fiscante was named Juvenile Probation Supervisor of the Year at the Pennsylvania Conference on Juvenile Justice in November 2013.

L-R: Administrator/Chief PO Russell Carlino and  
CISP Coordinator John Fiscante.

Since 1996, the legislative mandate and mission of the Juvenile Probation (JP) Department has been to attain the goals of Balanced and Restorative Justice: to protect the community, to hold juveniles accountable for the harm caused to the victim and the community, and to help juveniles develop competencies that lead to law abiding and productive citizenship.

During the last several years, the JP Department incorporated a number of evidence-based practices and programs to achieve these goals. This effort, 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. The importance of this work was made clear in 2013 when the legislature amended the purpose clause of the Juvenile Act to require juvenile probation departments to employ evidence-based practices whenever possible.

Allegheny County and juvenile probation departments from Bucks, Lancaster, and Lehigh Counties are spearheading an effort to integrate evidence-based practices at a key decision point in the juvenile justice process—whether to detain a juvenile pending a formal hearing before the court. This work is supported by Annie E. Casey Foundation’s Juvenile Detention Alternative Initiative (JDAI) and is ongoing in 39 states. Allegheny County’s JDAI efforts have facilitated more structured decision making at the intake level, increased use of data, provided a number of recommendations to improve conditions for those in detention, and increased use of alternatives to detention while ensuring public safety.

National experts presented several training sessions to JP supervisors and probation officers on topics of building professional alliances, effective case planning, addressing top criminogenic risk factors, and implementing rewards and sanctions. The JP Department has taken significant steps in 2013 toward becoming an evidence-based department.

## FAMILY DIVISION – PROBATION

Juvenile Probation – Original Filings <sup>1</sup>	2012	2013
New Filings <sup>2</sup>	1,588	1,472
Reopened Cases <sup>3</sup>	614	619
Additional Allegation Filed with New or Reopened <sup>4</sup>	73	67
New Allegation on Active Juvenile <sup>5</sup>	1,294	1,111
<b>Total</b>	<b>3,569</b>	<b>3,269</b>
<b>Juvenile Probation – Judicial</b>		
Hearings <sup>6</sup>	8,502	7,780
Warrants	1,508	1,249
<b>Total</b>	<b>10,010</b>	<b>9,029</b>
<b>Juvenile Probation – Hearing Officer</b>		
Detention Hearings	1,665	1,372
Other Hearings	2,255	2,229
<b>Total</b>	<b>3,920</b>	<b>3,601</b>
<b>Juvenile Probation – Professional Staff</b>		
Detention Hearings	1,693	1,376
Other Hearings	10,709	10,005
Warrants	1,509	1,249
Individualized Service Plan Meetings	509	549
Intakes – Allegations Received	3,579	3,270
Petitions Filed	2,569	2,163
Case Contacts <sup>7</sup>	58,537	56,189
<b>Total</b>	<b>79,105</b>	<b>74,801</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.

## ADDITIONAL JUVENILE PROBATION ACTIVITIES IN 2013 INCLUDED:

Allegheny County JP remains active as a Model Delinquency Court, as designated by The National Council of Juvenile and Family Court Judges. A Model Court committee, led by Administrative Judge Kim Berkeley Clark, meets regularly to review policy and protocol related to the 16 Model Court principals in the Juvenile Delinquency Guide. As part of the Model Court involvement, Judge Clark has been piloting an effort to reduce the number of continuances by scheduling a pre-hearing conference prior to every petition hearing. The goal is to provide an opportunity for the parties to reach an agreement that can be presented to the court at the pre-hearing conference. If an agreement is not reached, the case is scheduled for a petition hearing.

The court developed the capacity for hearing officers to conduct delinquency review hearings in the North, South, and McKeesport areas of Allegheny County to enhance the public's access to the court, improve case flow and efficiency, and reduce costs. Hearings are scheduled in the location nearest the juvenile's residence.

The JP Department worked closely with the Allegheny County Crime Lab and the District Attorney's Office to streamline the analysis of suspected controlled substances. This new process, which allows Crime Lab personnel to test a smaller sample size of the suspected substance, has enabled the court to obtain results before the date of the pre-hearing conference or petition hearing, which can be as soon as 10 days following arrest. The new Crime Lab protocol, known as primary analysis, has reduced continuances, decreased lengths of stay in secure detention, and reduced costs.

Allegheny County Music Festival. JP staff again volunteered at Hartwood Acres collecting donations and directing traffic at the event. Monies collected at the music festival, which totaled over \$30,000 in 2013, are used to support cultural, educational, and recreational activities for delinquent and dependent youth in Allegheny County.

Of the 1,547 cases closed during 2013, 88 percent of juveniles successfully completed supervision without re-offending, 74 percent paid restitution in full, and 94 percent completed their community service obligations.

Restoring victims is a central tenet in Balanced and Restorative Justice. Moreover, the law requires that juveniles fulfill all court-ordered financial obligations before their cases may be closed. Monies not paid in full when the juvenile attains 21 years of age are indexed as a judgment with the Department of Court Records. In 2013, JP oversaw the collection of \$283,477 in restitution, fees, and costs. Of this total, \$156,820 was paid directly to victims, \$25,968 was paid to the Victim Compensation Fund, and \$19,781 was directed to the Stipend Fund for victim restitution. The remaining \$80,908 represents court fees and costs incurred by juvenile offenders.

The JP Department continues to work closely with local law enforcement to protect the community. Probation officers routinely "ride along" with local police officers to learn more about neighborhood hot spots and interact jointly with juveniles active with the court.

JP remains involved in the Pittsburgh Initiative to Reduce Crime (PIRC), a multi-agency initiative aimed at reducing homicides and gun crimes committed by juveniles and young adult offenders in the City of Pittsburgh. PIRC is a joint effort that includes the Pittsburgh Police Department, JP, Adult Probation, State Parole, Federal Probation, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and other law enforcement agencies. PIRC identifies high-risk juveniles and adults, putting them on notice that continued violence will not be tolerated. In addition, PIRC includes a service delivery team led by Goodwill Industries that provides programming and pathways out of gang activities. Throughout 2013, JP officers participated in several PIRC sweeps to apprehend those who violated the conditions of their supervision or committed additional crimes.

Under the leadership of Judge Guido A. DeAngelis, JP and the Allegheny County Department of Human Services-Office of Children Youth and Families are collaborating to implement a Crossover Youth Practice Model developed by the Center for Juvenile Justice Reform at Georgetown University. This model will improve services and reduce the number of juveniles in the child welfare system from entering the delinquency system.

Juvenile Justice Week – October 7-12. JP's Community Education Committee sponsored numerous events during Juvenile Justice Week, highlighting JP's commitment to the citizens of Allegheny County. An open house was held for area high school students that included workshops such as *What Does a Probation Officer Do?* and *Consequences of Using Drugs and Alcohol*. Events also included workshop trainings for staff and the annual awards ceremony recognizing key contributions and achievements of juveniles, parents, and probation staff. Approximately \$590 was collected during this week and donated to the Stipend Fund for victim restitution.



Assistant Chief PO Ray Bauer, Assistant Chief PO David Evrard, Administrative Judge Kim Berkeley Clark, Assistant Chief PO Mary Hatheway, and Administrator/Chief PO Russell Carlino take the Balanced and Restorative Justice (BARJ) pledge during Juvenile Justice Week in October 2013.



## FAMILY DIVISION CHILDREN'S COURT

**CHILDREN'S COURT PROVIDES A FORUM FOR FAIR, PROMPT, AND COORDINATED RESOLUTION OF LEGAL MATTERS AFFECTING CHILDREN AND FAMILIES; AND STRIVES TO PROMOTE THE BEST INTERESTS OF CHILDREN INCLUDING EACH CHILD'S RIGHT TO A SAFE, PERMANENT, AND LOVING HOME, AND TO STRENGTHEN AND PRESERVE FAMILIES.**



Children's Court continued in 2013 to holistically address the legal needs of the children and families it serves through innovative partnerships with social services and education systems.

Judge Kathleen R. Mulligan established a Drug and Alcohol Pilot Project designed to eliminate barriers for parents seeking reunification with their children. "We are hopeful that the data will demonstrate that early identification, prompt evaluation and treatment along with continued monitoring will provide families with the help that they need to overcome the scourge of drug and alcohol addiction and enable them to provide a healthy environment where children can be nurtured and prosper," commented Judge Mulligan.

The pilot project requires Office of Children, Youth and Families caseworkers to identify at the time of the adjudicatory hearing those parties in need of an evaluation or treatment. If the judge orders an evaluation or treatment, a status conference is scheduled within 45 days. Any barriers to evaluation or treatment are identified at the status conference, and a plan is put in place to quickly overcome them. From March through December 2013, 84 clients were referred to the pilot project and a total of 109 status conferences were conducted.

Allegheny County Department of Human Services (DHS), through its Children's Court Office of Human Services, provides an on-site resource coordinator to work with judges, hearing officers, attorneys, domestic relations officers, and other court staff to locate social services for those involved in Family Division proceedings. The resource coordinator provided assistance in over 600 cases during the past five years, with 26 percent of those cases occurring in 2013. Mental health services, co-parenting, family counseling, and reconciliation therapy were the top requested services in 2013.

Another on-site resource is Intensive Mental Health and Drug and Alcohol Program for Assessment, Coordinated Services and Treatment (IMPACT), a collaborative effort between Children's Court and the DHS Office of Behavioral Health Justice Related Services. IMPACT offers same-day initial evaluations and assessment scheduling to determine if treatment is warranted for a client. Where treatment is indicated and the client agrees to participate, a referral is made to an appropriate facility. IMPACT provides on-site drug and alcohol screening, ongoing progress reports to judges, and support to clients to ensure their treatment goals are met. Judges, hearing officers, and conciliators referred 261 clients to IMPACT in 2013.

Judge Dwayne D. Woodruff continues to oversee the unique model truancy program, Focus on Attendance, which operates at Pittsburgh King and Pittsburgh Manchester elementary schools. Now in its second school year, this program is a partnership between Children's Court, DHS, and Pittsburgh Public Schools. Program staff expanded in 2013 to include a school intake specialist who works with a school outreach caseworker to handle referrals for children experiencing continuing absenteeism. It is expected that the program's second-year referrals will double from the 147 referrals received during its first year of operation.

The Children's Court's two educational liaisons provided support to 170 children and youth involved in dependency or delinquency matters in 2013. The educational liaisons are available to meet with family members at the Family Law Center to assist in navigating education systems and making referrals to appropriate resources.

## CHILDREN'S COURT – DEPENDENCY

<b>Dependency Petitions</b>	<b>2013</b>
Agency (Children Youth & Families – CYF)	972
Agency with Aggravated Circumstances (CYF)	16
Private/Police	319
<b>Total</b>	<b>1,307</b>
<b>Secondary Filings</b>	
Terminated Parental Rights Petitions	218
Adoption Petitions	178
<b>Total</b>	<b>396</b>
<b>Judicial</b>	
Emergency Custody Authorization Requests	1,096
Shelter Orders	1,287
Adjudicatory Orders – Dependent	873
Adjudicatory Orders – Not Dependent	7
Permanency Review Orders	6,325
Bypass Orders	34
<b>Total</b>	<b>9,622</b>
<b>Hearing Officer</b>	
Shelter Applications	1,319
Shelter Recommendations	980
Permanency Review Recommendations	3,672
<b>Total</b>	<b>5,971</b>
<b>Professional Staff</b>	
Private/Police Petition Processing	319
Permanent Legal Custody Modification Processing	45
<b>Total</b>	<b>364</b>

Judge Guido A. DeAngelis and Children's Court Administrator Cynthia K. Stoltz, Esq., convened a multidisciplinary workgroup to address the distinct needs of youth whose cases traverse between the juvenile justice and child welfare systems. This workgroup attended an intensive certificate program developed by the Center for Juvenile Justice Reform at Georgetown University in October 2013 and is currently discussing how to implement this national model in Allegheny County.

Thanks to a grant from the Supreme Court's Office of Children & Families in the Courts and the Administrative Office of Pennsylvania Courts, a team of Family Division partners led by Judge Arnold I. Klein presented *Focus on Youth – from Surviving to Thriving* in December 2013. The event was attended by a standing room only audience of 145 including judges, hearing officers, parent advocates, children's advocates, county solicitors, juvenile probation officers, court administrators, social services providers, and caseworkers. Following welcoming remarks by Administrative Judge Kim Berkeley Clark and Pat Valentine, DHS Executive Deputy Director for integrated program services, the day began with a powerful video featuring Allegheny County Youth Support Partners, young adults with personal experience in the child serving systems who now advocate for other youth within these systems. Dr. Wendy Smith of the University of Southern California School of Social Work delivered a keynote address outlining many of the themes covered in her book, *Youth Leaving Foster Care: A Developmental, Relationship-Based Approach to Practice*, which integrates multidisciplinary research to provide a new theoretical framework for analyzing and addressing the needs of older youth in foster care.



April Moss and Anthony Murray celebrate the adoption of their daughter with Judge Kathleen R. Mulligan on National Adoption Day.

Children's Court celebrated National Adoption Month in November 2013 with a poster contest featuring the theme *What My Family Means to Me*. Colorful posters by students from 15 participating schools covered the courthouse walls. Winners, their families, and teachers were honored at a reception where they were welcomed by Judge Clark and allowed to don the robe of Judge Kathryn M. Hens-Greco for pictures. National Adoption Month festivities came to a conclusion on Saturday, November 23 when 32 families adopted 42 children during a special celebration that included balloon and caricature artists, zoo mascots, and refreshments. Judges Paul E. Cozza, Donald R. Walko, Guido A. DeAngelis, Kathryn M. Hens-Greco, and Kathleen R. Mulligan presided.

CHILDREN'S COURT –  
PROTECTION FROM ABUSE

<b>Protection From Abuse (PFA)</b>	<b>2013</b>
Petitions / Temporary Hearings	4,056
Final Hearings / Conciliations	4,705
<b>Total</b>	<b>8,761</b>
<b>Protection From Abuse – Judicial</b>	
Temporary Hearings	3,541
Final Hearings	142
Conciliations	409
Indirect Criminal Contempt	60
<b>Total</b>	<b>4,152</b>
<b>Protection From Abuse – Professional Staff</b>	
Applications	4,065
Conciliations	4,705
Indirect Criminal Contempt Processing	1,208
<b>Total</b>	<b>9,978</b>

Various public outreach endeavors were supported by Children's Court during 2013. Custody Department Manager Amy Ross developed and presented trainings on topics including supervised visitation, child testimony, and custody conciliation. These trainings were presented to a diverse constituency consisting of community members, juvenile probation officers, attorneys, and judges. Special programs were designed for Lydia's Place, an organization dedicated to helping female offenders and their children to rebuild their lives and become productive members of the community, and the Father's Collaborative Council, a collaborative effort of participating agencies working to support fatherhood programs.

The Children's Court Protection From Abuse (PFA) department continues to provide and improve upon the recommendations and benchmarks established by the Pennsylvania Supreme Court Committee on Racial and Gender Bias in the Justice System and the Domestic Violence Committee of the Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness.

Walk-in services are provided to adult and child victims of domestic violence daily from 8:00 a.m. to 3:00 p.m., Monday through Friday. A safe environment has been established which includes a dedicated courtroom within the department for PFA cases, access to a secure children's playroom, and separate waiting areas for plaintiffs and defendants. A spacious intake area serves as a resource center where clients can complete court petitions, meet with domestic violence program advocates, receive information on county services and resources, and obtain referrals to the domestic violence units of the district attorney's office and probation departments for related criminal matters.

The PFA department has continued to partner with community and legal agencies to provide ongoing training and updates on the laws and procedures regarding domestic violence issues. The department participated in the planning and improvement activities of both the Allegheny County Domestic Violence Task Force and the Batterer's Intervention Program Planning Committee. Two comprehensive continuing legal education trainings were conducted in April and November 2013 for attorneys volunteering to represent plaintiffs at PFA hearings. These trainings covered both the substantive law and ethical issues in the areas of this practice. Additionally, two trainings focusing on updates in the PFA law and local procedures, with special emphasis on the issues of weapons confiscation pursuant to PFA orders, were conducted with the City of Pittsburgh Police Department for both the command staff and supervisors.

In recognition of "Domestic Violence Month" in October 2013, a special all-day training was conducted for Common Pleas Judges and hearing officers on the topic of the impact of domestic violence on children and the critical role of the judge in addressing these cases. The training was presented by Dr. Anthony Mannarino, a noted national expert on violence, trauma, and its impact on children, who stressed the importance of addressing domestic violence issues timely, competently, sensitively, and with a commitment to best practices.

## CHILDREN'S COURT – CUSTODY

<b>Custody – Original Filings</b>	<b>2013</b>
Custody Complaint	1,803
Divorce Complaint with Custody	92
<b>Total</b>	<b>1,895</b>
<b>Custody – Secondary Filings</b>	
Modification	715
Contempt / Enforcement	67
<b>Total</b>	<b>782</b>
<b>Custody – Judicial</b>	
Conciliations	507
Hearings	621
<b>Total</b>	<b>1,128</b>
<b>Custody – Hearing Officer</b>	
Partial Custody Hearings	440
<b>Custody – Professional Staff</b>	
Mediation	2,710
Conciliations	1,078
Contempt Conferences	354
<b>Total</b>	<b>4,142</b>





## SUMMARY APPEALS

The majority of civil statutory appeals heard by the court's Summary Appeals branch involve suspension of driver operator's licenses, license plates and vehicle registration, and breathalyzer refusals.

A large percentage of summary criminal appeals arise under the Pennsylvania Vehicle Code. Appeals filed in this category also include cases of disorderly conduct, defiant trespass, obstructing traffic, harassment, retail theft, public drunkenness, and underage drinking.

The Summary Appeals branch conducts hearings on all appeals filed and is responsible for the disposition of all ancillary matters related to the appeal. Other matters processed by Summary Appeals include motions requesting *in forma pauperis* status and *nunc pro tunc* appeals.

### SUMMARY APPEALS – CASE DISPOSITIONS

Case Type	New Cases Filed 2013	Cases Disposed 2013
Criminal Summary Convictions	3,175	3,003
Operator License Suspension Appeals	833	833
Plates & Registration Suspension Appeals	234	234
Breathalyzer Refusal Appeals	80	80
Pittsburgh Parking Authority	8	8
In Forma Pauperis	1,315	1,315
Nunc Pro Tunc Appeals	794	794
<b>Total</b>	<b>6,439</b>	<b>6,267</b>

Grand architectural arches welcome visitors to the Grant Street entrance of the City-County Building.





## MAGISTERIAL DISTRICT COURTS

TO PROVIDE A FORUM FOR FAIR  
AND EQUAL ACCESS TO JUDICIAL  
SERVICES THAT PROMOTES THE  
EXPEDITIOUS RESOLUTION OF  
PUBLIC AND PRIVATE DISPUTES  
THROUGH COMMUNITY-BASED  
LOCATIONS THROUGHOUT  
ALLEGHENY COUNTY.

# MAGISTERIAL DISTRICT COURT



HON. ROBERT BARNER  
05-2-11



HON. DAVID J. BARTON  
05-2-17



HON. CAROLYN S. BENDEL  
05-2-05



HON. SUZANNE BLASCHAK  
05-3-04



HON. JOHN N. BOVA  
05-2-18



HON. PAT A. CAPOLUPO  
05-2-16



HON. THOMAS P. CAULFIELD  
05-2-08



HON. ANTHONY CIOFFE  
05-3-10



HON. MARY ANN CICONE  
05-3-06



HON. KEVIN E. COOPER  
05-3-12



HON. RON N. COSTA, SR.  
05-2-31



HON. ROBERT P. DZVONICK  
05-2-03



HON. ROBERT L. FORD  
05-3-02



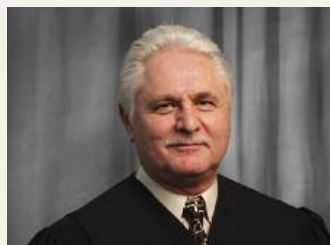
HON. JAMES J. HANLEY, JR.  
05-2-36



HON. JEFFREY L. HERBST  
05-2-07



HON. KIM M. HOOTS  
05-2-10



HON. LEONARD J. HROMYAK  
05-2-06



HON. DENNIS R. JOYCE  
05-2-23



HON. RICHARD G. KING  
05-3-14



HON. ELISSA M. LANG  
05-2-04



## MAGISTERIAL DISTRICT COURT



HON. BLAISE P. LAROTONDA  
05-2-19



HON. ARMAND A. MARTIN  
05-3-09



HON. RANDY C. MARTINI  
05-3-13



HON. HUGH F. MCGOUGH  
05-2-35



HON. MAUREEN MCGRAW-DESMET  
05-2-21



HON. THOMAS G. MILLER, JR.  
05-3-05



HON. JAMES A. MOTZNIK  
05-2-38



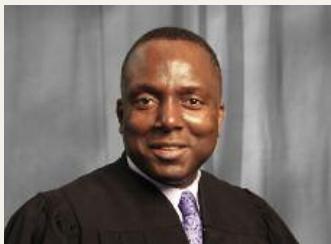
HON. MARY P. MURRAY  
05-2-25



HON. RICHARD D. OLASZ, JR.  
05-2-14



HON. RICHARD G. OPIELA  
05-2-02



HON. OSCAR J. PETITE, JR.  
05-2-28



HON. ROBERT P. RAVENSTAHL, JR.  
05-2-42



HON. EUGENE F. RIAZZI, JR.  
05-2-13



HON. EUGENE N. RICCIARDI  
05-2-27



HON. DERWIN RUSHING  
05-2-40



HON. ANTHONY W. SAVEIKIS  
05-3-17



HON. BETH SCAGLINE MILLS  
05-2-26



HON. SCOTT H. SCHRICKER  
05-2-47



HON. TARA L. SMITH  
05-2-01



HON. DAVID J. SOSOVICKA  
05-3-03



HON. CARLA SWEARINGEN  
05-2-43



HON. THOMAS TORKOWSKY  
05-2-15



HON. WILLIAM K. WAGNER  
05-2-12



HON. LINDA I. ZUCCO  
05-2-32



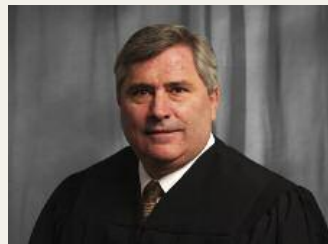
HON. GARY M. ZYRA  
05-2-22



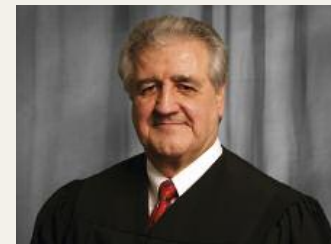
HON. ELAINE M. MCGRAW  
SENIOR JUDGE



HON. EDWARD A. TIBBS  
SENIOR JUDGE



HON. REGIS C. WELSH, JR.  
SENIOR JUDGE



HON. EUGENE ZIELMANSKI  
SENIOR JUDGE

## NOT PICTURED

HON. NATHAN FIRESTONE  
SENIOR JUDGE

HON. NANCY L. LONGO  
SENIOR JUDGE

HON. CHARLES A.  
MCLAUGHLIN, JR.  
SENIOR JUDGE

HON. RICHARD H. ZOLLER  
SENIOR JUDGE

## MAGISTERIAL DISTRICT COURT

The Fifth Judicial District Magisterial District Courts continue to perform with a high degree of efficiency despite tremendous caseloads, lean staffing, and a challenging economy. In 2013, the 46 Magisterial District Court offices accepted over 201,000 filings, 65,701 fewer than in 2012.

2013 brought several changes to three Magisterial District Courts as a result of Pennsylvania Supreme Court Order No. 357, Magisterial Rules Docket, mandating the reestablishment of magisterial districts within the Fifth Judicial District of Pennsylvania. District Judge Carla Swearingen acquired jurisdiction of matters arising in Kennedy Township previously heard by District Judge Mary Ann Cercone, and District Judge Randy C. Martini received jurisdiction of matters arising in the City of Pittsburgh, Ward 28, which were previously heard by District Judge Carla Swearingen.

Guy Reschenthaler was elected in November 2013 to serve in Pleasant Hills Borough due to the vacancy created by the retirement of District Judge Pat A. Capolupo. District Judge Reschenthaler received his law degree from Duquesne University School of Law and is a veteran of the United States Navy. District Judges Richard D. Olasz, Jr., Oscar J. Petite, Jr., Eugene F. Riazzi, Jr., Anthony W. Saveikis, and Beth Scagline Mills were re-elected in November 2013 to serve new six-year terms.

District Judges Pat A. Capolupo, who served the Pleasant Hills Borough for five years, and John N. Bova, who dedicated 15 years to Baldwin Borough, retired in 2013. District Judges Capolupo and Bova were granted senior judge status by the Pennsylvania Supreme Court, effective January 2014, and will continue to serve in community based courts and at the Pittsburgh Municipal Court. District Judge David J. Barton moved to a new location at 5301 Grove Road, Pittsburgh.



Magisterial District Courts-Administrative Office staff, Robin Shook and Helen Jackson, attended a training and educational session on April 5, 2013 for Magisterial District Court Judges and court managers. Topics included Sex Offender Court, Center for Victims Programs, Juvenile and Arraignment Courts, and procedural and personnel information.

### HON. ROBERT C. WYDA

MARCH 26, 1959 – AUGUST 5, 2013


District Judge Robert C. Wyda, who served Bethel Park and Upper St. Clair Township for 14 years, passed away in August 2013. Judge Wyda received his law degree from the Duquesne University School of Law, served as an Allegheny County assistant district attorney (1990-1997), and as an assistant court administrator for the Fifth Judicial District (1997-2000). A veteran of the United States Navy, Judge Wyda served in Afghanistan, Iraq, and Guantanamo Bay. He was committed to the community and spearheaded efforts to combat drug abuse, juvenile offenses, and truancy in his district.





## FILINGS BY MAGISTERIAL DISTRICT COURT

Court	Criminal	Private Summary	Traffic	Non-Traffic	Civil	Landlord/Tenant	Total
05-0-03	13,172	251	33,679	10,792	1	1	57,896
05-2-01	583	50	5,040	635	185	259	6,752
05-2-02	891	342	3,165	598	321	141	5,458
05-2-03	650	734	3,991	826	261	243	6,705
05-2-04	378	62	2,856	803	277	153	4,529
05-2-05	591	241	4,875	1,062	384	316	7,469
05-2-06	749	297	1,646	830	515	608	4,645
05-2-07	580	276	2,785	796	283	355	5,075
05-2-08	550	308	5,121	967	143	303	7,392
05-2-10	575	518	6,125	465	223	727	8,633
05-2-11	523	474	5,585	659	415	411	8,067
05-2-12	291	468	3,598	404	328	52	5,141
05-2-13	801	75	1,339	2,046	418	796	5,475
05-2-14	1,094	587	2,429	1,121	396	407	6,034
05-2-15	602	269	3,234	988	347	253	5,693
05-2-16	482	150	4,503	556	255	171	6,117
05-2-17	360	59	4,847	367	237	233	6,103
05-2-18	906	8	2,506	816	154	414	4,804
05-2-19	485	12	4,003	1,004	213	182	5,899
05-2-20	429	124	2,489	579	244	87	3,952
05-2-21	404	367	3,408	536	270	71	5,056
05-2-22	422	114	1,200	400	224	90	2,450
05-2-23	470	79	2,859	935	207	160	4,710
05-2-25	731	101	3,552	728	342	195	5,649
05-2-26	248	108	502	207	447	109	1,621
05-2-27	-	38	2,290	884	231	365	3,808
05-2-28	-	160	535	549	360	650	2,254
05-2-31	-	246	39	273	291	709	1,558
05-2-32	342	167	2,112	314	242	153	3,330
05-2-35	-	169	844	352	199	130	1,694
05-2-36	166	27	19	89	166	165	632
05-2-38	-	36	84	594	227	279	1,220
05-2-40	-	61	103	689	181	564	1,598
05-2-42	-	243	69	977	245	803	2,337
05-2-43	490	302	2,377	454	280	258	4,161
05-2-47	831	394	2,953	1,370	428	675	6,651
05-3-02	302	15	5,192	318	121	33	5,981
05-3-03	562	98	3,785	570	204	48	5,267
05-3-04	411	244	4,157	331	347	52	5,542
05-3-05	192	29	542	230	205	85	1,283
05-3-06	1,050	162	1,072	1,214	257	565	4,320
05-3-09	591	732	1,498	1,177	462	234	4,694
05-3-10	-	65	22	138	130	141	496
05-3-12	-	64	24	555	171	601	1,415
05-3-13	-	139	1,445	351	183	369	2,487
05-3-14	383	583	799	419	296	604	3,084
05-3-17	302	132	2,752	540	178	117	4,021
<b>TOTAL</b>	<b>32,589</b>	<b>10,180</b>	<b>148,050</b>	<b>41,508</b>	<b>12,494</b>	<b>14,337</b>	<b>259,158</b>

The background of the page is a photograph of the Pittsburgh Municipal Court building. It is a multi-story, modern building with a prominent corner section featuring large glass windows and a balcony with a decorative metal railing. The words "PITTSBURGH MUNICIPAL COURTS" are inscribed on the building's facade. The building is constructed from light-colored stone or concrete.

## PITTSBURGH MUNICIPAL COURT

TO PROMOTE PUBLIC TRUST AND  
CONFIDENCE IN OUR JUDICIAL  
SYSTEM BY PROVIDING QUALITY  
SERVICE TO THE PUBLIC AND LAW  
ENFORCEMENT AGENCIES IN AN  
IMPARTIAL, EFFICIENT, AND  
EFFECTIVE MANNER.

Pittsburgh Municipal Court (PMC) implemented an additional approach to address outstanding summary warrants in 2013. Warrants for summary offenses including traffic and non-traffic violations where defendants have either failed to respond to a citation and/or summons; failed to pay fines and costs; or defaulted on a payment plan for fines and costs, are numbered at 14,236 and remain to be served. Until 2013, warrant service was provided by the City of Pittsburgh Bureau of Police-Warrant Squad, the Allegheny County Sheriff's Office, and a Constable Service. Due to the large volume of outstanding warrants, PMC, with the assistance of the Allegheny County Constables Association, began a pilot project in the fall of 2013, utilizing the services of approved local constables to assist in serving warrants. From October 2013 through December 2013, approximately 40 constables were trained in PMC protocols and procedures, and 1,431 summary warrants were issued for service by those constables.

Pittsburgh Municipal Court employees participated in advanced training on the statewide Magisterial District Judge System (MDJS) in October 2013. Administrative Office of Pennsylvania Courts (AOPC) representatives presented classes in Advanced Criminal, Advanced Traffic, and Advanced Non-Traffic processes within the MDJS.

Significant improvement was made to the online payment features available to court participants at PMC. The MDJS ePay application, <http://ujportal.pacourts.us>, and nCourt, [www.pittsburghpatix.com](http://www.pittsburghpatix.com), provide the public with the ability to pay traffic and non-traffic court financial obligations with credit/debit cards via the internet. nCourt also offers the ability to pay via the telephone. PMC collected \$662,639 through the ePay application and \$488,431 through the services of nCourt. This is approximately 30 percent of total payments received and processed at PMC.

The Arraignment Division of PMC conducts business 24 hours a day 365 days a year. In 2013, the Arraignment Division conducted 17,815 preliminary arraignments via two-way simultaneous audio-visual communication with the Allegheny County Jail, pursuant to Pa.R.Crim.P. 540. This number includes 161 bail hearings that were conducted pursuant to Pa.R.Crim.P. 517 for defendants arrested in Allegheny County for charges filed in another Pennsylvania judicial district. Utilizing videoconferencing, the Division conducted 81 arraignments for individuals housed in correctional facilities throughout Pennsylvania.

In addition to handling preliminary arraignments, the Arraignment Division files criminal complaints and processes search warrants for all magisterial district courts during non-business hours and for the City of Pittsburgh 24/7. In 2013, 1,325 search warrants were issued. Magisterial District Judges assigned to the Arraignment Division conducted 80 marriage ceremonies throughout the year.

Emergency Protection From Abuse (PFA) Petitions are processed at Arraignment Court in the evenings during the week, and 24 hours a day on weekends and holidays. The Division handled 2,575 Emergency PFA Petitions, of which 2,095 were granted and 442 were denied. A total of 519 warrants for Indirect Criminal Contempt pertaining to PFA violations were issued in 2013.

The Arraignment Division collects and disburses bail and collateral on summary, criminal, and family cases. The Division collected \$1,290,985 in cash, which primarily represents bail on criminal cases and also collateral on traffic and non-traffic cases and Department of Court Record fees. The Division also processes the posting of bail by bail bondsman.

## PMC COLLECTED \$3,857,611 IN FINES, FEES, AND COLLATERAL FOR TRAFFIC AND NON-TRAFFIC CITATIONS IN 2013.

Distributions required by state law include the following:

County of Allegheny  
\$647,130

Commonwealth of Pennsylvania  
\$1,744,868

City of Pittsburgh  
\$1,465,613



The total number of case filings at PMC slightly decreased in 2013. Traffic filings decreased by 2,449, however, all other filings slightly increased. Of the 57,894 cases filed at PMC, 10,792 were non-traffic, 33,679 were traffic, 13,172 were criminal, and 251 were private criminal complaints. The Criminal Division disposed of 9,600 cases in 2013. The Expedited Disposition Plea (EDP) Program disposed of 1,714 cases, with 610 of these being felony drug cases. The EDP guilty pleas are conducted via videoconferencing between the Court of Common Pleas Criminal Division and PMC.

The PMC Criminal Division online calendar system was utilized to process 895 postponement requests, and 350 additional attorneys registered to use the system. The PMC daily calendar is available for public viewing through the Fifth Judicial District website, <http://www.alleghecourts.us/pmc/calendar.asp>, and is searchable by date of proceeding, name of defendant, or Official Tracking Number (OTN).

The Traffic and Non-Traffic divisions of PMC conducted 253 videoconferencing proceedings involving defendants housed in correctional facilities throughout Pennsylvania.

Three PMC employees, recognized for multiple years of employment with the court, retired in 2013: Veronica Elliott, Non-Traffic division (17 years), Patricia Luck, Traffic division (22 years), and Florence Frankulewski, Non-Traffic division (12 years).

Two supervisors were acknowledged in 2013 with the presentation of honorary benches and City of Pittsburgh Proclamations from the office of Mayor Luke Ravenstahl. Theresa Bronowicz, supervisor of PMC's Criminal Division, worked at PMC in various capacities for 48 years (39 with the City of Pittsburgh, and 9 with the Fifth Judicial District). Judy MacFarlane, supervisor of the PMC's Traffic division, worked at PMC in various capacities for 41 years (32 with the City of Pittsburgh, and 9 with the Fifth Judicial District).



Pittsburgh Municipal Court staff participated in advanced training on the Magisterial District Judge System (MDJS) in October 2013.

Seated L-R: Justin Yeckley, Cindy Baumgart, and Marla Winowich. Standing L-R: Ruth Federlein, Jeffrey King, Theresa Bronowicz, Todd Lesesne, Angharad Stock, Esq., Administrator- Pittsburgh Municipal Court; Patty Reed, Rhonda DeAngelo, Janey Thompson-Norrington, Sandra Federlein, and Mike Rudler, Trainer-Administrative Office of Pennsylvania Courts.

## PITTSBURGH MUNICIPAL COURT

Magisterial District Judge	Court Number	Sessions Assigned	PMC Cases <sup>1</sup>	MDJ Court Filings in 2013	Total Filings Per MDJ <sup>2</sup>
Hon. Eugene N. Ricciardi	05-2-27	64	2,685	3,808	6,493
Hon. Oscar J. Petite, Jr.	05-2-28	106	4,447	2,254	6,701
Hon. Ron N. Costa, Sr.	05-2-31	114	4,782	1,558	6,340
Hon. Hugh McGough	05-2-35	108	4,531	1,694	6,225
Hon. James J. Hanley, Jr.	05-2-36	154	6,460	632	7,092
Hon. James A. Motznik	05-2-38	125	5,244	1,220	6,464
Hon. Derwin Rushing	05-2-40	116	4,866	1,598	6,464
Hon. Robert P. Ravenstahl, Jr.	05-2-42	109	4,573	2,337	6,910
Hon. Anthony Ceoffe	05-3-10	183	7,677	496	8,173
Hon. Kevin E. Cooper	05-3-12	121	5,076	1,415	6,491
Hon. Randy C. Martini	05-3-13	109	4,573	2,487	7,060
Hon. Richard G. King	05-3-14	58	2,433	3,084	5,517
Hon. Carla Swearingen <sup>3</sup>	05-2-43	13	547	4,161	4,708
<b>Total</b>		<b>1,380</b>	<b>57,894</b>	<b>26,744</b>	<b>84,638</b>

<sup>1</sup> Equals Yearly Sessions Assigned x 41.95 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.  
Note: As of October 1, 2013, all matters wherein City of Pittsburgh Ward 28 is the proper venue shall be filed in Magisterial District Court 05-3-13.











FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA – COUNTY OF ALLEGHENY

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